

**Reef Fish Committee Report
January 30, 2024
Dr. Thomas Frazer – Chair**

The Committee adopted the agenda (**Tab B, No. 1**) after moving the Review of 2023 Gulf Red Grouper and Gag Grouper Recreational Landings and Quota Closure under Gag Management Measures, and adding a discussion item under Other Business related to the SEDAR schedule. The minutes (**Tab B, No. 2**) from the October 2023 meeting were approved as written.

Draft Options: Modification of Mid-Water Snapper Complex Composition and Catch Limits (Tab B, No. 4)

Council staff presented options for the potential removal of wenchman from the Reef Fish FMP, and subsequent modification of the overfishing limit (OFL) and acceptable biological catch (ABC) for the remaining species in the mid-water snapper complex: blackfin snapper, silk snapper, and queen snapper. Staff clarified that any changes to the catch limits would be made in Marine Recreational Information Program’s Fishing Effort Survey (MRIP-FES) data units, as opposed to the historic Marine Recreational Fisheries Statistics Survey (MRFSS), the current data unit. The SSC made OFL and ABC recommendations in MRIP-FES units. Wenchman is often caught incidentally in the commercial butterfish/scad trawl fishery. Council staff highlighted the list of factors outlined in the National Standards Guidelines that should be considered when determining whether a species needs conservation and management.

The Committee noted that although wenchman is a rare-event species, there are other rare-event species that are still federally managed. Council staff noted also that little life-history information exists for wenchman and annual landings data are erratic and uncertain. Accordingly, there is little chance of a stock assessment being completed for this species in the future. Staff discussed the SSC meeting deliberations, and the confidentiality issues surrounding landings data for wenchman in any given year must be averaged over a period of 3-5 years. Committee members remarked that it may be beneficial to consider removing wenchman from the complex, but retaining wenchman in the Reef Fish FMP as an ecosystem component. This would allow continued monitoring of the species, but would not require ACLs to be established.

The Committee recommends, and I so **move, in Action 1, to add an Alternative 3 to remove wenchman from the mid-water snapper complex but remain in the Reef Fish FMP.**

Motion carried with one abstention.

Regarding Action 2, a Committee member suggested adding an alternative for a multi-year ACL. Council staff asked the Committee what other information it needs to determine if wenchman needs conservation and management. While the amendment can be updated to reflect the Council’s motion, it is unlikely that any more data will be

available to examine. Consideration of the National Standards Guidelines criteria for determining ecosystem component classification will also require discussion. A Committee member asked for staff to consider if there is room on the April 2024 Council meeting agenda to discuss these criteria and, if not, to then bring an updated amendment to the June 2024 Council meeting to allow more time for discussion.

Review of 2023 Gulf Red Grouper and Gag Grouper Recreational Landings and Quota Closure (Tab B. No. 8)

SERO staff reviewed the 2023 Gulf red grouper preliminary recreational landings, in particular those landings from wave 4 (July and August). The MRIP-FES preliminary landings estimate for this wave in 2023 was considerably larger than the previous three waves (Jan-Feb, Mar-Apr, and May-Jun) combined. The proportional standard errors (PSE) for the wave 4 fleet-specific estimates (private vessels: 48%; for-hire: 37%) are above 30% but below 50%, indicating a need to exercise caution when using these estimates for management purposes.

SERO stated that trends and outliers are evaluated and addressed as necessary before finalizing season duration projections. A Committee member said that the 2023 red snapper season in Florida opened in June and a large spike in effort was not observed in wave 3 for red grouper. Another Committee member asked if the effort distribution in prior years was comparable to 2023 and what proportion of the dead discards came from the open versus closed season. Dr. Richard Cody (NOAA Office of Science and Technology [NOAA OST]) replied that NOAA OST noticed a similar pattern from prior fishing years, but could not comment on the proportion of dead discards by season at this time. SERO staff clarified that the positive intercepts for red grouper occurred almost entirely during the open fishing season.

SERO and NOAA OST are continuing to investigate these landings estimates, which are expected to be finalized in the spring of 2024. The landings will reflect any modifications based on those investigations. The accountability measure (AM) for red grouper does not presently have a payback provision, but does require management in the following fishing season to be set based on the annual catch target (ACT) in the event of an overage of the ACL in the previous year. SERO clarified that no decision about the 2024 season projection has yet been made. Of note, SEDAR 88, which will assess Gulf red grouper, will consider the State of Florida's State Reef Fish Survey (SRFS) for private recreational vessel landings. Shore mode landings are not included in the red grouper stock assessment due to a lack of data for that mode.

A Committee member advocated for and noted past instances where conversations with state fisheries staff have helped to resolve outliers or explain oddities in landings data. SERO agreed stating that SERO could do more to flag outliers and identify other abnormalities in landings data. Another Committee member asked what NOAA OST was doing to resolve puzzling trends in the data. Dr. Cody replied that getting the data sooner may help, and that NOAA OST is looking into working with the Gulf states to seek efficiencies in data provision. Dr. Cody added that the 2023 estimates would be finalized by NOAA OST in April, and that he does not expect them to change much.

A Committee member did not think NOAA OST working more closely with the states was enough, and thought MRIP was broken. The Committee member noted that the SRFS estimate, which has a lower PSE, was over one million pounds less than the MRIP estimate, and thought that the MRIP estimate was uninformative. Another Committee member thought the overestimation issues were not related to the 2023 pilot study, which characterized telescoping bias and a possible overestimation of private and shore landings. The Committee member thought the errors within MRIP were more symptomatic of an error inherent to its effort extrapolation methods, and would not be resolved with alternative question ordering in the Fishing Effort Survey (FES). Dr. Cody replied that NOAA OST's continued work was necessary to improve MRIP-FES, and said that all surveys could be improved in some way. A Committee member said that stakeholders' livelihoods were at stake based on these MRIP-FES estimates, and the continued issues with this survey were very concerning.

SERO staff reviewed the 2023 Gulf gag grouper recreational landings from wave 5 (September and October). This MRIP-FES landings estimate was considerably larger than anticipated. SERO and NOAA OST are continuing to investigate the 2023 landings estimate, which is expected to be finalized in the spring of 2024, including any modifications. Like red grouper, the PSE for the fleet-specific estimates for wave 5 (private vessels: 42%; for-hire: 33%) are above 30% but below 50%, indicating a need to exercise caution when using these estimates for management purposes. The shore mode landings are not recommended for use per NOAA OST (shore PSE: 99%). The MRIP-FES estimate is seven times higher than the comparable estimate from SRFS for private vessels in 2023. SERO noted that there are three private vessel dockside intercepts which are highly influential to the landings estimate that are being investigated. SERO added that final rulemaking for Amendment 56 to the Reef Fish FMP is underway, which would transition catch limits to SRFS data units and institute a payback unless the best scientific information available suggests otherwise. SERO will evaluate the final estimates, ultimately converted to SRFS data units, to determine the subsequent recreational fishing season duration for 2024. Lastly, SERO said that an average would have occurred regardless of the data unit used to monitor landings.

A Committee member thought that more needed to be done to consider the state survey data; NOAA OST previously acknowledged that SRFS was more precise than MRIP-FES. Another Committee member thought the issues with MRIP were justification for a for-hire sector specific data collection program. A Committee member said much weight is placed on dockside intercepts, and provided an example of how unusual intercept data can affect the end estimate. The Committee member agreed that more collaboration with the states was critical. Council staff asked for clarification about why an estimate for shore was published if there was only one intercept, and asked Dr. Cody to clarify NOAA OST's practices for minimum sample sizes. Dr. Cody acknowledged that NOAA OST does not have control over minimum sample sizes, and added that data are published, even if not supported by NOAA OST due to high PSEs, for transparency. A Committee member said that of the 19 days for which the gag recreational season was open in October 2023, several were unfishable due to inclement weather. Despite this, the

landings estimated by MRIP-FES in October 2023 exceeded the annual commercial gag landings for the last five years.

Draft Options: Gag Grouper Management Measures (Tab B. No. 5)

Council staff reviewed a revised presentation of the effects of modifying the recreational daily bag limit for gag from two fish per person to one fish per person. Effects were described as the difference in the projected recreational fishing season duration between these two scenarios, and were considerate of the Council's stated goals for gag management during the rebuilding plan.

A Committee member did not think a 10% gain in fishing days was worth halving the recreational bag limit. Another Committee member wanted to prioritize preserving the fishing season, and questioned what other options might be available to further constrain harvest. A Committee member thought that fishermen's behavior may likely change with effort compression, if the fishing season is shortened. However, the Committee member acknowledged the shortcomings in the precision and reliability of the data to analyze that effort compression. A Committee member thought it should be a priority to avoid increasing discards for gag, as the Council prioritized at its August 2023 meeting.

The Committee recommends, and I so **move, to stop work on Draft Options: Gag Grouper Management Measures.**

Motion carried 12-2 with 3 abstentions.

A Committee member asked when the Council might see a document considering spatial area closures for gag. Council staff replied that considerable research would be needed prior to presenting options to the Council for modifications to spatial area closures.

Final Action: Draft Abbreviated Framework Action: Modifications to Catch Limits for Gulf of Mexico Lane Snapper (Tab B, No. 6)

Staff reviewed the summary of public comment, draft codified text, and draft abbreviated framework action document. A Committee member noted that the SSC did not express concern over the increase to the OFL and the ABC in Option 2.

The Committee recommends, and I so **move, to make Option 2 the preferred.**

Motion carried without opposition and with one abstention.

The Committee recommends, and I so **move, to recommend the Council approve the Abbreviated Framework Action: Modifications to Catch Limits for Gulf of Mexico Lane Snapper 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.**

Motion carried without opposition.

Permit Requirements for Participation in Individual Fishing Quota (IFQ) Programs (Tab B, No. 7)

Ms. Alisha Gray (SERO) said two IFQ-focused amendments are currently in development in response to previous Council motions. Reef Fish Amendment 59, the main focus of her presentation, will update the goals and objectives of the red snapper and grouper-tilefish IFQ programs and address requirements for obtaining an IFQ account and holding and obtaining IFQ shares and annual allocation. The second amendment (Reef Fish Amendment 60) will be discussed during the April 2024 Council meeting.

Ms. Gray reviewed a draft purpose and need statement for Amendment 59. The Committee recommended staff delete references to IFQ program reviews from the statement because the reviews are now several years old. Action 1 considers alternative requirements to obtain and maintain a shareholder account. Ms. Gray reviewed IFQ participation trends and noted that the most restrictive alternative would require a commercial reef fish permit to obtain and maintain an account. The Committee discussed the addition of an alternative to Action 1.

The Committee recommends, and I so **move, in Action 1, to add an Alternative 4.**

Alternative 4: Require a commercial reef fish permit to maintain an account.

Motion carried 11 to 3 with 3 abstentions.

Action 2 defines and evaluates active participation within the IFQ programs, which could be based on landings, VMS activity, and trip declarations and landings notifications. Committee members discussed activity metrics presented and indicated that IFQ species landings, rather than overall reef fish landings, should be used to assess activity because the interest is in evaluating activity levels of IFQ participants. The Committee suggested staff exercise caution in using VMS pinging activity after the demarcation line as a metric because it may unduly penalize those who fish closer to shore. The Committee recommended the removal of trip declarations from the amendment because they do not necessarily capture activity.

Actions 3 and 4 address requirements to hold and maintain IFQ shares and annual allocation, respectively. Alternatives in Action 3 range from status quo to requiring a permit and showing fishing activity to obtain and maintain IFQ shares. Action 4 considers a similar range of requirements to obtain and maintain IFQ annual allocation. Ms. Gray noted that share requirements and allocation requirements do not have to be the same, and that a reef fish permit can be valid, expired but renewable, or terminated. Ms. Gray discussed divestment protocols and procedures including: divestment measures at implementation and post-implementation; and time periods to consider to account for adjustments to the permit and activity requirements.

Ms. Gray provided a timeline for the development of Reef Fish Amendments 59 and 60, indicating that Amendment 60 will be discussed in April 2024, while Amendment 59 will come back before the Council in June 2024. The Committee inquired about the potential impacts of

permit requirements on dealers. Committee members noted that the updated goals and objectives of the IFQ programs intend to give control of the shares and allocation to those who actively fish. Staff noted that dealer permits are open access permits. The Committee recognized that the purpose and need statement should be amended, if flexibility for dealers is included. The Committee asked whether exemptions to permit and activity requirements could be considered. Staff replied that rather than exemptions, the alternatives presented afford the Council the flexibility to select a suite of alternatives consistent with its vision for the IFQ programs. Committee members recommended staff fully consider the role of dealers in the IFQ programs while developing the amendment. The Committee inquired about the potential impacts of permit status on divestment measures. Staff indicated that additional options based on permit status will be developed. Committee members discussed the federal finance program and thought further discussion to ascertain whether there are opportunities to support fishermen is warranted. Staff noted that, while some consolidation would be expected under permit and activity requirements on related accounts, a better understanding will be gained as the amendment progresses.

Other Business

Gulf of Mexico SEDAR Schedule

A Committee member sought clarification about the SEDAR schedule based on the results of the SEDAR 74 research track for Gulf of Mexico red snapper. Staff noted a SEDAR Steering Committee meeting is scheduled for March 2024 in Charleston, South Carolina, and that the SEDAR Committee will be convened in April 2024. The SEFSC added that the type and timing of the next red snapper stock assessment needed to be negotiated between the Council and the SEFSC at the SEDAR Steering Committee meeting. Council staff replied that it is the current intent to request a benchmark assessment, which will produce actionable management advice upon passing an independent peer-review. Council staff also clarified that the Gulf SEDAR schedule would be updated for the April 2024 Council meeting.

Update the Ad Hoc Red Snapper/Grouper-Tilefish IFQ Advisory Panel (AP) Charge

Council staff reviewed the current charge for the Ad Hoc Red Snapper/Grouper-Tilefish IFQ AP and an alternative charge that better aligns with the current expectations of the AP.

The Committee recommends, and I so **move, to accept the proposed changes to the charge for the Ad Hoc Red Snapper/Grouper-Tilefish IFQ AP.**

Revised Charge: To evaluate and make recommendations relative to requirements for participation in the red snapper and grouper/tilefish individual fishing quota (IFQ) programs considered in Reef Fish Amendment 59 and to modifications to IFQ shares and annual allocation distribution approaches proposed in Reef Fish Amendment 60.

Motion carried without opposition and with two abstentions.

Mr. Chair, this concludes my report.