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Reef Fish Committee Report October 23 – 24, 2023 Dr. Thomas Frazer – Chair

The Committee adopted the agenda (**Tab B, No. 1**) after adding a discussion item under Other Business related to other entities that might submit proposals for federal funding to inform the SEDAR process. The minutes (**Tab B, No. 2**) from the August 2023 meeting were approved with minor grammatical changes.

SSC Review of 2023 Gulf Vermilion Snapper Interim Analysis (Tab B, No. 4)

Dr. Luiz Barbieri (Vice Chair, Scientific and Statistical Committee [SSC]) reviewed a presentation by the Southeast Fisheries Science Center (SEFSC) on the 2023 Gulf vermilion snapper interim analysis (IA), using data through 2022. The IA used the Gulf Fishery-Independent Survey of Habitat and Ecosystem Resources (G-FISHER) combined video index, which showed a generally flat trend over time, with strong oscillations in estimated abundance in recent years. Uncertainty in this index is considerable, and the SSC discussed the appropriateness of the index for vermilion snapper. Beginning in 2020, these video surveys were standardized to one another (now, “G-FISHER”). Dr. Barbieri noted that the updated catch advice based on SEDAR 67 had just been implemented in 2023, and the SSC’s catch advice from that was valid through 2025. The SSC did not ultimately recommend updated catch advice at this time.

Capt. Dylan Hubbard summarized the comments and motion for vermilion snapper from the Reef Fish Advisory Panel (AP). The AP recommended not modifying vermilion snapper management at this time. However, in anticipation of the Marine Recreational Information Program’s Fishing Effort Survey (MRIP-FES) recalibration following the planned 2024 pilot study, the AP passed a motion asking the Council to consider commercial and recreational sector allocations for vermilion snapper. Capt. Hubbard added that vermilion snapper off Florida were becoming larger and more numerous, and he thought more recreational fishing effort was shifting to vermilion snapper. The Council will negotiate at the SEDAR Steering Committee to schedule the next vermilion snapper stock assessment, which could likely be conducted as an update assessment.

SSC Review of 2023 Gulf Lane Snapper Interim Analysis (Tab B. No. 5)

Dr. Barbieri reviewed a presentation by the SEFSC on the 2023 Gulf lane snapper catch analysis, using data through 2022. These data were prepared to help inform the SSC about the general condition of the Gulf lane snapper stock, which is currently evaluated periodically using an index-based method from the NOAA Data Limited Toolkit (iTTarget). This analysis examines the catch-per-unit-effort (CPUE) from the headboat fleet against landings to revise catch advice. The trend in this CPUE index is relatively flat, with the SSC noting increased landings of lane snapper in recent years. There is no reliable fishery-independent index of abundance for lane snapper, and the headboat CPUE index may not adequately track the abundance of the lane snapper stock. The SSC ultimately passed a motion recommending an overfishing limit (OFL)

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of 1.116 million pounds (mp) whole weight (ww), and an acceptable biological catch (ABC) of 1.088 mp ww, using MRIP-FES data units. The SSC thought future efforts should focus on identifying an additional index of abundance for evaluating lane snapper.

Capt. Dylan Hubbard summarized the comments and motion for lane snapper from the Reef Fish AP. The AP requested that the Council modify catch advice based on the SSC's recommendations. He added that lane snapper, like vermillion snapper, were becoming larger and more numerous, and though this would be a modest increase in catch limits, he thought it would be appreciated by the fishermen. A Committee member asked about the larger and more numerous fish off west-central Florida, and asked if other areas were observing the same. Capt. Hubbard replied that the increasing number and average size was consistent across the west Florida shelf. The Committee discussed next steps, including consideration of the relationship between the ABC and Annual Catch Limit (ACL) for lane snapper. A Committee member acknowledged that though the proposed changes did not amount to much of an increase in the ABC, the rationale for the increase was scientifically sound and supported by the fishery.

The Committee recommends, and I so move, to direct staff to develop an abbreviated framework action to adjust the OFL, ABC and ACL for lane snapper.

Motion carried without opposition.

Review of IFQ Program Goals and Objectives (Tab B, No. 6)

Dr. Jessica Stephen (SERO) gave a presentation on the goals and objectives of the red snapper and grouper/tilefish individual fishing quota (IFQ) programs. She reviewed Goal 1, (i.e., improve opportunities for participants to enter the program) and the objectives identified under this goal. Dr. Stephen discussed the complexities of the IFQ programs and reviewed participation roles across and within programs. She noted that most program participants are active in both the red snapper and grouper/tilefish programs. She discussed the evolution and impacts of participation roles, including the vertical integration observed in the programs. The Committee asked about the transfer and recovery of shares from deceased shareholders. Dr. Stephen replied that one of the objectives under Goal 1 is to recover shares from deceased shareholders. The Committee inquired about the evolution in the number of large dealers over time. Dr. Stephen indicated that the number of large dealers handling most of landings pre-IFQ remained relatively stable post-IFQ.

Dr. Stephen discussed trends observed in the IFQ programs over time, including program growth and participation changes. The discussion included trends in shareholders accounts, accounts with and without commercial reef fish permits, and related accounts. Dr. Stephen indicated that the increase in related accounts is due to business practices such as creating a separate company for each vessel. Committee members noted the challenges associated with identifying related versus unrelated accounts. The Committee inquired about the proportion of shareholders' accounts that could be impacted by permit requirements. Dr. Stephen replied that permit requirements would impact 26% of the shareholders accounts holding 7% of the shares. She

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noted that these are estimates for all share categories combined. The Committee inquired about the percentage of shares held in public participation accounts or accounts without a commercial reef fish permit. Dr. Stephen replied that analyses by share category are planned.

In discussing allocation banks, Dr. Stephen presented potential sources for supplying IFQ allocation to the bank. Options presented included: using IFQ shares held by NMFS (Reef Fish 36A); setting aside a percentage of the commercial ACLs for IFQ species; using shares collected from revoking shares from accounts identified as “not active”; retaining IFQ quota increases beyond a predetermined threshold; and, reclaiming shares from deceased shareholders. Dr. Stephen noted that, given the many decision points to consider, the development of an allocation bank would likely require a stand-alone amendment. The Committee concurred and noted that allocation banks constitute a promising avenue to improve opportunities for participants to enter the IFQ programs. Dr. Stephen discussed the documentation required to handle shares previously held by deceased shareholders. Committee members noted that IFQ shares are a privilege and asked how shares from deceased shareholders could be sold. NOAA General Counsel indicated that Council has the latitude to determine how shares previously held by deceased shareholders should be handled in the future. The Committee inquired about accounts that stay inactive for extended time periods. Dr. Stephen replied that annual snapshots could be compiled to provide a longer-term view. The Committee asked whether proceeds generated by an allocation bank would revert to NMFS. Dr. Stephen replied that the issue needs to be evaluated because these proceeds would be different from cost recovery fees.

Dr. Stephen discussed the components of an adaptive catch share process, including the percentage of shares to be reclaimed, the cycle length, and the redistribution methods. She noted that these components would be tailored to the objectives of any proposed adaptive catch share scheme. The Committee noted that the development of an adaptive catch share program would likely require a separate amendment. Committee members noted that the individual bluefin tuna quota program is the only adaptive catch share program implemented to date.

Committee members noted that a holistic approach would be helpful in determining which actions to initiate first. Committee members suggested that further discussion on objectives identified under Goal 1 could help determine the first actions to develop. The Committee asked what the main cause of participation challenges in the IFQ programs was, and noted that until that root cause is addressed, progress in improving the programs would be difficult. Staff suggested that public participation, which allowed the creation of shareholders accounts without a commercial reef fish permit, has significantly contributed to several challenges noted in the IFQ programs. Committee members discussed the development of an amendment dealing with program participation and permit requirements and inquired whether another amendment addressing allocation banks should be developed in parallel. Committee members expressed support for focusing on the objective relative to limiting share ownership (maintaining and obtaining shares) to accounts harvesting IFQ species. Committee members noted that there is support for permit requirements within IFQ program participants. The Committee stated impacts on commercial fishing communities, including fish houses and commercial fishermen, should be considered while developing permit requirements. Committee members indicated a reluctance to take shares away from shareholders and supported exploring divestment measures.

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The Committee recommended staff use ideas discussed in Reef Fish Amendments 36B and 36C to develop a new amendment. Committee members asked whether measures dealing with shares in deceased shareholders' accounts should be considered in the same amendment. The Committee noted that the handling of shares from deceased shareholders' accounts is one of the objectives listed under Goal 1.

Committee members noted that permit requirements would contribute to limiting public participation because commercial reef fish permits, which are limited access permits, are issued to vessels. The Committee inquired about the use of income requirements to determine active participation in IFQ programs. SERO noted that income requirements had been eliminated for commercial permits and suggested that information already collected as part of the IFQ program may be useful in ascertaining a shareholder's fishing activity.

The Committee recommends, and I so move: to direct staff to initiate a plan amendment to address the issues related to share ownership (maintaining and obtaining shares) of IFQ species.

Motion carried 14 to 0 with 2 abstentions and 1 absent.

The Committee stated that a general timeline for the development of the first amendment requested needs to be discussed. Staff indicated that options and approaches to developing management actions addressing the motion would be presented during the January 2024 meeting. The Committee indicated support for discussion of other objectives and the consideration of additional actions in the amendment. The Committee also stated that timelines for the parallel development of amendments addressing other objectives would be discussed during full Council.

FINAL ACTION: Draft Framework Action: Modifications to Recreational and Commercial Greater Amberjack Management Measures (Tab B, No. 7)

Staff reviewed the summary of public comment, draft codified text, and framework action document. Capt. Hubbard presented several motions from the Reef Fish AP regarding the management measures for greater amberjack. The AP requested NMFS publish an emergency rule to implement a 7-fish commercial trip by January 1, 2024. The implementation of Amendment 54 in 2023 is expected to result in a 45% overage of the commercial annual catch target (ACT), and will require a payback for the sector in 2024. The AP recommended emergency action to avoid substantially exceeding catch limits in 2024 which could potentially eliminate a commercial season in 2025.

SERO staff reviewed stipulations required to justify an emergency action by NMFS. The Council would have to provide a record to address those stipulations and inform a rationale for the emergency rule. Additionally, SERO staff indicated that an emergency rule development timeline would need to be explored to determine if an emergency rule could be published by January 1, 2024. Council staff requested a commercial greater amberjack season projection analysis to provide context on season duration with the current 1,000 lb gw trip limit and quota-adjusted ACT. The Committee decided to discuss these topics at full Council.

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The Committee recommends, and I so move, to recommend the Council approve the **Framework Action: Modifications to Recreational and Commercial Greater Amberjack Management Measures** 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.

Draft: Snapper Grouper Amendment 44 / Reef Fish Amendment 55: Catch Level Adjustments and Allocations for Southeastern U.S. Yellowtail Snapper (Tab B, No. 8)

Staff summarized recent discussion and subsequent recommendations provided by the Gulf Council, the South Atlantic Council, and the Reef Fish AP. In light of the 2023 MRIP-FES pilot study results, the South Atlantic Council requested a re-run of the SEDAR 64 assessment by Florida Fish and Wildlife Conservation Commission (FWC). This analysis would incorporate State Reef Fish Survey (SRFS) data for both coasts, once three full years of data are available (early 2024). The Reef Fish AP also recommended pausing work on the amendment until completion of the updated MRIP-FES recreational effort calibrations. A proposed timeline was provided that includes incorporation of SRFS data, review of calibration factors by the NOAA Office of Science and Technology, and a review from both SSCs by the end of 2024. NOAA General Counsel asked how the most recent MRIP-FES landings compare to the new ABC recommendation, since the SSCs' catch advice used MRIP-FES data units, and the new recommended ABC is lower than the current ABC. A Committee member stated yellowtail snapper appears to be a prime candidate for incorporation of SRFS, as it is primarily a Florida fishery and SRFS has good coverage across both Florida coasts. The Committee member also provided rationale for the motion, indicating that the fishery is not overfished nor undergoing overfishing, management decisions involve modifications to jurisdictional allocations, and SRFS may be a good alternative survey for this species. The expeditious completion of a new assessment with SRFS data in late 2024 lends weight to reprioritizing work on this amendment.

The Committee recommends, and I so move, to recommend that the Gulf Council move Snapper Grouper Amendment 44/ Reef Fish Amendment 55 to priority level C and continue work on this document after completion of the updated SEDAR 64 Operational Assessment that incorporates calibrated SRFS recreational landings estimates, and requests that the South Atlantic Council also consider the same.

Motion carried without opposition.

Update on 2023 Recreational Gag Fishing Season Closure (Tab B, No. 9)

Mr. Andy Strelcheck (SERO Regional Administrator) stated that the original projections provided for the 2023 recreational gag fishing season indicated a range of closure date possibilities, including the earlier prescribed closure date of November 10 from the 2023 interim

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rule. He said that preliminary landings analyses indicated increased fishing effort, and that the revised closure date of October 19 represented the midpoint of the revised estimated closure date. A Committee member asked when the landings data for the 2023 gag recreational fishing season would be available. Mr. Strelcheck replied that those data would be available in early spring 2024. Another Committee member asked specifically which data informed the revision to the closure date. Mr. Strelcheck replied that preliminary dockside intercepts and landings from the Southeast Region Headboat Survey relative to past years informed the revision.

SSC Discussions on Recent Gag Research and Implications for Gag Management (Tab B, No. 10)

Dr. Barbieri summarized presentations from several researchers on Gulf gag, which the SSC reviewed during its September 2023 meeting. These presentations were intended to inform the SSC and assist it in providing recommendations to the Council in keeping with the Council's goals for the Gulf gag stock: to reduce fishing mortality on male gag; to constrain future harvests to the ACL; to increase the probability of rebuilding the stock; to avoid increasing discards; and, to reduce vulnerability of gag during spawning to increase spawning success.

Capt. Dylan Hubbard summarized the comments on gag research from the Reef Fish AP. He noted that the AP was encouraged by efforts to integrate artificial intelligence (AI) in reading video data to decrease the lag between the terminal year of data and when management changes can be implemented. He said the AP was also concerned about coastal water quality and its potential to have detrimental effects on newly recruited gag to Florida's estuaries.

SSC Discussions on 2023 Gulf Gag Health Check (Tab B, No. 11)

Dr. Barbieri reviewed a presentation by the SEFSC on the 2023 Gulf gag IA, which used video data through 2021 and recruitment data through 2022. This IA for Gulf gag was provided as a "health check", since the catch limits for gag were modified via Reef Fish Amendment 56 in June of 2023, but have not yet been implemented. Dr. Barbieri described the indices, which remain below the long-term average, but have shown the possibility of a stronger than average year class in 2020. The SSC accepted the 2023 gag IA as consistent with the best scientific information available (BSIA) and encouraged continued monitoring of the gag stock. The SSC requested consideration of the full G-FISHER index for the next gag IA, and also encouraged the Council's work with the SEFSC and FWC to lessen the gap between the terminal year of data and the time of SSC review.

Capt. Hubbard summarized comments on the gag IA from the Reef Fish AP, which agreed with the SSC on evaluating FWRI video data (together with the other two video surveys, being the G-FISHER index), and suggested that the next gag IA should be usable for modifying catch advice.

A Committee member asked if AI could expedite video survey processing. The SEFSC replied that this technology was progressing, was up to 98% accurate for identifying red snapper, and was in progress for other species also. The SEFSC added that an additional research vessel was being acquired and would conduct additional video surveys. Another Committee member asked

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whether IAs could be produced annually for gag. The SEFSC replied that annual IAs were possible recognizing the time lag associated with video data processing.

The Committee recommends, and I so move, to direct staff to write a letter to the SEFSC requesting yearly interim analyses on gag grouper until the next stock assessment is received.

Motion carried without opposition.

Draft Options: Gag and Black Grouper Management Measures (Tab B, No. 12)

Capt. Dylan Hubbard summarized the comments and motions on the document from the Reef Fish AP. The AP recommended removing further consideration of black grouper from the document. He added that the AP also recommended removing further consideration of the commercial spawning season closure. The AP thought this measure would not meet the Council's stated goals for the document, would preclude the collection of valuable fishery-dependent data during the spawning season, and was unnecessary due to the commercial fleet's demonstrated willingness to redirect fishing effort away from gag. The AP also recommended no further consideration of reducing the recreational bag limit, because this measure would not reduce discards, protect male gag, or appreciably increase the recreational fishing season duration. Lastly, the AP recommended no further consideration of the recreational vessel limit, as this measure would not reduce discards, protect male gag, and would disproportionately negatively affect multi-passenger fishing vessels.

Council staff reviewed revised options for gag and black grouper management modifications. A Committee member asked how often black grouper were misidentified as gag. Another Committee member replied that the misidentification issue appeared minuscule in the Gulf. A Committee member noted that the Council has already acted under Amendment 56 to end overfishing and rebuild the gag stock. However, the Committee member was interested in exploring the reduction in the recreational bag limit using data from 2023. The Committee member recalled two take-aways from the gag research presented to the SSC: (1) are there enough gag escaping from nearshore areas to offshore spawning habitat; and, (2) what sorts of protections for those offshore spawning areas are necessary? They prioritized finding ways to increase escapement and protect the males. Another Committee member replied that having the recreational sector closed to harvest for over 10 months out of the year was likely to have positive effects on both escapement and protection of male gag. The Council will consider how or whether to move forward with this amendment at full Council.

Review of Reef Fish and IFQ Program Landings, and State Program Landings for Red Snapper (Tab B, No. 13)

SERO staff reviewed the status of reef fish and IFQ program landings relative to catch limits. Council representatives from the five Gulf states reviewed their 2023 private angling seasons for red snapper and offered projections for the rest of their 2023 fishing seasons. The states also characterized available data for observed mean lengths and weights, and fishing effort. A Committee member asked whether the additional fall fishing days in Florida were in line with

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the estimates from the summer fishing season. A representative from Florida confirmed they were, with the extra days being in line with projections of CPUE. The Committee member also noted the year-round nature of red snapper fishing that is typical of Texas state waters, and thought that only approximately 4,000 private angling trips per year seemed very low, especially considering any days deemed unfishable due to weather. A representative from Texas replied that unfishable days were generally limited to hurricanes and other severe weather events.

Other Business

Other Reef Fish AP Motions

Capt. Hubbard reviewed the AP's comments on the 2023 MRIP-FES pilot study, and noted that the funding to increase intercept surveys from two-month waves to one-month waves has not yet been secured, which concerned the AP. He added that the AP motioned to request that the Gulf Council delay any changes in allocation between the commercial and recreational sectors of any Gulf fishery resources that are subject to MRIP-FES until such time as the pilot study has been completed and deemed consistent with BSIA by the Gulf SSC, and the Council has empirical support for the actual level of recreational fishing effort in the Gulf. Further, the AP motioned that the Council encourage the Gulf states begin development of a uniform, standardized, mandatory reporting requirement for Gulf private recreational anglers.

Capt. Hubbard reviewed an AP motion to recommend that the Council request NMFS take immediate determinate action using 2023 data from waves 1 – 4 for the timely reopening of the federal for-hire component for red snapper, if there is enough of the for-hire ACT remaining to do so. Another AP motion requested that the Council remove wenchman from the mid-water snapper complex. Lastly, Capt. Hubbard reviewed an AP motion to request that the Council examine recreational deep-water grouper, tilefish, and mid-water snapper vessel landings, in light of increased effort and decreasing lengths and weights of catch.

A Committee member expected the federal for-hire component's red snapper landings to be available soon, and asked when the for-hire industry would like to see a season reopening occur if one is possible. Capt. Hubbard replied that the needs of for-hire operators vary by region; however, in his region, the demand for red snapper trips is there and trips could be booked easily. He thought two to three weeks' notice of a reopening was preferable, but understood the amount of time left in the year to notice and reopen the fishery.

The following was added to Other Business, but due to time constraints, was deferred to full Council: Process for Other Entities to Submit Proposals for Federal Funding to Better Inform the SEDAR Process.

Mr. Chair, this concludes my report.