

## Reef Fish Committee Report June 6 – 7, 2023 Dr. Thomas Frazer – Chair

The Committee adopted the agenda (**Tab B, No. 1**). The minutes (**Tab B, No. 2**) from the April 2023 meeting were approved as written.

### *Individual Fishing Quota Objectives (Tab B, No. 4)*

Dr. Jessica Stephen (Southeast Regional Office [SERO]) reviewed the existing goals and objectives for the red snapper and grouper-tilefish individual fishing quota (IFQ) programs, discussed the catch share review outcomes, and presented a list of potential goals and objectives for consideration by the Council in its effort to revise the programs' goals and objectives. The five draft goals presented by Dr. Stephen were as follows: maintain flexible fishing options and economic stability within the IFQ programs; increase IFQ market transparency (eliminates information asymmetries); improve technical efficiency (reduce costs per unit harvest); reduce IFQ discards; and, improve opportunities for participants to enter the program. Dr. Stephen then provided a bulleted list of potential objectives for each of the aforementioned goals.

Committee members discussed several issues, including IFQ share caps, overcapacity, new entrants, IFQ shares withheld by NOAA, allocation banks, and shareholder accounts. The Committee indicated its agreement on the suite of goals proposed and proceeded to prioritize the goals. Committee members emphasized the importance of improving opportunities for participation in the programs. Committee members noted that some of the goals overlap. Other issues discussed by the Committee included flexibility measures, public auctions, the importance of reducing discards, adaptive catch shares, the quota needed to seed allocation banks, and the diversity of business approaches adopted by program participants. The Committee agreed on the goals and objectives below:

#### **Goal 1: Improve opportunities for participants to enter the program**

##### Objectives:

- To evaluate the merits of limiting share ownership and implement, if appropriate, alternative mechanisms for equitably redistributing shares and allocation to accounts harvesting IFQ species.
- Limit share ownership (maintaining and obtaining shares) to accounts that are harvesting IFQ species
- Identify barriers inhibiting or limiting participation by surveying participants and those wanting to enter the fishery
- Create an allocation bank to reduce barriers to fishing privileges

#### **Goal 2: Reduce IFQ discards**

##### Objectives:

- Improve collection of discard information from IFQ vessels
- Create an allocation bank to further reduce bycatch and discards of IFQ species
- Evaluate additional or new flexibility measures to reduce discards

**Goal 3: Maintain flexible fishing options and economic stability within the IFQ Programs**

Goal 4: Increase IFQ market transparency (eliminates information asymmetries)

Goal 5: Reduce costs per unit harvest

The Committee requested that staff develop an additional objective under Goal 1 to address the inheritability of shares and their ownership in perpetuity. A proposed objective is as follows:

**Recover and redistribute IFQ shares and allocation held previously by a deceased shareholder to accounts of fishermen currently harvesting IFQ species.**

*Review of State Survey Private Angling Landings and Discards for Red Snapper (Tab B, No. 5)*

The five Gulf states reported on their private angling landings for red snapper for the 2022 fishing season, and provided projections for their 2023 seasons. For-hire vessels were generally observed landing larger fish than private vessels. Florida clarified that while it conducts in-season monitoring, that effort does not allow for in-season quota monitoring as it does for other states that were reporting at finer time scales (e.g., weekly reporting). All states' landings were below their respective 2022 ACLs; Alabama and Texas by approximately 50%. Gulf states are anticipated to tailor their 2023 season durations considerate of revised MRIP calibrations for red snapper.

***FINAL ACTION: Recalibration of Red Snapper Recreational Catch Limits and Modification of Gray Snapper Catch Limits (Tab B, No. 6)***

Council staff reviewed a framework action to recalibrate red snapper recreational catch limits and modify gray snapper catch limits. For red snapper, Florida, Alabama, and Mississippi have updated their respective calibration ratios using more recent landings data. For gray snapper, updating the catch limits is necessary following the results of SEDAR 75. A Committee member asked if implementation of the framework would be finalized by the end of 2023. SERO staff replied that it would commit to moving the document through rulemaking expeditiously once received from the Council. NOAA General Counsel noted that the values presented in the codified text corresponded to the recently revised red snapper catch limits that are expected to be implemented as soon as next week. After reviewing the document, public comment summary, and codified text, the Committee retained the preferred alternatives and proceeded with a recommendation to take final action.

The Committee recommends, and I so **move**: **To recommend the Council approve Framework Action-Recalibration of Red Snapper Recreational Catch Limits and Modification of Gray Snapper Catch Limits and forward it 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 Framework Action: Modifications to Recreational and Commercial Greater Amberjack Management Measures (Tab B, No. 7)*

Substantial reductions in catch limits as a result of Amendment 54 warrant modifications to the greater amberjack recreational closed season and commercial trip limit to reduce the likelihood of overharvest. Council staff reviewed recent management measures, alternatives, and Interdisciplinary Planning Team (IPT) suggestions. In Action 1, the IPT recommended removing **Alternatives 2** and **4** and suggested two new alternatives for consideration.

A Committee member asked about the timing of the development of the framework action. Council staff asked that the Committee be considerate of the Council being short a social scientist as the IPT works to finalize the document in August 2023. A Committee member wanted to have the proposed regulations in place by 2024. SERO replied that the commercial season begins on January 1 which would difficult to meet, even with final action in August; however, the regulations could be in effect before the start of the 2024 recreational fishing season.

During Committee discussion related to Action 1, a Committee member asked why the Council would consider any alternative that opened the recreational fishing season during May, when greater amberjack is documented to be spawning. They added further that the March through May commercial fixed season closure is during this time period and intended to promote conservation of the stock. Another Committee member cautioned removing alternatives for which little data exist to analyze the effects, because such choices may become more appropriate to consider in the future.

The Committee recommends and I so **move: In Action 1, to move Alternatives 2 and 4 to Considered but Rejected.**

**Alternative 2:** Modify the recreational fixed closed season to be September 1 – July 31 (open August 1 – August 31).

**Alternative 4:** Modify the recreational fixed closed season to be August 1 – October 31 and January 1 – July 31 (open November 1 – December 31).

*Motion carried without opposition.*

A Committee member indicated that many Florida anglers would like the opportunity to harvest greater amberjack during May, but thought that harvest during spawning was not appropriate when the stock is overfished. The Committee member thought there were benefits in lining up the greater amberjack recreational fishing season opening with the proposed gag grouper season opening (September 1<sup>st</sup>). They continued that doing so might reduce discards on both, and aligns with recreational data reporting. A Committee member reiterated the concern with closing one sector during greater amberjack spawning and not the other. Another Committee member

replied that fishing effort is expected to occur regardless of fishing season, and so the question becomes whether fishing effort disrupts spawning. Some species might be more susceptible to fishing mortality during the spawning season depending on their behaviors during that time; e.g., some species form spawning aggregations, and that additional susceptibility could have a negative effect on the stock's ability to reproduce. Council staff added that differences in the minimum size limit between the sectors as it related to expected sex-specific harvest was a consideration in the current recreational and commercial fishing seasons.

A Committee member thought that the greater amberjack fishery was different in the western Gulf than in the eastern Gulf, and that discard mortality could be a considerable issue. Further, the Committee member reminded everyone that the Council had previously passed a motion to consider regional management for greater amberjack. Another Committee member supported a recreational fishing season start date of September 1, considerate of how the recreational landings data are collected and reported.

The Committee recommends and I so **move: In Action 1, to make Alternative 3 the preferred.**

**Alternative 3:** Modify the recreational fixed closed season to be August 1 – August 31 and November 1 – July 31 (open September 1 – October 31).

*Motion carried without opposition.*

The Committee discussed removing additional alternatives from Action 1 to decrease the analyses expected across both actions in the document. A Committee member noted that **Alternative 5** was expected to result in a similar recreational season duration as **Alternative 3** and included the possibility of harvest during the May spawning period. The Committee decided to also remove **Alternative 5** from the document.

The Committee recommends and I so **move: In Action 1, to move Alternative 5 to Considered but Rejected.**

**Alternative 5:** Modify the recreational fixed closed season to be August 1 – August 31, November 1 – April 30, and June 1 - July 31 (open September 1 – October 31 and May 1 - 31).

*Motion carried without opposition.*

With regard to Action 2, a Committee member asked which alternatives might result in the fewest number of dead discards. Council staff indicated that they would check with the IPT data analyst to address that question. In general, discards should be assumed to increase with decreasing trip limits unless fishermen proactively modify behavior and target other species after reaching the trip limit.

A Committee member asked what was the expected recreational season duration for greater amberjack in 2023. SERO staff replied that the recreational fishing season will open August 1,

2023, and the season duration projection would be forthcoming. The Committee member thought that the Council should consider using numbers of fish for the commercial trip limit, as requested by the Reef Fish Advisory Panel (AP) and the Law Enforcement Technical Committee. Another Committee member asked about timing for the development of the document. Council staff replied that the document would have Chapters 3 and 4 added, and a video would be produced for the public prior to the document being presented for final action. A Committee member asked about a motion from the Reef Fish AP to set the commercial trip limit at 5 fish, with a step-down to 2 fish once 75% of the commercial annual catch target (ACT) was met. Staff replied that such an alternative was not included because no closure is expected under a 5-fish commercial trip limit. Staff noted that commercial trip tickets are still going to be reported in pounds, but with commercial fishermen monitored on the water using numbers of fish. The Committee decided to defer selection of a preferred alternative for the trip limit action until after public testimony.

### *SSC Summary Report from the May 2023 Meeting (Tab B, No. 8)*

#### Black Grouper and Yellowfin Grouper Catch Limits

Mr. John Mareska (Scientific and Statistical Committee [SSC]) summarized the SSC's comments and recommendations relative to black grouper and yellowfin grouper. SSC members reviewed recent combined landings trends for both species and expressed concern over the lack of correlation between landings and fishery-independent indices. The SSC thought it appropriate to apply Tier 3a of the Council's Acceptable Biological Catch (ABC) Control Rule, and recommended an overfishing limit (OFL) of 359,255 pounds gutted weight, and an ABC of 307,752 pounds gutted weight, with the catch limits expressed in Marine Recreational Information Program's Fishing Effort Survey (MRIP-FES) units. Committee members discussed the potential implications of the black grouper and yellowfin grouper catch limits on the IFQ program, particularly on the shallow-water grouper share category.

The Committee recommends, and I so **move**, to direct staff to modify the amendment for scamp and yellowmouth grouper OFLs, ABCs, and ACLs to include black grouper and yellowfin grouper SSC catch recommendations. In the amendment consideration should be given also to implications to the IFQ fishery involving the shallow water grouper complex.

#### Mid-water Snapper Complex Catch Limits

Mr. Mareska summarized the SSC's review of the mid-water snapper landings sans wenchman, per its previous motion that wenchman be removed from the mid-water snapper complex. The SSC thought it appropriate to apply Tier 3a of the Council's ABC Control Rule for the three remaining species (blackfin snapper, queen snapper, and silk snapper), using landings data from 2012 – 2021. The SSC recommended an OFL of 107,904 pounds whole weight, and an ABC of 96,689 pounds whole weight, with the catch limits expressed in MRIP-FES units.

The Committee discussed removal of wenchman from the Reef Fish fishery management plan (FMP), which would require a plan amendment and evaluation of ten factors for such removal of

a species from federal management, per the Magnuson-Stevens Fishery Conservation and Management Act. A Committee member asked about the relationship between the historical annual landings of the three remaining species relative to the SSC's recommended catch limits. Staff replied that the SSC's proposed OFL would not have been exceeded in the last 10 years, and the ABC would have been exceeded twice. Staff continued that the Council could be thoughtful in its approach to the accountability measures, recognizing the rare-event nature of the remaining species in recreational data collection.

The Committee recommends, and I so **move, to consider removal of wenchman from the Reef Fish FMP, and to set ACLs and AMs for the remaining species in the mid-water snapper complex (blackfin snapper, queen snapper, and silk snapper).**

*Motion carried without opposition and with one abstention.*

***FINAL ACTION:*** *Draft Amendment 56: Modifications to the Gag Grouper Catch Limits, Sector Allocations, and Fishing Seasons (Tab B, No. 9)*

SERO staff noted that the gag interim rule was implemented on May 3, 2023, and is effective for 180 days; it may be extended for an additional 186 days thereafter. Council staff reviewed feedback received during virtual and in-person public hearings, and in written public comments. Staff presented the actions and alternatives to the Council, noting the preferred alternatives. A Committee member asked about the recreational buffer in Action 4 and staff clarified that the projected recreational fishing season duration based on the Council's aforementioned preferred alternatives would result in a recreational fishing season duration of 59 days in 2024 given a September 1 start date (**Alternative 3**).

A Committee member asked if SERO could take into consideration extreme weather events if the Council continued with a September 1 opening in Action 4. SERO replied that it could consider such weather events in determining when to close, and whether to reopen, the recreational fishing season. A Committee member disagreed with the idea of reallocating at this time, but thought the need to end overfishing and implement the rebuilding plan was most important.

The Committee recommends, and I so **move, to recommend the Council approve Draft Amendment 56: Modifications to the Gag Grouper Catch Limits, Sector Allocations, and Fishing Seasons and forward it 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 with one opposed, two abstentions, and two absent.*

The Council will be updated on how management to the ACTs will be placed in the codified regulations during full Council.

### *Draft: Snapper Grouper Amendment 44 / Reef Fish Amendment 55: Catch Level Adjustments and Allocations for Southeast U.S. Yellowtail Snapper (Tab B, No. 10)*

Council staff outlined the proposed management alternatives for Snapper Grouper Amendment 44 / Reef Fish Amendment 55, which evaluates modifications to southeastern U.S. yellowtail snapper management. Amendment actions and alternatives are based on an interim analysis that was performed as an update to the most recent SEDAR 64 stock assessment. At the end of the presentation, Committee members were alerted to a potential issue with some historical landings data. A Committee member stated that the discrepancy in the data was between the Florida Fish and Wildlife Conservation Commission (FWC) and MRIP for 2008 – 2016, where landings adjacent to the Dry Tortugas were applied to the Gulf instead of the South Atlantic due to a coding error. The concern was that this error was likely not addressed in 2016, due to other amendments that were ongoing for South Florida species. Council staff proposed confirming with FWC and the Southeast Fishery Science Center that the proper landings data were used for the historical jurisdictional allocation as well as the proposed alternatives in this amendment. A Committee member thought it important to evaluate proportional landings between the directed fleets when considering the jurisdictional allocation. The Committee confirmed that yellowtail snapper landings in Monroe County, regardless of origin, are attributed to the South Atlantic. Another Committee member suggested that, while the data are being investigated, Council staff may provide a general statement (on behalf of the Gulf Council) to the South Atlantic Council in advance of their upcoming meeting that jurisdictional changes in allocation that would lead to a seasonal closure in the Gulf not be considered. This would assist the South Atlantic Council in its discussion of this amendment during its Council meeting next week. Staff will work through these concerns and bring a revised document to the Gulf Council in August.

### *Other Business*

#### Discussion of Private Angling Allocation for Red Snapper

A Committee member asked for a timeline update on the development of the requested document to modify the private angling component allocation for red snapper between the Gulf States. Council staff noted a need to meet with SERO staff about the development of the document, and thought that work could be initiated in October 2023. The Committee member appreciated beginning document development in October.

Mr. Chair, this concludes my report.