

**REEF FISH ADVISORY PANEL MEETING SUMMARY**

**July 29-30, 2008**

**Tampa, Florida**

The agenda was adopted with the change that, due to scheduling concerns of some AP members, after Dr. Diagne's presentation of Amendment 29, the AP would review Amendment 30B first, and then return to reviewing Amendment 29.

During the review of the minutes of the March 18, 2008 Reef Fish AP meeting, a question came up about a motion made by the AP to recommend an increase in the warsaw grouper bag limit and whether it had been considered by the Council. Mr. Atran responded that he did not recall the Council addressing that request, but the Council had discussed a request from the commercial sector to consider an increase in the deep-water grouper quota, and concluded that a stock assessment would be needed before any action could be taken. He noted that the rationale for the one warsaw per vessel bag limit was to discourage targeting of warsaw grouper while allowing the occasional incidentally caught fish to be retained rather than thrown back dead. AP members felt that there would still be a dead discard problem if more than one warsaw is caught, and noted that the commercial sector had no restriction on retaining warsaw grouper within the deep-water grouper quota.

**By consensus, the Reef Fish AP reiterates its motion from the previous AP meeting: The Reef Fish AP recommends that the recreational daily bag limit for warsaw grouper be increased from the current 1-fish per vessel bag limit.**

**Amendment 30B**

**Action 1. Set Gag Thresholds and Benchmarks**

AP members continued to be concerned that the natural mortality rate used for gag was set too low. Dennis O'Hern handed out a table from a report by Dr. Trevor Kenchington of estimates of Z or M derived from various methods, most of which produced estimates higher than the estimate of M used in the SEDAR 10 stock assessment<sup>1</sup>. The AP reiterated their motion from the previous AP meeting that, due to indications that gag was not currently undergoing overfishing, there be no action taken on gag:

**By voice vote with 1 nay, the Panel recommends maintaining its preferred alternative for Action 1 from the prior meeting:**

**In light of the previous motion the Reef Fish AP takes no action on Action 1.**

Although the AP recommended no action on gag, it did review the options in Preferred Alternative 2, and made motions on which option it recommended if the alternative is adopted. For MSST, the AP felt that the Preferred Option a  $((1-M)*SSB_{MAX})$  was too precautionary, and instead recommended that MSST be set midway between  $SSB_{MAX}$  and 50% of  $SSB_{MAX}$ .

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<sup>1</sup> The entire Kenchington report can be downloaded from the Gulf Council's FTP server. Go to <ftp://ftp.gulfcouncil.org> and select the folder titled Reef Fish SSC meeting - July 2008. In the folder, select the file named KenchingtonMortalityEstimators.pdf.

**By voice vote with 1 nay, the Reef Fish AP recommends that, within Preferred Alternative 2, MSST be set at Option b:  $0.75 \cdot SSB_{MAX}$ .**

For OY, the AP again felt that the Preferred Option e (the yield at 75 percent of  $F_{MAX}$ ) was too precautionary, and recommended that OY be set closer to  $F_{MAX}$ . Mr. Atran explained that at equilibrium, the yield between  $F_{MAX}$  and 75% of  $F_{MAX}$  was only about 4 to 6 percent, although when not in equilibrium the difference might be greater.

**By voice vote with 1 nay and 1 abstention, the Reef Fish AP recommends that, within Preferred Alternative 2, OY be set at Option f: the yield at 90 percent of  $F_{MAX}$ .** (Irby Basco abstained)

### Action 3. Set Gag TAC

The AP reiterated its previous motion to recommend that TAC be set in accordance with Alternative 5 using the TACs in Table 2.3.2 (based on  $F_{30\% SPR}$  as the  $F_{MSY}$  proxy). Mr. Atran pointed out that using 30% SPR as the MSY proxy in this section was inconsistent with using MAX as the MSY proxy in Action 1. One AP member felt that the AP should stick with MAX based TACs, but the remaining AP members chose to recommend the 30% SPR based TACs.

**For Action 3, by a voice vote with 1 nay, the Reef Fish AP recommends Alternative 5 in Table 2.3.2: Set directed TAC for gag in three year constant catch intervals using the first year of the three-year interval as defined by the constant  $F_{30\% SPR}$  (as proxy for  $F_{MSY}$ ) projection from the 2007 assessment and reevaluation. During the first three-year interval, 2009 through 2011, TAC would be 5.23 mp. TAC for subsequent three-year intervals would be set through a subsequent regulatory amendment, and would remain at the previous level until such an amendment is implemented. TAC would be updated and revised, as needed, based on periodic stock assessments.**

### Action 4. Set Red Grouper TAC

One AP member expressed concern that his red grouper catch was down this year, but the remaining AP members reiterated their previous motion to set TAC based on the equilibrium MSY level.

**For Action 4, by a voice vote with 1 nay, the Reef Fish AP recommends Alternative 3: set red grouper TAC at the constant catch level corresponding to fishing at equilibrium  $F_{MSY}$ . TAC would be 7.72 pounds.**

### Action 5. Red Grouper and Allocations

Mr. Atran explained that a change had been made in the alternatives in that Alternative 2 was now considered the status quo alternative rather than Alternative 1, but the specific allocations within each alternative remained the same. The AP reiterated their previous recommendation for Alternative 1 because they felt that due to management measures since 1990, allocations based on historical catches after 1990 were not valid.

**For Action 5, without opposition, the Reef Fish AP recommends Alternative 1: Revert to the allocation of TAC between the recreational and commercial fisheries as specified for framework actions in Amendment 1 to the Reef Fish FMP as the average share during the years 1981 through 1987. Only 1986-1987 landings are**

**used since grouper were not identified to species in the commercial fishery until 1986. The recreational:commercial proportions would be gag 65:35, red grouper 23:77.**

#### Action 6. Shallow-water Grouper Annual Catch Limits and Accountability Measures

The AP had previously recommended that this section be moved to Considered but Rejected. The Panel discussed OFL ABC, ACL and ACT under the draft ACL guidelines. A motion was made to recommend the Preferred Alternative 5, but was withdrawn after some AP members felt that there was no need for a buffer between the target catch and the ACL. Instead, a motion was made to recommend Alternative 4.

**For Action 6, by a voice vote with 1 nay, the Reef Fish AP recommends that Alternative 4 be adopted as the preferred alternative: If commercial landings, as estimated by the SEFSC, reach or are projected to reach the red grouper, gag, or SWG quota then the Assistant Administrator (AA) for Fisheries will file a notification closing the commercial SWG fishery in accordance with the application of quota closures specified in Action 8. In addition, if despite such a closure, commercial red grouper, gag, or SWG landings exceed the respective annual catch limits (ACL) specified in Table 6.3, then the AA would file a notification maintaining the prior year red grouper, gag, or SWG commercial quota in the following fishing year. If annual recreational landings, as estimated by the SEFSC following the conclusion of the fishing year, exceed the red grouper or gag ACLs specified in Table 6.3, the AA would file a notification maintaining the prior year red grouper or gag target catch level. In addition, the notification would reduce the length of the recreational SWG fishing season in the following year by the amount necessary to ensure recreational gag and red grouper landings do not exceed the recreational target catch level for that fishing year. Recreational landings will be evaluated relative to the applicable ACLs as follows: For 2009, only 2009 red grouper and gag landings will be compared to the ACLs specified for 2009; in 2010, the average of 2009 and 2010 red grouper and gag landings will be compared to ACLs specified for 2010; and in 2011, the average of 2009-2011 red grouper and gag landings will be compared to ACLs specified for 2011. Target catches, quotas and ACLs would then remain at the 2011 levels until a subsequent amendment is implemented.**

#### Action 7. Shallow-water Grouper, Red Grouper and Gag Commercial Quotas

Given that AP members felt that gag is not undergoing overfishing, the Panel reiterated its previous recommendation to not set a gag quota.

**For action 7, without opposition, the Reef Fish AP recommends a modified Alternative 1: Do not specify a quota for gag. The shallow-water grouper quota and the red grouper quota would be adjusted accordingly for the new red grouper TAC and allocation.**

#### Action 8. Application of Quota Closures

A motion was made to recommend the Council's Preferred Alternative 3(b), but Panel members also wanted to include a provision that would allow the percent trigger or the incidental trip limit amount to be changed in subsequent years to ensure that fishermen would get a full season. The Panel debated whether to authorize the RA to make such an adjustment or have the Council make

the adjustment though a framework amendment. However, after discussion, Panel members felt that the simplest action was its previous recommendation to close just the stock whose species quota is reached, and allow the remaining shallow-water grouper aggregate to continue to be fished.

**For Action 8, without opposition, the Reef Fish AP recommends a new alternative that if a commercial shallow-water grouper species quota was met, only that species fishery would close.**

The AP also felt that, if the Council adopts its preferred alternative and does not provide for subsequent adjustments to the percent trigger or incidental catch trip limit, and then red grouper should not be included in the alternative since it is not overfished or undergoing overfishing.

**For Action 8, by consensus, the Reef Fish AP recommends that if the Council adopts Alternative 3 and decides not to address adjustments to the percent trigger or trip limit, then strike red grouper from Alternative 3.**

#### Action 9. Recreational Harvest of Gag and Red Grouper

Mr. Atran explained that the Council had changed its target from attempting to achieve the full 40 percent catch reduction (from the 2004-2006 baseline) to reach OY, to achieving a 25 percent reduction which would end overfishing, and any additional reductions from reduced effort due to fuel prices of economic conditions would count toward reaching the total 40 percent reduction to achieve OY. Consequently, a new Preferred Alternative 7 was added that set a 2 fish gag bag limit, 2 fish red grouper bag limit, 4 fish aggregate bag limit, and options for different closed seasons. It was noted that, due to differences in prime tourist season in different areas, there was no one closed season that would have equal impacts on all areas. A motion was made to recommend Alternative 7 with option (d) (Nov. 1 – Dec. 31 closed season), followed by a substitute motion to recommend Alternative 7, option (c) (Sept. 15 – Nov. 25 closed season).

Dennis O'Hern noted that the size limit analyses in the amendment indicated that raising the gag minimum size limit to 24 inches, with a 20 percent release mortality factored in, would result in a 19.5 percent reduction in catch without any additional closed season, and he referenced Dr. Shipp's statement at the previous Council meeting that it took a gag about six months to grow from 24 to 26 inches. Bob Zales responded that, in the Florida Panhandle, fishermen could support a two month spawning season closure for the benefit of the fish, but would oppose a size limit increase due to the increase in discard mortality.

**For Action 9, by a vote of 7 to 3, the Reef Fish AP recommends that the Council add a new Alternative 8 as a Preferred Alternative to raise the gag size limit to 24 inches with a 5 fish bag limit, and have a maximum one month closure concurrent with the commercial sector.**

#### Action 10. Alternatives to Reduce Discard Mortality of Grouper

There was no quorum present at the start of the discussion of this action. A motion was made to reiterate the Panels previous recommendation to reduce the commercial size limit for red grouper only to 16 inches, noting that the size for maximum yield per recruit was even lower. However, commercial fishermen noted that while this would reduce waste, smaller fish are worth less, and fish would be caught at a faster rate, which could result in the quota being filled more quickly. Therefore, a substitute motion was made to endorse the Councils Preferred Alternative 3(e)(i), to

reduce the commercial red grouper size limit to 18 inches and apply it to the entire shallow-water grouper fishery.

The motion to endorse the Council's Preferred Alternative 3(e)(i) passed with 1 opposed. However, later in the meeting, after a quorum was reestablished, there was concern that this action could result in recreational and commercial fishermen fishing the same area, and recreational fishermen having to throw back red grouper that the commercial fishermen could keep. It was also noted that the primary concern was with longline vessels, which fish in deeper water and have more dead discards. A motion to reconsider was made and passed without opposition. A substitute motion was then made to apply the 18 inch red grouper size limit only to longline vessels. This would apply the size limit reduction only to the sector where dead discard are a greater concern, and in the waters deeper than 120 feet, where release mortality is higher.

**For Action 10, by a vote of 6 to 3 with 1 abstention, the Reef Fish AP recommends that the Preferred Alternative be Alternative 3(e)(ii): reduce the commercial minimum size limit for red grouper to 18 inches TL for red grouper only, and apply the lower size limit to the shallow-water grouper commercial longline fishery. Existing size limits would continue to apply to other gear. (Bob Spaeth abstained)**

#### Action 11. Creation of Marine Reserves and Time/Area Closures

AP members had several objections to creating new area closures. It was felt that more enforcement would be needed, and that any new areas designated could end up being assimilated into the "Islands in the Stream" concept. However, it was also noted that vessels will fish along the 40 fathom break and clear fish from the rocks. Jim Clements noted that the Council's Preferred Alternative to create the Edges 40 fathom contour as a seasonal closure only covered half of the dominant gag spawning grounds, leaving the other half open. A motion was made to split Action 11 into two sub-actions to separate marine reserve alternatives from seasonal area closure alternatives, but the motion failed by a vote of 3 to 6. The AP then moved to reiterate its previous motion for no action in this section.

**For Action 11, by a vote of 9 to 1, the Reef Fish AP recommends Alternative 1: No Action. Do no create any additional marine reserves or closed areas that prohibit fishing for grouper or other reef fishes.**

#### Action 12. Duration of Marine Reserves and Time/Area Closures

Mr. Atran noted that the Council had added a second Preferred Alternative to this action so that Alternatives 1 and 4(b) were now both Preferred. Under the AP's Action 10 preferred alternative to not create any new reserves, Preferred Alternative 1, to extend any new area closures indefinitely, would be moot. However, Preferred Alternative 4 would extend the existing Madison-Swanson and Steamboat Lumps reserves indefinitely. Panel members felt that there was no indication that the reserves have had any effect, and noted that Steamboat Lumps is in the wrong location relative to what fishermen refer to.

**For Action 12, by a vote of 10 to 0, the Reef Fish AP recommends that the Preferred Alternative be Alternative 4(a). The Madison-Swanson and Steamboat Lumps reserves will remain in effect:**

- a. **No action – until the existing expiration date of June 16, 2010.**

### Action 13. Federal Regulatory Compliance

Panel members felt that this action would drive a wedge between state and federal agencies, that it would usurp states rights, and that it was inherently unfair because it only applied to federally permitted reef fish charter and headboats fishing in state waters, while allowing private recreational and non-permitted for-hire boats in state waters to continue fishing under state rules.

**For Action 13, by a vote of 9 to 1, the Reef Fish AP recommends Alternative 1. No action. All vessels with federal commercial or charter reef fish permits are subject to applicable federal reef fish regulations when fishing in the EEZ, and are subject to applicable state reef fish regulations when fishing in state waters.**

### Amendment 29

Panel members received a presentation on the amendment from Dr. Diagne. They noted that the amendment had been reviewed in detail by the Ad Hoc Grouper IFQ AP, and that IFQ AP's recommendations were contained in the amendment. With the exception of Action B5 (Multiuse Allocation and Trip Allowance), Alternative 3(c), the Reef Fish AP members voted to support the IFQ AP recommendations. The AP felt that leaving the value for Alternative 3(c) at 8 percent rather than 7.7 percent would provide more flexibility.

**For Amendment 29, by a vote of 8 to 1 with 1 abstention, the Reef Fish AP accepts all the Ad Hoc Grouper APs recommendations on the actions in Amendment 29, except that for action B5, Alternative 2(c) and 3(c) remain unrevised.**

### Other Business

#### MRFSS 2008 Wave 1 and Wave 2 Grouper Landings

Dennis O'Hern presented the preliminary landings data for the MRFSS gag landings for Wave 1 (Jan-Feb) and Wave 2 (Mar-Apr). MRFSS estimates for this time period are more than double the landings for the same period last year. If the proposed gag TAC and allocation were in effect, the recreational sector would have already filled its allocation. Bob Zales indicated that, at dockside sampling, the interviewer would ask for the fisherman's home phone number. Some fishermen responded that they only had a cell phone and not a home phone. Such fishermen cannot be contacted by the MRFSS telephone survey, so MRFSS applies a correction factor to account for cell-phone only homes based on the number of fishermen it intercepts dockside with only cell phones. This correction factor is leading to overestimates of effort and landings. MRFSS is reviewing its estimates and the numbers are coming down, but they still appear unrealistically high.

**By a vote of 9 to 0, the Reef Fish AP believes the current MRFSS estimates of increasing efforts are unrealistically high and requests that the correct effort numbers be obtained.**

## Circle Hooks

Kay Williams note that the SAFMC is considering recommending rather than requiring the use of circle hooks. Bob Spaeth stated that Karen Burns was working on a report from her doctorate that indicates that circle hooks are effective in reducing mortality only in red grouper, and that in snappers and black grouper they have a higher release mortality than J-hooks. Gus Loyal stated that circle hooks can be difficult to remove without breaking the fish's jaw. If the jaw is broken, the fish may swim down, but it can't eat and will eventually die. Bob Zales stated that there is a conflict between state and federal regulations on whether non-offset hooks are or are not required, which is confusing and may require fisherman who fish in both state and federal waters to have both types of hooks. In view of these concerns, Panel members felt that the Council should revisit the circle hook requirement.

**Without opposition, the Reef Fish AP asks the Council to have the SSC revisit the circle hook issue due to concerns that it may increase mortality in certain species.**

### Reef Fish AP Members Present:

Bob Zales, Chair  
Irby Basco  
James Clements  
Myron Fischer  
Brad Kenyon

Gus Loyal  
Dennis O'Hern  
Robert Spaeth  
Bill Tucker  
Tom Turke

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## Data-Limited Mortality-Rate Estimators

**Table 1 : Estimates of Z or M Derived Using Various Estimators**

Estimates are rounded to 2 decimal places.

Table entries for estimation methods that are deemed invalid (either for fish generally or specifically for protogynous hermaphrodites) are shown in normal type. Entries in bold face are for estimators deemed to be methodologically valid, even if highly imprecise. Some estimates of gag grouper M shown in bold face fall outside the plausible range.

Estimator	Gulf of Mexico	Combined	South Atlantic
Bayliff Method	0.21	0.21	0.21
Hoenig First Method	0.13	0.13	0.14
Hoenig First Method: Approximation	0.14	0.14	0.14
Hoenig First Method: GM regression	0.16	0.16	0.16
Sekharan Method	0.15	0.15	0.15
“Rule-of-Thumb”, with P = 0.05	0.10	0.10	0.10
Alverson & Carney Method	0.10		0.05
Zhang & Megrey Method	0.07		0.03
Hoenig Second Method	0.37	0.38	0.35
Holt Method	0.37	0.38	0.34
<b>Corrected Hoenig Second Method</b>	<b>0.33</b>	<b>0.34</b>	<b>0.29</b>
Rikhter & Efanov First Method	0.55		0.54
Rikhter & Efanov Second Method	0.59		0.69
Alagaraja Method	0.08		0.14
Ralston Method I: AM regression	0.31		0.51
<b>Ralston Method I: GM regression</b>	<b>0.29</b>		<b>0.54</b>
<b>Ralston Method II</b>	<b>0.27</b>		<b>0.58</b>

### Data-Limited Mortality-Rate Estimators

<b>Jensen Method</b>	<b>0.21</b>		<b>0.36</b>
<b>Pauly Method 0: Length-based</b>	<b>0.25</b>		<b>0.38</b>
<b>Pauly Method I: Length-based</b>	<b>0.28</b>		<b>0.42</b>
<b>Pauly Method II: Length-based</b>	<b>0.25</b>		<b>0.37</b>
Peterson & Wroblewski Method	0.27		0.28
<b>Lorenzen Method</b>	<b>0.19</b>		<b>0.21</b>

The estimates presented in the table were prepared using the estimators described in the main text and the parameter values in Table 2, all of which were drawn from the report of the SEDAR 10 Data Workshop, except for the mean environmental temperature. That was estimated as 20°C for purposes of illustration.

The values of M presented for the Peterson & Wroblewski and Lorenzen methods are averages of the M-at-age for Ages 3 through 30 inclusive. All other tabulated values are for “overall” mortality rates.