



AMENDMENT GUIDE

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Reef Fish Amendment 32 Gag and Red Grouper



Provisions in the Magnuson-Stevens Fishery Conservation and Management Act require regional fishery management councils to develop annual catch limits and accountability measures for managed species by 2010 for species subject to overfishing and by 2011 for all other species to ensure that overfishing does not occur

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A Guide to this Guide

Amendment 32 to the Reef Fish Fishery Management Plan was approved by the Gulf of Mexico Fishery Management Council in August 2011. The following is a summary of the actions contained within the amendment. The Council's selected alternative for each action is highlighted in yellow.

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Introduction to Amendment 32

Gag and red grouper are the two most abundant grouper species in the Gulf of Mexico, accounting for 93% of recreational grouper landings and 80% of all commercial grouper landings. The commercial fishery is responsible for the majority of red grouper landings, while the recreational fishery is responsible for the majority of gag landings.

As a result of the 2009 update stock assessment, NOAA Fisheries Service determined that the Gulf of Mexico gag stock is overfished and undergoing overfishing. The Gulf of Mexico Fishery Management Council initiated Amendment 32 to address the overfishing of gag and to develop a stock rebuilding plan in accordance with the Magnuson-Stevens Fishery Conservation and Management Act. The Act requires that overfishing be ended within 2 years of the determination and that overfished stocks be rebuilt to sustainable levels within 10 years.

Currently, the red grouper stock in the Gulf of Mexico is neither overfished nor undergoing overfishing. Amendment 32 increases the red grouper catch limits in response to the improved status of the stock, and increase the recreational red grouper bag limit to allow a better opportunity to harvest its complete allocation.

Amendment 32 also establishes a rebuilding plan for gag and gradually increases the gag yield in accordance with the rebuilding plan.

Following is a brief summary of each action contained within the amendment. The alternatives have all been defined and analyzed as viable options for managing the fishery in order to achieve the mandates of the Magnuson-Stevens Act.

<u>Catch Limits & Catch Targets</u>		
<u>Gag</u>		
<u>Year</u>	<u>Annual Catch Limit</u>	<u>Annual Catch Target</u>
2011-current	1.58	1.28
2012	2.02	1.69
2013	2.45	2.11
2014	2.82	2.49
2015+	3.12	2.80
<u>Red Grouper</u>		
2011-current	6.31	5.68
2012+	7.93	7.22

Amendment 32 - Summary of Actions

Action 1: Rebuilding Plan for Gag

Under the Magnuson-Stevens Act the Council must end overfishing and implement fishery management measures that aim to rebuild overfished stocks to healthy, sustainable levels within 10 years. Additionally, these rebuilding plans must be put in place within 2 years of a determination that the stock is overfished. Gag was determined to be overfished and undergoing overfishing in 2009. In this action, the Gulf of Mexico Fishery Management Council chooses a rebuilding plan that will follow the mandates of the Magnuson-Stevens Act.

Alternative 1: No action: Do not specify a rebuilding plan for Gag

Alternative 2: Establish a rebuilding plan that will rebuild the gag stock to a level consistent with producing maximum sustainable yield in 10 years or less.

Alternative 3: Establish a rebuilding plan that will rebuild the gag stock to a level consistent with producing maximum sustainable yield in 7 years or less.

Alternative 4: Establish a rebuilding plan that will rebuild the gag stock to a level consistent with producing maximum sustainable yield in 5 years.

Action 2: Recreational Management Measures.

2.2.1 Gag

These alternatives will be set for 2012, and will be revisited each year. In order to meet the gag rebuilding plan, the Council must choose alternatives that will reduce recreational gag harvest. Management measures must meet at least the Annual Catch Limit reductions but should be targeted to meet the Annual Catch Target reductions to account for management uncertainty. Total removal reductions needed in 2012 to achieve the gag rebuilding plan based on different baseline years are:

	<u>2006-08</u>	<u>2009</u>
ACL	53%	36%
ACT	61%	47%

Alternative 1: No action. Do not modify the bag limits, size limits or closed seasons for the recreational gag fishery.

Alternative 2: Set the 2012 open season to be the same as in 2011, i.e., September 16 through November 15, 22 inch minimum size limit, 2 fish gag bag limit, 4 fish aggregate bag limit

- 61 fishing days
- 60% total removal reduction

Alternative 3: Split the open season to provide two fishing seasons: January 1-31 and April 1-30, 22 inch minimum size limit, 2 fish gag bag limit, 4 fish aggregate bag limit

- 61 fishing days
- 52-56% total removal reduction

Alternative 4: Set the longest gag season possible: July 1 through October 31, 2 fish gag bag limit, 4 fish aggregate bag limit.

- 123 fishing days
- Option a.: 22 inch minimum size limit
 - 50-53% total removal reduction
- Option b.: 22-30 inch slot size limit
 - 54-56% total removal reduction

2.2.2 Red Grouper Bag Limit

The red grouper stock is neither overfished nor undergoing overfishing. The recreational sector has not caught its allocation of red grouper in recent years, and with an increase in catch limits in 2012, a relaxation of recreational red grouper regulations is warranted.

Alternative 1: No action. The red grouper bag limit remains at 2 fish per person.

Alternative 2: Increase the red grouper bag limit to 3 fish per person. At the end of any season if it is determined that the recreational sector has exceeded its red grouper annual catch limits, the bag limit will revert back to 2 fish.

Alternative 3: Increase the red grouper bag limit to 4 fish per person. If at the end of any season it is determined that the recreational sector has exceeded its red grouper Annual Catch Limit (ACL), the bag limit will be reduced to 3. If at the end of any subsequent season it is determined that the recreational sector has exceeded its red grouper Annual Catch Limit again, the bag limit will revert back to 2 fish.

Action 3: Commercial Gag and Shallow-Water Grouper Quota Adjustment to Account for Dead Discards

This action considers options for adjusting the commercial gag quota for at least 4 years to account for the gag that may be caught as bycatch and discarded dead under limited IFQ shares. Commercial harvest of grouper is managed under an Individual Fishing Quota (IFQ) program. Under this program fishermen own shares that represent a percentage of each years' quota. Under the gag rebuilding plan there are a limited amount of gag IFQ shares available. Fishermen fishing for

other grouper species will catch gag as bycatch and may be forced to discard those gag that they could have kept in the past. While there may be a reduction in gag bycatch because fewer fishermen are targeting gag, data on gag bycatch from fishermen targeting other grouper does not yet exist because the grouper IFQ program has only been in place for one year. As a precautionary measure, in the 2011 interim rule the Council set the commercial gag quota at 86% of the Annual Catch Target.

Alternative 1: No action. The commercial gag quota will not contain any adjustment for dead discards of gag. Commercial quotas in million pounds gutted weight will be as follows:

<u>Year</u>	<u>Gag Commercial Quota</u>
2012	0.659
2013	0.823
2014	0.971
2015+	1.092

Alternative 2: Reduce the gag commercial quota to 86% of the Annual Catch Target to compensate for dead discards not being reduced to projected levels needed to achieve 100% of the Annual Catch Target. Commercial quotas in million pounds gutted weight will be as follows (subject to accountability measure adjustments):

<u>Year</u>	<u>Gag Commercial Quota</u>
2012	0.567
2013	0.708
2014	0.835
2015+	0.939

Alternative 3: Reduce the gag commercial quota to 47% of the Annual Catch Target to compensate for dead discards not being reduced to projected levels needed to achieve 100% of the Annual Catch Target. Commercial quotas in million pounds gutted weight will be as follows (subject to accountability measure adjustments):

<u>Year</u>	<u>Gag Commercial Quota</u>
2012	0.310
2013	0.387
2014	0.456
2015+	0.513

Action 4: Adjustments to Multi-use IFQ Shares

This action considers adjustments to the current multi-use allocations that may prevent the commercial sector from exceeding its Annual Catch Limit. When the grouper Individual Fishing Quota (IFQ) program was implemented in January 2010, Reef Fish Amendment 29 established that 4% of the red grouper allocation and 8% of the gag allocation would be converted to multi-use shares that could be used for either species. These multi-use shares were created to allow for some flexibility in the IFQ program and account for variations in gag and red grouper ratios across the Gulf. Due to the reduced gag Annual Catch Limits expected to be implemented in this amendment, the current multi-use allocations could allow the commercial sector to exceed its Annual Catch Limit.

Alternative 1: No Action. Do not modify percentages of red grouper and gag IFQ allocation converted into multi-use allocation. At the beginning of each fishing year, 4% of red grouper allocation would be converted into multi-use allocation and 8% of gag allocation would be converted into multi-use allocation.

Alternative 2: Based on the commercial gag Annual Catch Limit, gag allocation, and red grouper allocation, set the percentage of red grouper IFQ allocation converted into multi-use allocation as follows:

$$\text{Red Grouper Multi-use (in percent)} = 100 * [\text{Gag ACL} - \text{Gag Allocation}] / \text{Red Grouper Allocation}$$

The red grouper multi-use percentage will be recalculated following adjustments in commercial gag Annual Catch Limit, gag allocation, or red grouper allocation.

Alternative 3: Based on the commercial red grouper Annual Catch Limit, red grouper allocation, and gag allocation, set the percentage of gag IFQ allocation converted into multi-use allocation as follows:

$$\text{Gag Multi-use (in percent)} = 100 * [\text{Red Grouper ACL} - \text{Red Grouper Allocation}] / \text{Gag Allocation}$$

The gag multi-use percentage will be recalculated following adjustments in red grouper Annual Catch Limit, red grouper allocation, or gag allocation. If a rebuilding plan is in effect for red grouper, these multi-use shares will be suspended until NOAA Fisheries declares red grouper fully rebuilt.

Alternative 4: While the rebuilding plan for gag is in effect, set the percentage of red grouper IFQ allocation converted into multi-use allocation equal to zero. After NOAA Fisheries declares gag rebuilt, set the red grouper multi-use percentage as follows:

$$\text{Red Grouper Multi-use (in percent)} = 100 * [\text{Gag ACL} - \text{Gag Allocation}] / \text{Red Grouper Allocation}$$

The red grouper multi-use percentage will be recalculated following adjustments in commercial gag Annual Catch Limit, gag allocation, or red grouper allocation.

Action 5. Commercial Gag Size Limit

Reducing the size limit of commercially caught gag is one way to reduce the rate of release mortality. When fish are caught and released there is always a chance that those fish will die upon release, or shortly thereafter. This rate of death, referred to as release mortality, varies across different fish species, gear types, depths, handling and more. Because the commercial gag fishery operates in deeper waters on average than the recreational fishery, release mortality is much higher, averaging 67%. With a size limit reduction, the number of fish discarded will decrease and release mortality rates should decrease because fishermen will be keeping smaller fish that they would have otherwise thrown back. Reduction in the minimum size limit will not increase the commercial harvest of gag because they are managed with an Individual Fishing Quota (IFQ) system under which each fisherman has a share of the Annual Catch Limit that cannot be exceeded.

Alternative 1: No action. The commercial gag minimum size limit remains at 24 inches total length.

Alternative 2: Reduce the commercial gag minimum size limit to 22 inches total length.

Alternative 3: Reduce the commercial gag minimum size limit to 20 inches total length.

Alternative 4: Eliminate the commercial gag minimum size limit.

Action 6. Time and Area Closures

In this action, the Council considers the establishment of new time and area closures. Gag spawning occurs on offshore reefs from southeast of Apalachicola to west of Tampa, and possibly further to the south. Currently there are three Marine Protected Areas (MPA's) in the northeastern Gulf of Mexico; Madison-Swanson, The Edges, and Steamboat lumps. These time and area closures were established to protect spawning aggregations of gag, and to protect a portion of the male gag population that is particularly vulnerable to fishing during spawning.

*Note: in this action more than one alternative and option can be selected as preferred.

Alternative 1: No Action. Do not create additional time and area closures that prohibit fishing for gag and other reef fishes.

Alternative 2: Close an area that would expand the Madison-Swanson Restricted Fishing Area to the north and west (approximately 70 square nm additional), making one continuous area.

Boundaries for additional area:

- 1) 29° 20' N, 85° 55' W (new NW corner)
- 2) 29° 20' N, 85° 38' W (new NE corner)
- 3) 29° 17' N, 85° 38' W (current NE corner)
- 4) 29° 17' N, 85° 50' W (current NE corner)
- 5) 29° 14' N, 85° 50' W (current NW corner)
- 6) 29° 14' N, 85° 55' W (SW corner of extension)

Alternative 3: Close an area bracketing the 40-fathom contour between the current closed areas of Madison-Swanson and the Edges (approximately 244 square nm), making it one continuous area.

Boundaries for additional area:

- 1) 29° 6' N, 85° 37' W (Existing SE boundary of Madison-Swanson)
- 2) 29° 16' N, 85° 37' W (Existing NE boundary of Madison-Swanson)
- 3) 28° 51' N, 85° 16' W (Existing NW boundary of the Edges)
- 4) 29° 51' N, 85° 4' W (Existing NE boundary of the Edges)

Alternative 4: Modify the seasonal closure dates of The Edges 40 fathom contour area (approximately 390 square nm). Currently, all fishing is prohibited January 1 through April 30, all fishing is allowed May 1 through December 31.

Alternative 5: Modify the seasonal closure dates of Madison-Swanson (approximately 115 square nm) and Steamboat Lumps (approximately 104 square nm) areas. Currently, all fishing is prohibited November 1 through April 30 and surface trolling for species other than reef fish is allowed May 1 through October 31.

For Actions 2-5, the period and type of fishing closure that can be selected:

Option a: all fishing prohibited November 1 through April 30, surface trolling allowed May 1 through October 31 (Identical to Madison-Swanson and Steamboat Lumps regulations).

Option b: all fishing prohibited November 1 through April 30, all fishing allowed May 1 through October 31 (Time of year identical to Madison-Swanson and Steamboat Lumps, but different regulations).

Option c: all fishing prohibited January 1 through April 30, all fishing allowed May 1 through December 31 (Identical to current Edges regulations).

Option d: all fishing prohibited year-round.

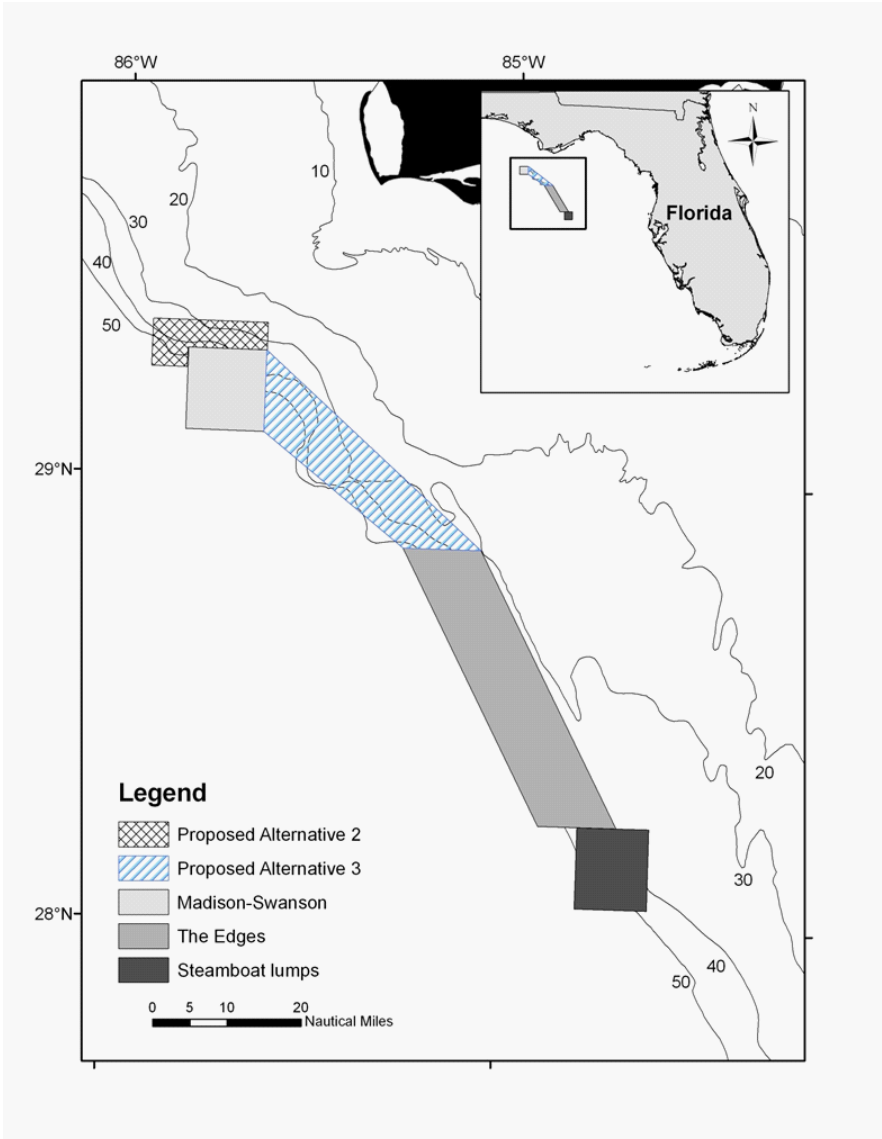


Figure 2.6.1. Current west Florida Marine Protected Areas (Madison-Swanson, the Edges, and Steamboat Lumps) and proposed Alternative 2 and 3 area closures.

Action 7. Gag, Red Grouper, and Shallow-water Grouper Accountability Measures

Fish stocks in the Gulf of Mexico are managed with Annual Catch Limits (ACLs) that determine the amount of fish that can be harvested each year. If Annual Catch Limits are exceeded, then accountability measures are triggered. Accountability measures are designed to both prevent Annual Catch Limits from being exceeded, and to correct any overages if Annual Catch Limits are exceeded.

Action 7.1 Gag, Red Grouper, and Shallow-water Grouper Commercial Accountability Measures.

This action reviews whether the current Accountability Measures in place for the commercial fishery are necessary and/or appropriate under the current grouper IFQ program. The commercial grouper fishery is managed under an Individual Fishing Quota (IFQ) program. Under this program each fisherman is allocated pounds of fish each year based on the number of IFQ shares they have. The fishermen can use this allocation year round, and they are closely monitored to ensure compliance with their individual allotment. Once an individual's yearly allocation is used up for a particular species, that fisherman can no longer harvest that fish.

Alternative 1: No action. Retain the existing Accountability Measures for gag, red grouper, and shallow-water grouper where, if commercial landings reach or are projected to reach the red grouper, gag, or shallow-water grouper quota, then the commercial shallow-water grouper fishery will be closed.

Alternative 2: The Accountability Measures for the gag, red grouper and shallow-water grouper commercial sector will be the current individual fishing quota program.

Action 7.2. Gag and Red Grouper Recreational Accountability Measures

There are two types of Accountability Measures: in-season accountability measures that are designed to prevent Annual Catch Limits from being exceeded; and post-season Accountability Measures that correct Annual Catch Limit overages after they have occurred. Currently, the red grouper and gag Accountability Measures for the recreational sector are post-season measures. If the recreational sector exceeds the Annual Catch Limit, then the prior year's Annual Catch Limit will be maintained (Annual Catch Limits cannot be increased) and the length of the recreational shallow-water grouper fishing season will be shortened for the following year to ensure that recreational landings do not exceed the target catch levels for that year.

In this action the Council considers using one or both of the following accountability measures:

- Overage adjustment - if the Annual Catch Limit is exceeded and the stock is under a rebuilding plan, the following year's Annual Catch Limit will be reduced by the amount it was exceeded in the previous year.
- In-season Accountability Measures - if landings are projected to exceed the Annual Catch Limit, the recreational harvest for the species will be closed for the remainder of the year on the date that the limit is projected to be reached.

Alternative 1: No action. Retain the existing Accountability Measures for gag and red grouper.

Alternative 2: Add an overage adjustment to the existing Accountability Measures should gag or red grouper be overfished.

Alternative 3: Add in-season Accountability Measures to the existing Accountability Measures.

Alternative 4: Add an overage adjustment to be applied when gag or red grouper are considered overfished and in-season Accountability Measures to close a season early if needed to the existing gag and red grouper Accountability Measures.



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