

Snapper Grouper Management in South Atlantic Federal Waters

Interim Rule Request for Red Snapper and Snapper Grouper Amendment 17

Frequently Asked Questions

April 2009

Q. Why are additional management measures necessary for red snapper?

- A new stock assessment was completed for red snapper through the Southeast Data, Assessment and Review (SEDAR) stock assessment program in 2008. The assessment (SEDAR 15) found that the South Atlantic red snapper stock was overfished and currently undergoing overfishing. <http://www.sefsc.noaa.gov/sedar/>.
- The 2008 assessment indicates that overfishing has been occurring since 1970, at about 8 times the sustainable level.
- The South Atlantic Fishery Management Council (Council) received notification from NOAA Fisheries Service, in a letter dated July 8, 2008, that the South Atlantic red snapper stock is overfished and undergoing overfishing.
- The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires the Council to prepare a plan amendment or proposed regulations to end overfishing within *one year* of notification that a stock is undergoing overfishing.
- Upon notification, the Council began developing an amendment to the Snapper Grouper Fishery Management Plan to address long-term management measures to end overfishing and establish a rebuilding program for red snapper.

Interim Rule: Short-term Measures

Q. Is it true that the red snapper fishery could be closed in federal waters to recreational and commercial fishermen beginning in July of 2009?

- Yes, the Council voted during its March 2009 meeting to request that NOAA Fisheries Service draft and implement an interim rule (short-term measures) to help address overfishing by closing the commercial and recreational red snapper fisheries for 180 days.

- The Magnuson-Stevens Act states the Council may request the Secretary of Commerce (Secretary) implement interim measures to reduce overfishing under section 305(c). An interim rule can only be used to address species undergoing overfishing. In this case, Amendment 17 would implement more long-term measures to end overfishing of red snapper.
- The bulk of red snapper landings are from the recreational fishery, with recreational landings exceeding commercial landings by 2-3 fold over the assessment period. Between 2000 and 2006, the recreational sector accounted for about 72% of total red snapper landings.

Q. How long would an interim rule be in effect?

- The interim rule would be effective for 180 days. Since the Council is developing Amendment 17, the Council's intent is to request an allowable extension of the interim rule for an additional 186 days for a total of one year.

Q. Will the public be able to comment on an interim rule to close the red snapper fishery?

- Yes, the public will have the opportunity to comment on the interim rule and the associated Environmental Assessment.
- The public will be informed about these comment periods through a Fishery Bulletin issued by NOAA Fisheries Service and information on the Council's and NOAA Fisheries Service's Web site, as well as in the Federal Register.

Q. Who approves the interim rule?

- The Secretary or his designee would approve the interim rule and associated Environmental Assessment.

Q. Would the closure for red snapper be applied to state waters as well?

- If approved by the Secretary, the interim rule would only apply to federal waters off the coasts of North Carolina, South Carolina, Georgia and the east coast of Florida (ranging from 3 to 200 miles offshore of each state), unless each state also chooses to implement compatible regulations for state waters. The Council would request these states adopt compatible regulations. However, provisions specified in the interim rule would also apply to a person on board a vessel for which a federal commercial or charter/headboat permit for the South Atlantic snapper-grouper fishery has been issued, regardless of whether the fish are harvested or possessed in state or federal waters.

Q. Why wasn't an interim rule requested to close the red snapper fishery after the Council initially received notification about overfishing in July 2008?

- The Council did consider requesting an interim rule for red snapper soon after receiving the results of the stock assessment. However the Council wanted to review all options before requesting a closure. In addition, an addendum to the red snapper stock assessment was presented to the Council in December 2008. The Council decided to wait until the revision was completed to consider interim management measures necessary to end overfishing. The addendum did not change the stock status.
- The Council voted at their December 2008 meeting not to move forward with an interim rule on red snapper due to concern that the interim rule would end before permanent management measures could be implemented, resulting in a lack of continuity in management for the red snapper fishery.

Q. Why does the fishery need to be closed? Can't the bag limit simply be reduced from 2 fish to 1 fish, or the size limit be increased from 20 inches for both the recreational and commercial fisheries?

- The total mortality (landings and discards) of red snapper **must be reduced by 87%** to end overfishing.
- The discard mortality rate, or the number of fish that die even when they are released, is estimated at 40% for the recreational fishery and 90% for the commercial fishery (the commercial numbers are higher because of the depths fished and differing handling practices).
- Changing the bag and size limits would not achieve the necessary reductions because of the discard mortality that would continue to occur.
- Even prohibiting all harvest of red snapper isn't enough to end overfishing when the discard mortality rates are considered. Because the red snapper stock is part of the multi-species snapper-grouper fishery, discard mortality of red snapper would continue to occur as fishermen pursue other co-occurring species in the fishery.
- Amendment 17 contains management alternatives for large time and area closures that would prohibit fishing for *all* species in the snapper grouper management complex (there are 73) in areas where red snapper are most prevalent to reduce encounters with

red snapper and thereby limit discard losses. The Council is also considering alternatives in Amendment 17 that would reduce deep water fishing effort and thereby reduce the expected future discard mortality rate in the commercial fishery.

Q. Given the current economic conditions, can't the Council wait another year or so to put management measures in place?

- The requirement to end overfishing in the Magnuson-Stevens Act does not allow for a delay. The Council received notification on July 8, 2008, that overfishing is occurring in the red snapper fishery and the Council has one year to develop a plan to end overfishing. The Magnuson-Stevens Act specifies that overfishing must be ended while minimizing, to the greatest extent practicable, negative economic and social impacts.

Q. I'm seeing more red snapper than I have in the past 10 years. If the stock is in such bad shape, why are we catching more fish?

- Many fishermen have testified during public hearings and scoping meetings that they are catching more red snapper in recent years, especially for those fishing off the coast of Georgia and northeast Florida. A spike in 2007 and 2008 recreational landings documents that fishermen are seeing more fish now than in previous years.
- The 2008 stock assessment reflects an increase in abundance since 1995; in fact, abundance estimated for the start of 2007 is nearly twice that estimated for 1995. Strong year classes that occurred in 1998 and 1999 and moved through the fishery over the last several years are also partially responsible for the perception that the stock has improved recently.
- Despite these increases in overall abundance, the age structure of the population remains truncated (there are not enough older fish). Red snapper live to 54 years of age, but in 2007 less than one percent of the population was estimated as being age 10 or older.
- It is also apparent that the mortality in the directed fishery has recently fallen about 50%. However, discard mortality increased following implementation of the minimum size limit in 1992.

- The 2008 stock assessment incorporated research that indicated red snapper can live to a maximum age of 54 years, far longer than the previous (1997) estimate of 25 years. Yet the population assessment also shows that there are very few fish in the stock more than 10 years old. Despite the protection afforded younger fish by the minimum size, the mortality of red snapper, once they reach the legally harvestable size, remains excessive.
- Although the stock is improving, overfishing is still occurring and must be addressed within the requirements of the Reauthorized Magnuson-Stevens Act.

Q. We're also seeing more of the larger fish than we have in the past few years. Aren't these larger fish a sign that the population is healthy?

- For red snapper, larger fish don't always represent older fish. There is a great deal of variance in the age of red snapper at larger sizes. For example, the average size of a 10 year old red snapper is around 32 inches, but 10 year old fish range in size from 27 to 40 inches.
- Age samples from the fishery reveal that most of the larger fish in the catches in recent years are younger than age 10.
- Fish are being caught before they become old enough to reach their peak reproductive levels. Although the 20 inch size limit allows some fish to spawn before they become vulnerable to harvest, these younger, mostly first-time spawners are less productive than the older and heavier fish. A 10-year old red snapper may have reached 90 – 95% of its maximum length but only 80% of its potential maximum weight.
- Increasing the abundance of older, mature fish is important to long-term sustainability. Increasing the number of mature age classes in the population would allow it to take greater advantage of favorable conditions to produce large number of recruits (fish that are born within a given year) while also ensuring a buffer to sustain the population during periods of less than optimal conditions for spawning.

Q. I've heard that the managers want to rebuild the stocks to levels seen in the 1960s. Isn't this an unreasonable goal?

- The rebuilding target is determined by the stock's productivity and is not selected based on any specific point in time. Determining the Maximum Sustainable Yield (MSY) biomass level typically requires information on historical landings because the stock must be observed over a range of conditions to get estimates of its overall potential and productivity. The MSY is the largest long-term average catch that can be taken

continuously (sustained) from a stock or stock complex under average environmental conditions.

- The rebuilding target is simply stated and is the same for all federally managed stocks. Specified by law in the Magnuson-Stevens Act, the target is to achieve a stock biomass that is capable of supporting harvest equal to Maximum Sustainable Yield. For red snapper, this target is 40% of the spawning stock biomass that would occur if the population did not receive any fishing pressure.
- For most of our fisheries, we can only get such a range by looking at historical time periods, and that includes landings. Landings data for red snapper date back to the 1940s for the commercial fishery and the 1960s for the recreational fishery.

Q. Where did the data used in the SEDAR stock assessment come from? How were the data used in the assessment dating back to the 1950s and '60s collected?

- Data used for the assessment consist of records of commercial catches provided by dealer and fishermen reports since the 1940s, headboat fishery catch records from the Southeast Headboat Survey since 1972, and recreational catch records from the Marine Recreational Fisheries Statistics Survey (MRFSS) since 1981. Also included are U.S. Fish and Wildlife Service recreational fisheries surveys of the 1960s and 1970s. Data through 2006 were included in the assessment.
- Landings and effort information are provided by dealer and fishermen reports and surveys. Information on catch lengths and ages is provided by sampling programs that support the catch statistics programs. Information on biological characteristics, such as age, growth, and reproduction, is provided by various research studies.
- All of the data used in the assessment are described in the SEDAR 15 red snapper stock assessment report available on the SEDAR web site at: <http://www.sefsc.noaa.gov/sedar/>. The SEDAR web site also provides extensive supporting documentation that describes data collection programs and research findings.
- Data sources for the 1960s and 1970s include surveys conducted by the U.S. Fish & Wildlife Service and by the National Marine Fisheries Service. These sources are referenced in the SEDAR 15 report and available with the red snapper assessment documentation on the SEDAR website.
- The reliability and precision of these data sources, especially those related to catch, effort, and size and age composition, generally increases over time. This trend is largely

due to increased requirements for reporting by all participants implemented through programs such as the commercial logbook system and state trip ticket programs.

- Scientists use assessment models that can test the impacts of using different years of data and evaluate assumptions about data reliability and precision. As described in the stock assessment report, they evaluate many different alternatives before deciding on the final configuration.

Amendment 17: Long-term Management Measures

Q. What long-term measures are being considered in Amendment 17 to end overfishing and rebuild red snapper stocks?

- Because red snapper will experience excessive bycatch mortality as fishermen pursue other species in the snapper-grouper complex, Amendment 17 includes alternatives that would prohibit the harvest of *all* snapper grouper species in certain areas.
- The alternatives for the closed areas focus on locations where concentrated landings of red snapper are reported, primarily off the coasts of Georgia and the north/central east coast of Florida.
- Amendment 17 also establishes Annual Catch Limits and Accountability Measures for the 10 species under the South Atlantic Council's jurisdiction currently listed as undergoing overfishing, including red snapper. The other species addressed in Amendment 17 are golden tilefish, snowy grouper, speckled hind, Warsaw grouper, black grouper, black sea bass, gag, red grouper, and vermilion snapper.

Q. If these large areas are closed to snapper grouper fishing, how would data be collected? How long would the closed areas have to be in place?

- Amendment 17 will include an alternative to develop a red snapper monitoring program that may incorporate a research set-aside for an experimental headboat fishery with observers to continue the Catch Per Unit Effort (CPUE) time series that is presently available. A research set-aside is an amount (poundage) of fish reserved for research purposes.
- Amendment 17 will include alternatives to increase the level of fishery-independent sampling for red snapper, especially in those areas closed to fishing.

- The assessment will be updated during the recovery period to monitor progress of the rebuilding plan and provide support for changes in the management program as the stock rebuilds.
- If the closure proves effective, the area closed to all snapper-grouper fishing may be reduced as the stock rebuilds.

Q. Amendment 16 regulations are expected to be in place by June 2009. Will the impacts of those regulations, including the 4-month spawning season closure be considered in the development of Amendment 17?

- The impacts of regulations implemented in Amendment 16 will be included and considered in the analysis of alternatives considered in Amendment 17.
- Amendment 16 addresses overfishing for gag and vermilion snapper. The amendment includes a 4-month spawning season closure (January – April) for shallow-water grouper species (including black and red grouper) for both the commercial and recreational fisheries; reduces the aggregate grouper bag limit from 5 fish to 3 fish; reduces the gag/black grouper bag limit to 1 gag or black grouper (combined); reduces the vermilion snapper bag limit from 10 fish to 5 fish; creates a commercial gag quota; and implements a recreational closed season for vermilion snapper (November – March). The requirement for use of venting tools when appropriate was disapproved but fishermen would be required to use dehooking tools, as needed.

Q. How did the red snapper fishery get to this situation? Why didn't the Council take action to end overfishing before now?

- The Council responded to stock assessments and recommendations from scientists regarding the red snapper stock as information became available.
- In 1990, scientists recommended size limits for red snapper to provide reductions necessary to end overfishing. In response, the Council developed Amendment 4 to the Snapper Grouper Fishery Management Plan which went into effect in January 1992. New regulations for red snapper established a 20" size limit and an aggregate bag limit of 10 snapper (excluding vermilion snapper), with no more than 2 red snapper included in the aggregate bag limit. These regulations were determined to be sufficient to end overfishing based on the science available at the time.
- Note that at the time Amendment 4 was developed (1991), studies conducted by the National Marine Fisheries Service (NMFS) and the state of South Carolina estimated that 80 to 100% of the red snapper caught and released survived.

- A red snapper stock assessment conducted in 1997 estimated that red snapper reached a maximum age of 25 and noted few fish over the age of 12 in the landings. The assessment concluded that the red snapper stock was in a “transitional” condition: *“The status of the stock is less than desirable, but does appear to be responding for the better to something, possibly management, in the most recent years.”* Based on this conclusion, the Council did not implement any changes to red snapper management at the time.
- The 2008 Southeast Data Assessment and Review (SEDAR 15) stock assessment for red snapper, involving three separate workshops and an outside independent review, concluded the stock is overfished and undergoing overfishing. The assessment estimated that red snapper reach a maximum age of 54 years, not 25 years as previously estimated. The Council’s Scientific and Statistical Committee approved the assessment and its conclusions.
- On July 8, 2008, the Council received a letter from NMFS stating that red snapper are overfished and undergoing overfishing, and that within one year the Council needed to prepare a plan amendment or proposed regulations to end overfishing. The Council began developing an amendment to end overfishing. If approved by the Secretary, Amendment 17 will establish Annual Catch Limits and Accountability Measures for 10 species currently undergoing overfishing, including red snapper. The amendment will also establish a new rebuilding plan for red snapper.
- On March 23, 2009, the Council submitted a request to NMFS for an interim rule to close the red snapper fishery for a period of 180 days (with the intent to extend the closure for an additional 186 days) to begin after the Council’s June 8-12, 2009, meeting in Stuart, Florida. NMFS is currently developing an Environmental Assessment for the 180 day interim closure.

Q. What is the timeline for developing and implementing Amendment 17?

- The Amendment 17 timeline depends upon the Council’s review of the proposed alternatives.
- The Council will review the draft amendment and analysis of current alternatives during its June 8-12, 2009 meeting.
- Amendment 17 could be approved by the Council for public hearings at its September 14-18, 2009, meeting in Charleston, SC, with public hearings occurring in November 2009 and final approval of the Amendment considered during the December 7-11, 2009, Council meeting in Atlantic Beach, NC.

Additional information is available on the South Atlantic Fishery Management Council's web site
www.safmc.net

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