



## PUBLIC HEARING SUMMARY

### AMENDMENT 18 TO THE SNAPPER GROUPER FMP

**NOVEMBER 2009**

South Atlantic Fishery Management Council

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## I. Need for Action

Amendment 18 includes several proposed actions that were developed in response to: 1) fishing effort occurring on South Atlantic species in areas outside the Council's jurisdiction and the legal requirement to count those landings toward ACLs/ACTs (Actions 1 & 8); 2) the expectation of increasing fishing effort in the golden tilefish and black sea bass fisheries (Actions 2, 3, & 6); 3) the interstate competitive pressure placed on species with newly decreased commercial quotas and recreational allocations (Actions 4 & 5); and 4) the need to improve data reporting in the commercial, for-hire and private recreational sectors (Action 7). The actions in Amendment 18 include:

- Action 1: Extend the range of the snapper-grouper FMP north
- Action 2: Limit participation and effort in the golden tilefish fishery
- Action 3: Modifications to management of the black sea bass pot fishery
- Action 4: Separate snowy grouper quota into regions/states
- Action 5: Separate the gag recreational allocation into regions/states
- Action 6: Change the golden tilefish fishing year
- Action 7: Improve the accuracy, timing, and quantity of fisheries statistics.
- Action 8: Designate EFH in new northern areas

## II. Actions and Alternatives

### **ACTION 1: Extend Snapper-Grouper FMU Northward**

***Rationale:*** Landings of South Atlantic snapper grouper managed species have been reported in areas north of the North Carolina-Virginia border. The Reauthorized Magnuson-Stevens Act (MSA) requires that catch of Council managed species be kept below the species assigned Annual Catch Limits (ACLs). Therefore, the Council is considering extending the management areas north in order to account for and manage the total catch of South Atlantic managed species.

**Alternative 1 (no action).** Do not change the current management boundaries of the Snapper-Grouper FMU.

**Alternative 2.** Extend the management boundaries for all species in the Snapper-Grouper FMU northward to include the Mid-Atlantic Council's jurisdiction (except for black sea bass, golden tilefish, and scup). The South Atlantic Fishery Management Council will specify the MSY, ABC, MSST, OFL, ACL, and ACT for species in the fishery management unit. In addition, the South Atlantic Council will specify the allocation by sectors for each species and/or fishery and by Council area. A portion of the ACL/ACT for each species and/or fishery will be allocated to the northern zone with separate allocation for the Mid-Atlantic area. The Mid-Atlantic Council will specify management measures to limit total mortality to the ACL/ACT specified for their area. The actions specified by the Mid-Atlantic Council will not have to be reviewed and/or approved by the South Atlantic Council. However, NMFS (SERO and/or NERO) must ensure that the

actions will keep total mortality at or below the ACL/ACT specified for the Mid-Atlantic Council's area.

**Alternative 3.** Extend the management boundaries for all species in the Snapper-Grouper FMU northward to include the Mid-Atlantic and New England Councils' jurisdiction (except for black sea bass, golden tilefish, and scup). The South Atlantic Fishery Management Council will specify the MSY, ABC, MSST, OFL, ACL, and ACT for species in the fishery management unit. In addition, the South Atlantic Council will specify the allocation by sectors for each species and/or fishery and by Council area. A portion of the ACL/ACT for each species and/or fishery will be allocated to the northern zone with separate allocations for the Mid-Atlantic and New England Council areas. The Mid-Atlantic Council will specify management measures to limit total mortality to the ACL/ACT specified for their area, and the New England Council will specify management measures to limit total mortality to the ACL/ACT specified for their area. The actions specified by the Mid-Atlantic and New England Councils will not have to be reviewed and/or approved by the South Atlantic Council. However, NMFS (SERO and/or NERO) must ensure that the actions will keep total mortality at or below the ACL/ACT specified for each Councils' area.

#### **ACTION 2: Limit Participation in the Golden Tilefish Fishery**

**Rationale:** *Recent amendments to the Snapper-Grouper FMP have imposed more restrictive harvest limitations on snapper-grouper fishermen. In an effort to find other species to target, fishermen could increase participation in the golden tilefish fishery, intensifying the "race to fish" that already exists in the fishery, resulting in a further shortened season.*

**Alternative 1 (no action).** Do not limit participation and effort in the golden tilefish fishery.

**Alternative 2.** Limit participation and effort in the golden tilefish fishery through the implementation of a Catch Shares or Limited Access Program (LAP) program.

**Alternative 3.** Distribute golden tilefish gear specific endorsements for snapper-grouper permit holders that qualify under the eligibility requirements stated below. Under this alternative, only snapper-grouper permit holders with a golden tilefish longline endorsement or a golden tilefish hook and line endorsement associated with their snapper-grouper permit will be allowed to possess golden tilefish. The commercial quota would be allocated as 10% to those holding golden tilefish hook and line endorsements and 90% to those holding golden tilefish longline endorsements. Also, the fishing year start date would be changed to August 1<sup>st</sup>. *Logbooks to check catch history and trip tickets to verify.*

#### *Golden Tilefish Hook and Line Endorsement Eligibility Requirements*

**Sub-Alternative 3A.** To receive a golden tilefish hook and line endorsement, the individual must have a harvest level of 1,000 pounds whole weight (ww) (with hook and line gear) when the individual's best three of five years from 2001-2005 are aggregated.

**Sub-Alternative 3B.** To receive a golden tilefish hook and line endorsement, the individual must have a harvest level of 500 pounds ww (with hook and line gear) when the individual's best three of five years from 2001-2005 are aggregated.

**Sub-Alternative 3C.** To receive a golden tilefish hook and line endorsement, the individual must have a harvest level of 500 pounds ww (with hook and line gear) when the individual's landings from 2001-2005 are averaged.

**Sub-Alternative 3D.** To receive a golden tilefish hook and line endorsement, the individual must have a harvest level of 500 pounds ww (with hook and line gear) when the individual's landings from 1999-2007 are averaged.

**Sub-Alternative 3E.** To receive a golden tilefish hook and line endorsement, the individual must have a harvest level of 1000 pounds ww (with hook and line gear) when the individual's landings from 1999-2007 are averaged.

#### *Golden Tilefish Longline Endorsement Eligibility Requirements*

**Sub-Alternative 3F.** To receive a golden tilefish longline endorsement, the individual must have a total of 2,000 pounds ww golden tilefish caught (with longline gear) between January 2005 and November 2007.

**Sub-Alternative 3G.** To receive a golden tilefish longline endorsement, the individual must have a total of 5,000 pounds ww golden tilefish caught (with longline gear) between 2005 and 2007.

**Sub-Alternative 3H.** To receive a golden tilefish longline endorsement, the individual must have an average of 5,000 pounds ww golden tilefish caught (with longline gear) between 2005 and 2007.

**Sub-Alternative 3I.** To receive a golden tilefish longline endorsement, the individual must have an average of 5,000 pounds ww using best 3 of 5 years golden tilefish caught (with longline gear) between 2003 and 2007.

**Sub-Alternative 3J.** To receive a golden tilefish longline endorsement, the individual must have an average of 10,000 pounds ww using best 3 of 5 years golden tilefish caught (with longline gear) between 2003 and 2007.

#### **ACTION 3: Modifications to Management of the Black Sea Bass Pot Fishery**

***Rationale:*** *The Council is concerned increased restrictions imposed through Snapper-Grouper Amendments 13C and 16 including a commercial quota for black sea bass, could increase the incentive to fish more pots. Currently, there is no limit on the number of tags issued to fishermen who target black sea bass or the number of pots that can be fished. An increase in participation*

*in the black sea bass fishery would also deteriorate profits for current participants in that fishery. Fishing large numbers of traps also increases the chance that traps could be lost and “ghost fishing” could occur.*

**Alternative 1 (no action).** Do not annually limit the number of black sea bass pots deployed or limit pot tags issued to holders of Federal snapper-grouper vessel permits.

**Alternative 2.** Require that each black sea bass pot in the water or on a vessel in the South Atlantic EEZ have an attached valid identification tag issued by NMFS. Limit the black sea bass pot tags annually to 100 per vessel. NMFS will issue new identification tags each fishing year that will replace the tags from the previous fishing year.

**Alternative 3.** Require that each black sea bass pot in the water or on a vessel in the South Atlantic EEZ have an attached valid identification tag issued by NMFS. Limit the black sea bass pot tags annually to 50 per vessel. NMFS will issue new identification tags each fishing year that will replace the tags from the previous fishing year.

**Alternative 4.** Require that each black sea bass pot in the water or on a vessel in the South Atlantic EEZ have an attached valid identification tag issued by NMFS. Limit the black sea bass pot tags annually to 25 per vessel. NMFS will issue new identification tags each fishing year that will replace the tags from the previous fishing year.

**Alternative 5.** Require that each black sea bass pot in the water or on a vessel in the South Atlantic EEZ have an attached valid identification tag issued by NMFS. Limit the black sea bass pot tags annually to 100 per vessel in year 1, 50 in year 2, and 25 in year 3 and onwards until modified. NMFS will issue new identification tags each fishing year that will replace the tags from the previous fishing year.

**Alternative 6.** Require that each black sea bass pot in the water or on a vessel in the South Atlantic EEZ have an attached valid identification tag issued by NMFS. Limit the black sea bass pot tags annually to 100 per vessel in year 1 and 50 in year 2 and onwards until modified. NMFS will issue new identification tags each fishing year that will replace the tags from the previous fishing year.

**Alternative 7.** Black sea bass pots must be brought back to shore at the conclusion of each trip.

**Alternative 8.** Allow fishermen to leave black sea bass pots in the water for no more than 72 hours.

#### **ACTION 4: Separate Snowy Grouper Commercial Quota into Regions/States**

**Rationale:** *The reduction in commercial quota amounts for snowy grouper in Snapper-Grouper Amendment 13C increased the probability that the quotas could be met before the start of the fishing season in some areas of the South Atlantic. Concern has been expressed that fishermen*

*in Southern areas of the Council's jurisdiction could have an advantage in filling the quota over fishermen in areas to the north due to better weather in winter.*

**Alternative 1 (no action).** Do not separate snowy grouper commercial quota into regions/states.

**Alternative 2.** Separate snowy grouper commercial quota into regions where Florida and Georgia encompass one region and South Carolina and North Carolina encompass another region.

**Alternative 3.** Separate snowy grouper commercial quota by state.

**ACTION 5: Separate gag recreational allocation into regions/states**

***Rationale:*** Amendment 17B proposes to establish Annual Catch Limits (ACLs) and Annual Catch Targets (ACTs) for gag in the recreational sector. Various alternatives have Accountability Measures (AMs) which could close the fishery or reduce the length of the following fishing season in the recreational sector when an ACL or ACT is met. The Council is concerned fishermen in some areas could have an advantage and catch part of the allowable catch sooner than those in other areas.

**Alternative 1 (no action).** Do not separate gag recreational allocation into regions/states.

**Alternative 2.** Separate gag recreational allocation into regions where Florida and Georgia encompass one region and South Carolina and North Carolina encompass another region.

**Alternative 3.** Separate gag recreational allocation into states.

**ACTION 6: Adjust Golden Tilefish Fishing Year**

***Rationale:*** Current regulations for golden tilefish establish a 4,000 pound trip limit until 75% of the quota is caught, after which, a 300 pound trip limit is imposed. Longline vessels typically fish for golden tilefish at the start of the year when the trip limit is 4,000 pounds. Longline boats are typically larger than bandit reel vessels and need the larger trip limit to make a profitable trip. In years past, the quota would not be met until late in the year giving both Florida fishermen, who begin fishing in January or February, and North Carolina and South Carolina fishermen, who typically are unable to fish until April or May due to weather conditions, the opportunity to make several trips before the trip limit drops to 300 pounds. However, in recent years, effort has increased due to restrictions in the shark longline fishery and the golden tilefish quota has been reached in late summer and the trip limit has dropped even sooner in the year. As a result, fishing opportunities for North Carolina South Carolina longline fishermen have been significantly reduced. At the same time hook and line fishermen in Florida have been unable to participate since the season closes before they enter in September.

**Alternative 1 (no action).** Retain existing January 1<sup>st</sup> start date for the golden tilefish fishing year.

**Alternative 2.** Change the start of the golden tilefish fishing year from January 1<sup>st</sup> to September 1<sup>st</sup>.

**Sub-alternative 2A.** Remove the 300 lb. trip limit when 75% of the quota is taken.

**Alternative 3.** Change the start of the golden tilefish fishing year from January 1<sup>st</sup> to August 1<sup>st</sup>.

**Sub-alternative 3A.** Remove the 300 lb. trip limit when 75% of the quota is taken.

**Alternative 4.** Change the start of the golden tilefish fishing year from January 1<sup>st</sup> to May 1<sup>st</sup>.

**Sub-alternative 4A.** Remove the 300 lb. trip limit when 75% of the quota is taken.

**Alternative 5.** Close the longline fishery when the 300 pound trip limit for golden tilefish goes into effect.

#### **ACTION 7: Improvements to Data Reporting**

***Rationale:*** *The goal of this action is to improve the accuracy, timing, and quantity of fisheries statistics collected by the current data collection programs for fisheries managed by the Council. To accomplish this goal, the Council believes modifications should be made to the current data collection programs.*

#### **Commercial**

**Alternative 1 (no action).** Retain existing data reporting systems for the commercial sector. Refer to Table 1-3 for a list of current data reporting programs.

**Alternative 2.** Require federally permitted snapper-grouper dealers, *if selected*, to report electronically; NMFS is authorized to require weekly or daily reporting as required.

**Alternative 3.** Require all permitted snapper-grouper dealers to report electronically; NMFS is authorized to require weekly or daily reporting as required.

**Alternative 4.** Require all vessels with a Federal snapper-grouper Commercial Permit to have an electronic logbook tied to the vessel's GPS onboard the vessel

**Alternative 5.** Require vessels with a Federal snapper-Grouper Commercial Permit, *if selected*, to have a NMFS-approved observer onboard while fishing for snapper-grouper in the South Atlantic EEZ.

**Alternative 6.** Provide the option for fishermen to submit their logbook entries electronically via an electronic version of the logbook made available online.

### **For-Hire**

**Alternative 1 (no action).** Retain existing data reporting systems for the for-hire sector. Refer to Table 1-3 for a complete list of current data reporting requirements.

**Alternative 2.** Require all vessels with a Federal For-Hire Permit to report electronically; NMFS is authorized to require weekly or daily reporting as required.

**Alternative 3.** Require *selected* vessels with a Federal For-Hire Permit to report electronically; NMFS is authorized to require weekly or daily reporting as required.

**Alternative 4.** Require vessels operating with a Federal For-Hire permit to maintain a logbook for discard characteristics (e.g., size and reason for discarding), *if selected*.

### **Private Recreational**

**Alternative 1 (no action).** Retain existing data reporting systems for the private recreational sector. Refer to Table 1-3 for a complete list of current data reporting requirements.

**Alternative 2.** Implement a voluntary logbook for discard characteristics (e.g., size and reason for discarding) for vessels with a state recreational fishing license.

### **ACTION 8: Designate EFH and EFH-HAPCs for Snapper-Grouper in Extended Jurisdictional Areas Under Action 1**

**Rationale:** *The proposed action to expand the Snapper-Grouper FMP northward requires new EFH areas and EFH Habitat Areas of particular Concern (HAPCs) be identified and designated for consultation purposes. Therefore, the Council is considering designating new snapper-grouper EFH and EFH HAPCs in the Mid-Atlantic and New England areas.*

**Alternative 1 (no action).** Do not designate snapper-grouper EFH and EFH-HAPCs in new jurisdictional areas encompassed in Action 1.

**Alternative 2.** Designate EFH and EFH-HAPCs for snapper-grouper in the northern areas encompassed in Action 1.

**Alternative 3.** Track the MAFMC's EFH and EFH-HAPC designations.

### III. Biological Impacts Summary

#### **ACTION 1 – NORTHERN EXPANSION OF SAFMC JURISDICTION**

Under **Alternative 1**, two of the species (snowy grouper and red snapper) caught north of North Carolina are overfished and experiencing overfishing. As the number of fishermen increase and more regulations are imposed on species in the Mid-Atlantic region, it is possible snapper-grouper species could experience increased fishing pressure. Under **Alternatives 2 and 3**, due to the cost of snapper-grouper federal permits and low occurrence of snapper-grouper species in the Mid-Atlantic and New England regions, the action to extend management boundaries to the north is likely to keep commercial landings at current levels. Furthermore, recreational fishermen would have to adhere to bag and size limits for snapper-grouper species. Therefore, this action would have positive biological effects for snapper-grouper species in the mid-Atlantic and New England regions by restricting take of these species. Therefore, while the biological effect of extending management to these areas in **Alternatives 2 and 3** would be positive, the overall reduction in harvest of these species achieved through this action would likely be minor. However, if landings are actually larger than recorded for these species then the positive biological effects of this action would be more substantial.

#### **ACTION 2 – CHANGES TO COMMERCIAL GOLDEN TILEFISH FISHERY PARTICIPATION**

**Alternative 1** would not limit participation or effort in the golden tilefish fishery. **Alternative 2** would be expected to limit participation and effort in the golden tilefish fishery but it is difficult to determine what the reduction in effort would be without the specific design of the Catch Shares or Limited Access Privilege (LAP) program. All of the sub-alternatives under **Alternative 3** would result in a reduction of effort in the golden tilefish fishery. **Sub-alternative 3A-3J** would reduce the effort in the golden tilefish fishery and thereby reduce any potential bycatch.

#### **ACTION 3 – CHANGES TO THE COMMERCIAL BLACK SEABASS POT FISHERY**

The Council is concerned there could be increased interest to fish more black sea bass pots per trip due to greater restrictions placed on commercial fisheries through Amendments 13C, 16, 17A, and 17B. **Alternative 1**, by not limiting the number of black sea bass pots deployed or pot tags issued to holders of Federal snapper-grouper vessel permits, could result in adverse impacts to the black sea bass stock. Without a limitation on the annual number of pot tags distributed to a fisherman, any number of pots could be deployed. **Alternatives 2-7** would have beneficial impacts to the biological environment (particularly black sea bass stocks) by reducing fishing effort. **Alternative 2** would have the least beneficial effects to the biological environment as it would allow fishermen to fish up to 100 traps each year. On average, **Alternative 2** would reduce the number of pots fished by trip by 8%. **Alternative 4** would have the greatest biological effect since it would allow the fishermen to fish a maximum of 25 pots. Based on data from 2003-2008, **Alternative 4** would reduce the number of pots fished per trip by 62%. The biological effect of **Alternative 3** would be intermediate between **Alternatives 2 and 4** as it

would allow fishermen to fish up to 50 pots. On average, **Alternative 3** would reduce the number of pots fished per trip by 17%. **Alternatives 5 and 6** would gradually reduce the maximum number of pots that could be fished each year from 100 to 25 (Alternative 5) and from 100 to 50 (**Alternative 4**). Thus, the biological effect of **Alternatives 5 and 6** would be similar to **Alternatives 3 and 4** but greater than **Alternative 2**.

**Alternative 7** would require that black sea bass pots be brought back to shore at the conclusion of a trip and **Alternative 8** would put a time limit of 72 hours for how long a pot could remain in the water. Currently, there are instances where large numbers of pots may be left fishing for multiple days due to vessel or weather problems, which could unnecessarily kill many black sea bass. Fishing large numbers of pots also increases the chance that pots could be lost and “ghost fishing” could occur. Furthermore, fishing large numbers of pots increases the chance of entanglement of pot lines with right whales and other protected species.

#### **ACTION 4 – SEPARATE COMMERCIAL SNOWY GROUPEL QUOTA INTO REGIONS**

The rationale for having regional quotas is that fishermen off Georgia and Florida could have an advantage and catch part of the quota early in the year when bad weather would prevent fishermen from catching snowy grouper off the Mid-Atlantic, North Carolina, and South Carolina. However, as the trip limit is only 100 pounds gutted weight and the quota is very small, early closure of the snowy grouper fishery might not occur. In 2006 and 2007, the magnitude of landed snowy grouper was much less than the quota. In 2008, only 59% of the 84,000 pound gutted weight quota had been met. The trip limit has probably reduced targeting to some degree where only snowy grouper taken as incidental catch are retained when fishermen seek co-occurring species. Each region’s directed quota would be tracked by dealer reporting. After the commercial quota is met in either region, all purchase and sale is would be prohibited in the region and harvest and/or possession would be limited to the bag limit. However, there is a chance that harvest could continue in a particular region and snowy grouper would be landed in the region where harvest is still allowed. This could result in some localized depletion but would not be expected to negatively affect the population. The impacts of **Alternatives 2 and 3** on protected resources are uncertain. If fishermen continue to fish after the quota has been met, or if effort simply shifts from a closed region to an open region, then the alternative is unlikely to reduce the risk of adverse affects to protected species from interactions with the fishery. However, if regional quotas are effective in limiting the fishing effort after the quota is met, then the risk of interactions between protected resources and the fishery will likely be reduced for the closed region.

#### **ACTION 5 – SEPARATE RECREATIONAL GAG ALLOCATION INTO REGIONS**

During 2003-2007, average MRFSS (private and charter) landings for gag were higher for Georgia and Florida (59%), when compared with North Carolina and South Carolina (41%). Average headboat landings of gag showed a smaller difference between the two regions, with Georgia

and Florida at 53%, versus North Carolina and South Carolina at 47%. Regional differences were much more apparent in the number of gag discarded by private and charter boat fishermen. In the South Atlantic, MRFSS data indicated private and charter recreational fishermen in Georgia and Florida released an average of 88% of the gag caught, compared to 12% in North Carolina and South Carolina, during 2003-2007. When data were examined by state, the total estimated harvest of gag in federal waters was highest in Florida (1,050,204), followed by North Carolina (898,787), South Carolina (159,973), and Georgia (55,796).

Gag aggregate to spawn (Collins *et al.* 1987; McGovern *et al.* 1998; Huntsman *et al.*, 1999) and Gilmore and Jones (1992) found large aggregations off Florida. McGovern *et al.* (2005) suggested that gag may move from areas off of North Carolina and South Carolina to spawn off Florida. Furthermore, gag may be subject to more fishing pressure by commercial and recreational fishermen, as well as sport divers off Florida due to the very narrow continental shelf. Amendment 16 implemented a 4-month spawning season closure January through April for all shallow water groupers beginning in 2010.

**Alternative 1** would maintain the status quo for the recreational fishery based on measures established in Amendment 16. Amendment 17B is being developed by the Council, which would establish annual catch limits (ACLs) for the recreational sector based on the allocations established in Amendment 16. Some Council members expressed concern that if Florida fails to comply with federal rules established through Amendment 17B, a portion of the recreational catch could occur in Florida's state waters even after an ACL had been met and the fishery was closed in the EEZ. As a result, these catches could be deducted from the ACL the following year resulting in earlier closures, which could deprive fishermen in the EEZ from equal access to the fishery.

While **Alternatives 2 and 3** could provide greater assurance to regions or states that they receive a fair allotment of the recreational allocation, there would be problems with tracking landings. Because MRFSS is a survey-based estimate, dividing MRFSS data by region or state greatly increases the uncertainty associated with estimates. The more finely divided the data, the greater the uncertainty. This uncertainty would be particularly troublesome for Georgia and South Carolina where a small percentage of the overall recreational gag catch occurs. In-season monitoring of recreational allocations for regions or states where gag are infrequently encountered would be extremely difficult. Due to increased uncertainty with dividing the allocation by region or state, the biological benefits of **Alternatives 2 and 3** would be considered to be less than the status quo **Alternative 1**. Furthermore, the biological effect of **Alternative 2**, which would establish allocations by regions, would be considered to be greater than **Alternative 3**, which would allocate the catch by state. Increased uncertainty could result in allocations being exceeded and to overfishing of the fish stocks. In fact, the Council considered, but rejected an alternative in Snapper Grouper Amendment 13C to divide snowy grouper quota among states because of concerns about accurately tracking the small snowy grouper quotas.

Under **Alternatives 2 and 3**, after the regional allocation is met in any region or state, all fishing for or possession of gag would be prohibited in federal waters. However, there is a chance that harvest could continue in a particular region or state and gag would be landed in the region or state where harvest would still be allowed. This could result in some localized depletion, but would not be expected to negatively affect the population.

#### **ACTION 6 – CHANGE IN THE COMMERCIAL GOLDEN TILEFISH FISHING YEAR**

**Alternative 1** would retain the January 1 fishing year start date and allow the trip limit to be reduced from 4,000 lbs gutted weight to 300 lbs gutted weight if 75% of the quota was met on or before September 1. Although the commercial hook and line catch of golden tilefish is minor (~8% during 1999-2004), 35% of the catch occurred during September and October 1999-2004. During 2007 and 2008 the quota was met before September and the fishery closed before the period of time when the greatest commercial hook and line catches of golden tilefish have historically occurred. The expected biological effects of retaining or modifying the fishing year are expected to be minimal because hook and line landings are so small and total mortality is constrained by a commercial quota. A change in the fishing year would affect how and when fishing effort (longline versus hook and line) is applied to the stock throughout the year.

The Council's **Alternative 2** would begin the fishing year for golden tilefish in September, the period of time when the greatest commercial hook and line catches of golden tilefish have historically occurred. **Alternative 3** would begin the fishing year in August and also allow hook and line fishermen to fish during the period of time when their catches have been greatest. **Alternative 4** would start the fishing year in May but would still allow hook and line fishermen to fish for golden tilefish in the fall but there is a greater chance the quota would be met sometime during September through November.

In the commercial fishery, most golden tilefish (92%) are taken with longline gear deployed by large vessels that make long trips and depend on large catches (> 3,000 pounds) to make a trip economically feasible. Therefore, a 300 pound gutted weight trip limit when 75% of the quota is met would shut down commercial longline sector, and might reduce their potential annual catch. The commercial hook and line catch of golden tilefish is small (~8%). Therefore, changing the fishing year is not likely to substantially increase the commercial hook and line catch. Furthermore, a change in the fishing year probably will not alter the number of months the commercial longline fishery operate as the percentage of golden tilefish landed was evenly distributed among all months before more restrictive regulations were implemented.

The Council's **Alternative 5** could increase the chance that the quota would be exceeded because the harvest rate would not be slowed through a reduction in the trip limit to 300 pound gutted weight. However, if the quota monitoring system is operating properly, annual harvest in excess of the quota should be minor. In addition, the 300 pound gutted weight quota is not keeping the golden tilefish fishery open all year. Therefore, if the fishing year was changed and the quota monitoring system was operating properly, a 300 pound gutted weight trip limit

would not be necessary. Even though the fishery has closed before the end of the year in 2007 and 2008, it is unlikely that golden tilefish would be taken incidentally as bycatch since the majority of the catch is with longline gear. Furthermore, golden tilefish do not occupy the same habitat of other deep water species (i.e., snowy grouper, blueline tilefish, blackbelly rosefish, etc.). Golden tilefish prefer a mud habitat; whereas the other deep water species occur in a rocky habitat.

## **ACTION 7 – IMPROVE ACCURACY, TIMING, AND QUANTITY OF FISHERY STATISTICS**

### *Commercial*

**Alternative 1** would continue to obtain fishing effort information as well as protected species interactions via a logbook. Discard data are collected using a supplemental form that is sent to a 20% stratified random sample of the active permit holders. However, in the absence of any observer data, there are concerns about the accuracy of logbook data in collecting bycatch information. The current system is not providing bycatch data that can be used to track discard mortality as required by the Reauthorized Magnuson-Stevens Act.

Commercial quotas are monitored by the NMFS Southeast Fisheries Science Center (SEFSC). Landings information is obtained from selected dealers. Some data are also collected through cooperative research projects. As we move towards a multi-species management approach, these types of data are essential. The current system is having difficulty adequately tracking the current quotas and is not expected to be able to track all the new quotas.

**Alternatives 2 through 5** identify options for monitoring catch and effort, which are more specific than what was specified in Amendment 15B. In addition, some of the alternatives would require that data be collected and not only “if selected”. There are no direct biological impacts from establishing a standardized reporting methodology to estimate bycatch. However, indirect impacts resulting from **Alternatives 2 through 5** would provide a better understanding of the composition and magnitude of catch and bycatch; enhance the quality of data provided for stock assessments; increase the quality of assessment output; provide better estimates of interactions with protected species; help ensure total mortality does not exceed the ACL; and lead to better decisions regarding additional measures that might be needed to reduce bycatch. Management measures that affect gear and effort for a target species can influence fishing mortality on other species. Therefore, enhanced catch and bycatch monitoring would provide better data that could be used in multi-species assessments.

**Alternatives 2 through 5** differ in type, amount, and quality of data they would provide. They also differ in feasibility. For example, it is not feasible to place observers (**Alternative 5**) on many commercial snapper-grouper vessels due to the small size of the boats and safety concerns. Therefore, the Council may elect to allow fishermen to choose which method they want to use to monitor catch or bycatch (**Alternatives 5, or 6**).

### *For Hire*

**Alternatives 2 through 4** identify options for monitoring catch and effort, which are more specific than what was specified in Amendment 15B. In addition, some of the alternatives would require that data be collected and not only “if selected”. There are no direct biological impacts from establishing a standardized reporting methodology to estimate bycatch.

**Alternatives 2 through 4** would provide a better understanding of the composition and magnitude of catch and bycatch; enhance the quality of data provided for stock assessments; increase the quality of assessment output; provide better estimates of interactions with protected species; help ensure total mortality does not exceed the ACL; and lead to better decisions regarding additional measures that might be needed to reduce bycatch. Management measures that affect gear and effort for a target species can influence fishing mortality on other species. Therefore, enhanced catch and bycatch monitoring would provide better data that could be used in multi-species assessments.

#### *Private Recreational*

While **Alternative 1** would maintain existing data reporting requirements, **Alternative 2** would require voluntary logbooks be filled out and submitted by private recreational fishermen. It is uncertain whether this would improve the type, amount, and quality of data on this sector due to the voluntary nature of submittal.

### **ACTION 8 – DESIGNATE SNAPPER GROUPER EFH IN NEW NORTHERN FMP AREAS**

The biological effects of designating snapper grouper EFH and EFH-HAPC in new northern areas will follow similar guidelines and management strategies discussed in Action 1. **Alternative 1** would maintain the status-quo, with no change in designating EFH and EFH-HAPC areas north of Cape Hatteras, NC. **Alternative 2** could have positive biological effects for the snapper grouper species in the Mid-Atlantic and New England regions simply by the fact that more habitat would be designated as EFH and afforded the protections of that designation. **Alternative 3** could have a positive biological effect, especially if there is joint management between the Council and MAFMC, and/or the northern regions’ inclusion of the SAFMC’s designation of EFH and EFH-HAPC habitat types.

## **IV. Economic Impacts Summary**

### **ACTION 1 – NORTHERN EXPANSION OF SAFMC JURISDICTION**

**Alternative 1** could have negative long-term economic impacts on commercial fishermen in the South Atlantic. With the possibility of the northern movement of species, increased fishing pressure in areas north of the South Atlantic Council’s jurisdiction could prevent the timely adherence to rebuilding schedules for overfished species. This would result in longer rebuilding periods and put off landings that would otherwise be made by South Atlantic fishermen.

**Alternative 2** would likely curb landings of snapper-grouper species off of Mid-Atlantic States (but not the New England states) and result in positive economic benefits to South Atlantic

fishermen. **Alternative 3** result in positive long-term economic benefits due to the larger management jurisdiction. **Alternative 3** would have greater long-term economic benefits compared to **Alternative 2**.

#### **ACTION 2 – CHANGES TO COMMERCIAL GOLDEN TILEFISH FISHERY PARTICIPATION**

**Alternative 1** would leave the golden tilefish fishery open to all snapper grouper permit holders and could result in benefits shifting to non-traditional users if people begin to fish golden tilefish that have not in the past. **Alternative 2** would create a limited access privilege program. However, the characteristics of this program have not yet been described by the Council. Once these characteristics are specified, a full economic analysis of this program can occur. In general, implementation of a limited access privilege program typically includes eligibility requirements for receiving initial allocation of quota share and a methodology for determining how much initial allocation of quota share a person receives. Both of these design characteristics would impact participation and the level of effort applied to the golden tilefish fishery. Regarding **Alternative 3**, the sub-alternatives are not able to be fully analyzed until data through 2008 has been received. This data is currently being compiled. If the Council were to allocate 10% of the commercial allocation to the hook and line gear sector and 276,265 pounds of golden tilefish was chosen as the commercial ACT, this results in 27,700 pounds being allocated to Golden Tilefish Hook and Line Endorsement holders. This is similar to the total amount harvested by these individuals in each year 2001-05.

#### **ACTION 3 – CHANGES TO THE COMMERCIAL BLACK SEABASS POT FISHERY**

In general, it is expected that the short-term economic benefits of **Alternatives 2-6** increase with the larger number of traps allowed per vessel. However, how the total number of traps in the fishery influences the catch per unit effort will ultimately determine the long-term economic impacts of these alternatives. It is possible that even a low number of traps per vessel could have negative economic impacts in the short and long-term if there are large numbers of vessels participating in the fishery. Assuming the catch per unit effort remains stable, **Alternative 2** would offer the greatest short-term economic benefits but probably the smallest long-term economic benefits since the total number of traps in the fishery is not capped. **Alternative 3** would have the next largest short-term economic benefits with **Alternatives 5** and **6** having similar impacts in the short-term to **Alternatives 2** and **3** and **Alternative 4** having the smallest economic benefits.

If we assume that the number of pots carried per vessel is currently optimal for that individual vessel's operation, then any reduction in the number of vessels will have a negative impact on the profitability of that operation. **Alternative 2** restricts the number of pots per vessel to 100. While most vessels carry less than 100 pots, those that currently carry more than 100 pots will be negatively impacted since they will be restricted to 100 pots. While the cost of vessel operations remain largely fixed, except crew and food costs, the number of pots, which are used to generate revenue have decreased. The overall economic benefit of any of the alternatives will

be a summation of the individual changes in profits. Given that there are only a few vessels fishing greater than 100 pots, the negative impacts from alternatives with larger number of pots allowed per vessel are expected to be less than the impact of the alternatives with smaller numbers of pots allowed per vessel. Actual estimation of each vessel's profitability requires vessel specific cost data, which is not available at this point in time. Given that **Alternatives 7 and 8** protect the biological resource by helping to prevent overfishing, the fishery would experience long-term economic benefits from these alternatives.

#### **ACTION 4 – SEPARATE COMMERCIAL SNOWY GROUPEL QUOTA INTO REGIONS**

Under the assumption that targeting of snowy grouper has decreased due to the small trip limit, it is unlikely that **Alternatives 2 and 3** will result in long-term negative economic impacts. In general, the fishermen, associated business, and communities in any state or region that receives an increase in allowable harvest, or unchanged harvest levels, as a result of regional or state quotas would be expected to have their short-term economic benefits remain the same or increase relative to **Alternative 1 (Status Quo)**. The opposite effect would accrue to those who experience decreases in allowable harvest.

#### **ACTION 5 – SEPARATE RECREATIONAL GAG ALLOCATION INTO REGIONS**

**Alternative 1** (status quo) would not create changes to the economic performance of the recreational sector. **Alternative 2** would divide the recreational gag allocation into two regions, Florida/Georgia (FL/GA) and South Carolina/North Carolina (SC/NC). The eventual effects of this alternative would depend on the allocation ratio between the two regions. Given the relative difficulty of tracking recreational landings on a real time basis, a simpler allocation formula would be the more pragmatic choice. In this case, an allocation ratio based on overall landings is probably the best choice. Assuming this approach, the allocation ratio between the two regions, if based on 2003-2007 landings, would be 58.9 percent for FL/GA and 41.1 percent for SC/NC. This allocation ratio would tend to preserve the regional historical landings but potentially not the economic performance of various fishing participants in each region. This ratio could slightly favor the headboat segment of the FL/GA region at the expense of the region's charter and private mode segment. A reverse condition would be the case for the headboat and charter/private segments in the NC/SC region.

**Alternative 3** would divide the recreational gag allocation among the four South Atlantic states. If we base the allocation ratio on the 2003-2007 overall recreational gag landings by state, the resulting allocation ratio would be 56.8 percent, 2.1 percent, 7.5 percent, and 33.6 percent, respectively, for Florida, Georgia, South Carolina, and North Carolina. An almost similar situation to that of **Alternative 2** would happen here. The state-by-state allocation ratio would place headboats in Florida at a slight advantage over charter and private modes, while the reverse would occur for other states. The economic implications of such a result would be almost similar to those described for **Alternative 2**. One potential difference could be the more likely occurrence of strong competition between neighboring states. Unlike the regional allocation in

**Alternative 2** where the bulk of recreational fishing for gag occurs in Florida for the FL/GA region and North Carolina for the NC/SC region, a state-by-state allocation would pit the recreational sector of a state against that of the adjacent state. Preventing one state to increase its recreational landings of gag could enable the adjacent state to increase its recreational landings. It is, however, uncertain whether economic gains in the state with increasing landings would more than offset the forgone economic benefits incurred by the other states.

#### **ACTION 6 – CHANGE IN THE COMMERCIAL GOLDEN TILEFISH FISHING YEAR**

The current golden tilefish fishery is characterized by a race to fish, a small number of longline participants taking the majority of the catch, and a larger number of hook and line participants. Longline participants begin fishing in January in Florida. By April or May when the weather improves, Carolina longliners begin fishing. In September and October, hook and line fishermen begin to fish for golden tilefish. This is the time of year when they are not participating in other fisheries.

**Alternatives 2-4** would benefit hook and line golden tilefish fishermen in Florida allowing them to fish for golden tilefish in the fall months when they are not participating in other fisheries. Likewise, North Carolina and South Carolina longline and hook and line fishermen may be able to fish for more months of the year under these alternatives because they will be able to fish at the beginning of the season when weather is amenable to fishing. A May start date (**Alternative 4**) would benefit Carolina longline fishermen most compared to **Alternatives 2 and 4**. A September 1 start date (**Alternative 2**) would perhaps benefit them the least. Under current regulations, the fishery starts January 1st. Carolina fishermen may be able to start fishing May 1st and then fish for four months. A September 1st start date (**Alternative 2**) may not even provide four months of fishable weather (personal communication, Matt Ruby 2008).

The sub-alternative under **Alternatives 2-4** would eliminate the 300 pound trip limit that goes into place once 75% of the quota is met. This would allow longline fishermen, who may need the 4,000 pound trip limit to make a trip cost effective, to fish until the end of the season. It would also allow hook and line fishermen who are restricted to the 300 pound trip limit under Alternative 1 to fish for larger amounts.

#### **ACTION 7 – IMPROVE ACCURACY, TIMING, AND QUANTITY OF FISHERY STATISTICS**

##### *Commercial*

The economic cost associated with the burden placed on fishermen of entering additional data or allowing for an observer on their vessel has not been estimated. However, in general, an increase in the quantity and/or quality of data increases long-term economic benefits through improvements to management of the stocks. Logbooks, in particular, are seen as a low cost alternative to video monitoring, electronic logbooks, and other monitoring that requires specialized equipment able to withstand harsh ocean conditions. While **Alternatives 2 and 6** and would likely be the least expensive alternatives, **Alternative 5** would be the most expensive with **Alternative 4** in between.

### *For-Hire*

The economic cost associated with the burden placed on fishermen of entering additional data or allowing for an observer on their vessel has not been estimated. However, in general, an increase in the quantity and/or quality of data increases short and long-term economic benefits through improvements to management of the stocks. Electronic reporting and paper logbooks, in particular, are seen as a low cost alternative to video monitoring, electronic logbooks, and other monitoring that requires specialized equipment able to withstand harsh ocean conditions. Therefore, **Alternative 4** is perhaps the least costly alternative with **Alternative 3** being the next least costly and **Alternative 2** being the most costly in that it is mandatory.

### *Private Recreational*

A voluntary logbook required under **Alternative 2** is not expected to create an additional financial burden on private recreational fishermen due to its voluntary nature. In the long-term, it could improve management for the private recreational fishery and result in aggregate economic benefits.

## **ACTION 8 – DESIGNATE SNAPPER GROUPER EFH IN NEW NORTHERN FMP AREAS**

In general terms, designating EFH and EFH-HAPCs would be expected to generate long-term positive economic benefits as a result of enhanced resource protection and the support of sustained harvests and other ecosystem benefits. In the short-term, however, the designation of EFH may result in increased harvest restrictions in areas currently fished, with associated reductions in economic benefits to fishermen and dealers. Because each alternative would designate EFH and EFH-HAPCs, both **Alternatives 2 and 3** would be expected to result in increased long-term economic benefits relative to **Alternative 1 (Status Quo)**, but also increased short-term reductions in economic benefits as a result of any necessary harvest restrictions. Absent specific details on what EFH and EFH-HAPCs would be designated, where each is located, and what harvest restrictions may be required to insure their protection, additional substantive discussion of the expected economic effects is not possible. The absence of these details also prevents the effective comparison of the expected effects of **Alternative 2** relative to **Alternative 3**.

## **V. Social Impacts Summary**

### **ACTION 1 – NORTHERN EXPANSION OF SAFMC JURISDICTION**

Under **Alternative 1**, continued or increasing unregulated harvest by entities outside the South Atlantic's jurisdiction may result in greater harvest restrictions on South Atlantic entities than would be necessary if management were extended to all who harvest the resource, resulting in long-term reductions in social and economic benefits to entities in the South Atlantic States. **Alternatives 2 and 3** could require fishermen and dealers to buy South Atlantic permits or the

issuance of permits may be left up to the Mid-Atlantic and New England Councils. If the South Atlantic Council required dealers and fishermen to purchase South Atlantic permits, a dealer permit would be a minor expense (\$50), a fishing permit could be much more expensive (\$9,000-\$21,000), especially given the requirement that those wanting to purchase a permit, purchase two and retire one. However, this may not be a requirement once final action is taken. Instead, the northern regions may distribute their own permits for fishing South Atlantic snapper grouper managed species in these areas.

### **ACTION 2 – CHANGES TO COMMERCIAL GOLDEN TILEFISH FISHERY PARTICIPATION**

Under **Alternative 1 (Status Quo)**, status quo conditions are expected to continue a functional reallocation of the golden tilefish commercial quota to Florida fishermen at the expense of North Carolina and South Carolina fishermen due to recent management restrictions and the traditional fishing patterns where weather is a key determinant when fishermen from different states typically are able to participate in the fishery. **Alternative 2** would attempt to return to and preserve the more traditional and historical participation and harvest patterns through the establishment of a LAP program. While the specifics of the LAP program for this fishery have not been defined, it is assumed that some improvement in social benefits would result. It is noted, however, that LAP programs are not without their own problems and their success, in terms of either biological, economic, or social benefits, depends on their specific design, so it is possible that a particular LAP program for this fishery could result in decreased or unchanged social, or economic and biological, benefits relative to **Alternative 1 (Status Quo)**. Under **Alternative 3**, the higher the number of endorsements, the less disruption of current harvest patterns, and associated social conditions, but the less likely historic participation and harvest patterns can be recovered, resulting in the continued loss of the social benefits the historic fishery is presumed to have provided. **Alternative 3** would attempt to return to and preserve the more traditional and historical participation and harvest patterns through the establishment of an endorsement program for the golden tilefish fishery, limiting participation, or preserving participation access rights.

### **ACTION 3 – CHANGES TO THE COMMERCIAL BLACK SEABASS POT FISHERY**

The primary social effects of the alternative limits may be largely due to reduced fishing flexibility and interference with personal fishing or business practices. These effects may take the form of reduced independence, lower job satisfaction, reduced time to engage in other activities, and possible increased costs, among others. The latter two potential effects might accrue if the proposed limits induce alteration of the normal fishing patterns, such as frequency and duration of trips, as well as the time pattern of pot deployment, soak time, and retrieval. **Alternative 1** could result in decreased economic viability of current pot fishermen, increased bycatch problems, and increased environmental damage from lost pots. Among **Alternatives 2-4**, the short-term adverse social effects would be expected to vary directly with the severity of the limit. Some vessels would not be able to maintain current fishing practices and, as a result, some reduction of revenues and associated social benefits may occur. These adverse effects

would be expected to accrue to more entities and be more severe as the limit is reduced to 50 tags (**Alternative 3**) and 25 tags (**Alternative 4**). **Alternative 5** and **Alternative 6** would reduce the severity of the short-term adverse effects of **Alternative 4** and **Alternative 3**, respectively, by allowing a two-year or one-year transition to the target tag limit. Allowing a phase-in would allow vessels to adjust their fishing practices to minimize any adverse effects and/or identify alternative opportunities to mitigate losses in the black sea bass fishery as a result of pot/tag limits.

**Alternative 7** would not explicitly limit soak time because the length of a fishing trip would not be limited. However, **Alternative 7** may functionally limit soak time if fishermen prefer not to stay at sea longer while their pots soak or force them to stay longer at sea to maintain customary soak times. Further, under **Alternative 7**, a vessel could not return to port without retrieving all pots, even if the expected soak time was still expected to be short. Only **Alternative 8** would explicitly limit soak time. However, almost all black sea bass pot trips are less than three days, so **Alternative 8** would be expected to have little to no adverse social or economic effects. Unless suspension of the pot recovery requirement was possible, both alternatives could result in hardship or safety issues in the event of engine problems/failure or severe weather such that the vessel has to return to port prior to retrieving all pots.

#### **ACTION 4 – SEPARATE COMMERCIAL SNOWY GROUPEL QUOTA INTO REGIONS**

**Alternatives 2** and **3** would divide the snowy grouper quota by region/state. These efforts at regional management will help some fishermen feel that there is an improvement in equity in distribution of quota. In general, the fishermen, associated business, and communities in any state or region that receives an increase in allowable harvest, or unchanged harvest levels, as a result of regional or state quotas would be expected to have their short-term social benefits remain the same or increase relative to **Alternative 1 (Status Quo)**. The opposite effect would accrue to those who experience decreases in allowable harvest.

#### **ACTION 5 – SEPARATE RECREATIONAL GAG ALLOCATION INTO REGIONS**

In general, the fishermen, associated business, and communities in any state or region that receives an increase in allowable harvest, or unchanged harvest levels, as a result of regional or state quotas would be expected to have their short-term social benefits remain the same or increase relative to **Alternative 1 (Status Quo)**. The opposite effect would accrue to those who experience decreases in allowable harvest. It is presumed that any state/regional allocations would adequately protect the resource and/or recovery goals. Identification of specific allocation formulas beyond simply defining the geographic groupings, however, is required for substantive identification or discussion of expected social or economic effects.

#### **ACTION 6 – CHANGE IN THE COMMERCIAL GOLDEN TILEFISH FISHING YEAR**

As discussed in the previous sections, the fishery has been reduced to less than a full-year fishery. Further, in recent years, these limits and subsequent early closure have resulted in

North and South Carolina fishermen, who are not able to enter the fishery until spring due to weather issues, having access to a shorter season, and Florida hook and line fishermen not being able to fish for golden tilefish at all. Deviation from these historic patterns is assumed to have resulted in declines in social and economic benefits to the fishery, associated businesses, and communities.

Regarding **Alternatives 2-4**, the earlier the start (May), the greater the opportunity for participation by North Carolina and South Carolina fishermen, with continuing potential jeopardy for Florida hook and line vessels (quota management could still close the fishery in the fall), while the later the start (September) the reverse would occur; Florida hook and line fishermen should be able to fish the entire fall, whereas North Carolina and South Carolina fishermen could face abbreviated fishing opportunities depending on fall and winter weather conditions. The step-down trip limit would still apply, and the earlier the season began, the greater the likelihood that longline vessels, particularly Florida vessels, may lose traditional winter fishing time as these vessels would not be expected to be able to profitably fish under 300-pound trip limits. Each of the sub-alternatives would eliminate this problem by eliminating the step-down, but would accelerate complete closure of the fishery by not reducing the pace of harvest. Because each of these alternatives would help, though not completely, return harvest participation to historic patterns, each would be expected to result in increased social benefits relative to **Alternative 1 (Status Quo)**. However, because each alternative creates different opportunities, both positive and negative, for different segments of the fishery, it is not possible to rank the three.

**Alternative 5** would attempt to recover the opportunity of participation in the fishery by the Florida hook and line vessels by closing the longline fishery if the 300 pound trip limit is triggered. However, the fishery may effectively self-close such that regulatory closure of the sector would neither accomplish any benefit for hook and line fishermen nor impose any adverse effects on longliners.

#### **ACTION 7 – IMPROVE ACCURACY, TIMING, AND QUANTITY OF FISHERY STATISTICS**

##### *Commercial*

In general terms, it is assumed that while data collections programs or obligations may be individually burdensome on fishery participants, better data reporting is assumed to support better management through improved stewardship of the biological resource and the imposition of restrictions that meet resource targets while minimizing adverse social and economic consequences. In sum, better management, from both the resource and fishery perspective, is assumed to result in greater long-term social and economic benefits. **Alternative 3** would be expected to place an additional operational burden on more entities than **Alternative 2**, while resulting in better total data and management due to the more inclusive scope of data collection. Although **Alternative 3** would place an increased operational burden on more entities, it is assumed that the individual burden would be minimal. As computers have become more mainstream, it is expected that virtually all dealers currently have, or have easy

access to, most of the necessary hardware, internet accessibility, and skills to provide the required information. These tools have become rational normal business practices in today's business world.

With regards to vessel burden, **Alternative 4** may be less operationally intrusive than **Alternative 5**, as it would simply impose a new electronic interface, whereas **Alternative 5** would require the vessel, if selected, to deal with the physical presence of an observer on board, but may impose a larger, more direct cost. At this time, while it is assumed or is the intent of the Council that the responsibility for the financial burden of the cost and installation of the electronic logbook lie with grant or government funds, such is not certain, and long-term subscription or maintenance costs may still likely be the responsibility of the vessel. **Alternative 6** would ease the burden of logbook reporting for those fishermen have access to and the skills to complete electronic reporting.

#### *For-Hire*

**Alternative 2** would be expected to place an additional operational burden on more entities than **Alternative 3**, while resulting in better total data and management due to the more inclusive scope of data collection. Although **Alternative 2** would place an increased operational burden on more entities, it is assumed that the individual burden would be minimal. Because the headboat sector currently has a mandatory paper logbook program, the incremental burden of an electronic logbook would not be as great for this sector compared to the charter sector, as much of the reporting obligation would replace existing requirements. The data collected via electronic logbook would still, however, be more comprehensive and received more quickly, resulting in greater management benefits, with associated social benefits, than the current system. **Alternative 4** would limit the new information collection to discard data. As a result, the burden associated with the documentation of this information would not be as great as under **Alternatives 2** and **3**, however, in general, the amount of information collected would be expected to be less than under these alternatives, even if all vessels are selected for reporting. Specifically, **Alternative 4** would not result in improvement of harvest information relative to either alternative. While **Alternative 4** might adequately complement the existing mandatory harvest data requirements (logbook reporting) of the headboat sector, it would only improve the collection of bycatch information for the charter sector. As a result the social benefits of improved data collection and fishery management would be expected to be less under **Alternative 4** relative to **Alternatives 2** and **3**.

#### *Private Recreational*

**Alternative 2** would not impose any new requirements on fishery participants and, as a result would not be expected to result in any adverse social effects. Although the voluntary nature of the data collection program is consistent with other recreational data collection methods, such as MRFSS, which relies on voluntary reporting of effort and catch, it is unknown how any data collected under **Alternative 2** would be functionally utilized in the management process

because, unlike the MRFSS, which has a clearly specified statistical design, no program design has been specified. Thus, while new data would be collected, its utility may be questionable. Nevertheless, some data and management improvement, with associated increased social benefits, is presumed. In addition to these benefits relative to the status quo, providing the public an enhanced opportunity to contribute to the management process could result in higher levels of cooperation and participation in the management process, with improved resource and management outcomes and associated social benefits.

#### **ACTION 8 – DESIGNATE SNAPPER GROUPE EFH IN NEW NORTHERN FMP AREAS**

In general terms, designating EFH and EFH-HAPCs would be expected to generate long-term positive social benefits as a result of enhanced resource protection and the support of sustained harvests and other ecosystem benefits. In the short-term, however, the designation of EFH may result in increased harvest restrictions in areas currently fished, with associated reductions in social and economic benefits to fishermen, associated industries, and communities. Because each would designate EFH and EFH-HAPCs, both **Alternatives 2** and **3** would be expected to result in increased long-term social benefits relative to **Alternative 1 (Status Quo)**, but also increased short-term reductions in social benefits as a result of any necessary harvest restrictions. Absent specific details on what EFH and EFH-HAPCs would be designated, where each is located, and what harvest restrictions may be required to ensure their protection, additional substantive discussion of the expected social effects is not possible. The absence of these details also prevents the effective comparison of the expected effects of **Alternative 2** relative to **Alternative 3**.

#### **VI. Cumulative Impacts**

The Council recognizes that past regulations on the harvest of snapper grouper species have a cumulative impact on fishermen and other stakeholders. In 2006, Amendment 13C implemented restrictions on the harvest of snowy grouper, golden tilefish, black seabass, and vermilion snapper to end overfishing of those species. In 2009, Amendment 14, which established a series of deepwater marine protected areas, was implemented. Amendment 15B, which is currently under review by the Secretary of Commerce, prohibits the sale of bag-limit caught snapper grouper species and would benefit the commercial sector by no longer allowing recreationally caught fish to be sold and count against commercial quotas. Amendment 16, defined interim allocations for gag between commercial and recreational sectors, established a January through April spawning season closure for gag grouper for both commercial and recreational sectors where no fishing for and/or possession of gag is allowed. In addition, during the closure no fishing for and/or possession of black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby, and coney is allowed. Amendment 16 also established a directed commercial quota for gag of 352,940 pounds (gutted weight), reduced the current 5-grouper aggregate recreational bag limit to a 3-grouper aggregate bag limit, reduced the existing bag limit from 2 gag or black grouper to 1 gag or black

grouper combined, and excluded the captain and crew on for-hire vessels from possessing a bag limit for groupers. For vermilion snapper, Amendment 16 defined interim allocations between commercial and recreational sectors, established a directed commercial quota of 315,523 pounds gutted weight January-June and 302,523 pounds gutted weight July-December, reduced the recreational bag limit from 10 fish to 5 fish, and established a recreational closed season November through March. Amendment 17A proposes closed areas and other measures to protect red snapper while Amendment 17B proposes Annual Catch Limits (ACLs) and Accountability Measures (AMs) to further consider restricting harvest of snapper grouper species that are classified as overfished or experiencing overfishing.

While it is uncertain, in some cases, how severe the cumulative impact will be on the commercial and recreational sectors of recent amendments, the negative impacts are expected to be significant and likely to result in decrease in income, job losses, loss of infrastructure, and additional stress and anxiety with resulting community impacts.

The public is urged to consider the cumulative impacts of all recent and pending regulations in developing their comments on Snapper Grouper Amendment 18.

**SNAPPER GROUPER AMENDMENT 18  
PUBLIC SCOPING MEETING SITES AND DATES**

Public hearings will be held from 3:00 P.M –7:00 P.M. at the following locations. The November 16<sup>th</sup> public hearing in Virginia will begin at 6:00 P.M. Written comments must be received by 5 P.M on November 25, 2009. The Council accepts comments sent by mail, fax, or E-mail ([SGAmend18PH@safmc.net](mailto:SGAmend18PH@safmc.net)).

<p><b><u>Monday, 11/2/09</u></b>  <b>Hilton Garden Inn Charleston Airport</b>  <b>5265 International Boulevard</b>  <b>North Charleston, South Carolina 29418</b>  <b>Phone: 843-308-9330</b></p>	<p><b><u>Tuesday, 11/3/09</u></b>  <b>Hilton New Bern Riverfront</b>  <b>100 Middle Street</b>  <b>New Bern, North Carolina 28562</b>  <b>Phone: 252-638-3585</b></p>
<p><b><u>Thursday, 11/5/09</u></b>  <b>Mighty Eighth Air Force Museum</b>  <b>175 Bourne Avenue</b>  <b>Pooler, Georgia 31322</b>  <b>Phone: 912-748-8888</b></p>	<p><b><u>Tuesday, 11/10/09</u></b>  <b>Key Largo Grande</b>  <b>97000 Overseas Highway</b>  <b>Key Largo, Florida 33037</b>  <b>Phone: 305-852-5553</b></p>
<p><b><u>Wednesday, 11/11/09</u></b>  <b>Radisson Resort at the Port</b>  <b>8701 Astronaut Boulevard</b>  <b>Cape Canaveral, Florida 32920</b>  <b>Phone: 321-784-0000</b></p>	<p><b><u>Thursday, 11/12/09</u></b>  <b>Crowne Plaza Jacksonville Riverfront</b>  <b>1201 Riverplace Boulevard</b>  <b>Jacksonville, Florida 32207</b>  <b>Phone: 904-396-8800</b></p>
<p><b><u>November 16, 2009</u></b>  <b>Virginia Marine Resources Commission</b>  <b>2600 Washington Avenue, 3<sup>rd</sup> Floor</b>  <b>Newport News, VA 23607</b>  <b>Phone: 757/247-2200</b></p>	

Council staff and local Council representatives will be on hand to answer questions concerning Amendment 18 and other topics covered during this series of public hearings. Members of the public will have the opportunity to provide comments on the record at any time during the hours posted above.

Other topics being covered during these scoping meetings include Amendments 17A and 17B to the Snapper Grouper FMP. Copies of the public hearing documents for these topics can be accessed at [www.safmc.net](http://www.safmc.net), at the public hearings, or by contacting the Council office.

## **What Next?**

Written comments regarding Amendment 18 should be submitted between October 19, 2009 and 5 p.m. November 25, 2009. All comments will be considered by the Council in drafting Amendment 18 to the Snapper Grouper Fishery Management Plan. The Council will review the comments and discuss at their December 2009 Council meeting. The Council is scheduled to submit the amendment to the Secretary of Commerce and for regulations to become effective sometime in 2010.

**Comments can be submitted via mail or email. To mail comments, send to:**

**ATTENTION: SNAPPER GROUPE AMENDMENT 18**

**South Atlantic Fishery Management Council**

**4055 Faber Place Road, Suite 201**

**North Charleston, SC 29405**

**To email, send comments to the following email address:**

**[SGAmend18PH@safmc.net](mailto:SGAmend18PH@safmc.net)**

## Appendix A. South Atlantic Fishery Management Council Membership 2009-2010

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## Appendix B: Species in the Snapper Grouper Fishery Management Unit.

Almaco jack, *Seriola rivoliana*  
Atlantic spadefish, *Chaetodipterus faber*  
Banded rudderfish, *Seriola zonata*  
Bank sea bass, *Centropristis ocyurus*  
Bar jack, *Caranx ruber*  
Black grouper, *Mycteroperca bonaci*  
Black margate, *Anisotremus surinamensis*  
Black sea bass, *Centropristis striata*  
Black snapper, *Apsilus dentatus*  
Blackfin snapper, *Lutjanus buccanella*  
Blue runner, *Caranx crysos*  
Blueline tilefish, *Caulolatilus microps*  
Bluestriped grunt, *Haemulon sciurus*  
Coney, *Cephalopholis fulva*  
Cottonwick, *Haemulon melanurum*  
Crevalle jack, *Caranx hippos*  
Cubera snapper, *Lutjanus cyanopterus*  
Dog snapper, *Lutjanus jocu*  
French grunt, *Haemulon flavolineatum*  
Gag, *Mycteroperca microlepis*  
Golden tilefish, *Lopholatilus chamaeleonticeps*  
Goliath grouper, *Epinephelus itajara*  
Grass porgy, *Calamus arctifrons*  
Gray (mangrove) snapper, *Lutjanus griseus*  
Gray triggerfish, *Balistes capriscus*  
Graysby, *Cephalopholis cruentata*  
Greater amberjack, *Seriola dumerili*  
Hogfish, *Lachnolaimus maximus*  
Jolthead porgy, *Calamus bajonado*  
Knobbed porgy, *Calamus nodosus*  
Lane snapper, *Lutjanus synagris*  
Lesser amberjack, *Seriola fasciata*  
Longspine porgy, *Stenotomus caprinus*  
Mahogany snapper, *Lutjanus mahogoni*  
Margate, *Haemulon album*  
Misty grouper, *Epinephelus mystacinus*  
Mutton snapper, *Lutjanus analis*  
Nassau grouper, *Epinephelus striatus*  
Ocean triggerfish, *Canthidermis sufflamen*  
Porkfish, *Anisotremus virginicus*  
Puddingwife, *Halichoeres radiatus*  
Queen snapper, *Etelis oculatus*  
Queen triggerfish, *Balistes vetula*  
Red grouper, *Epinephelus morio*  
Red hind, *Epinephelus guttatus*  
Red porgy, *Pagrus pagrus*  
Red snapper, *Lutjanus campechanus*  
Rock hind, *Epinephelus adscensionis*  
Rock Sea Bass, *Centropristis philadelphica*  
Sailors choice, *Haemulon parra*  
Sand tilefish, *Malacanthus plumieri*  
Saucereye porgy, *Calamus calamus*  
Scamp, *Mycteroperca phenax*  
Schoolmaster, *Lutjanus apodus*  
Scup, *Stenotomus chrysops*  
Sheepshead, *Archosargus probatocephalus*  
Silk snapper, *Lutjanus vivanus*  
Smallmouth grunt, *Haemulon chrysargyreum*  
Snowy grouper, *Epinephelus niveatus*  
Spanish grunt, *Haemulon macrostomum*  
Speckled hind, *Epinephelus drummondhayi*  
Tiger grouper, *Mycteroperca tigris*  
Tomtate, *Haemulon aurolineatum*  
Yellow jack, *Caranx bartholomaei*  
Yellowedge grouper, *Epinephelus flavolimbatus*  
Yellowfin grouper, *Mycteroperca venenosa*  
Yellowmouth grouper, *Mycteroperca interstitialis*  
Yellowtail snapper, *Ocyurus chrysurus*  
Vermilion snapper, *Rhomboplites aurorubens*  
Warsaw grouper, *Epinephelus nigritus*  
White grunt, *Haemulon plumieri*  
Whitebone porgy, *Calamus leucosteus*  
Wreckfish, *Polyprion americanus*

**Appendix C. A Simplified Schematic of the Council Process.**

