



South Atlantic Council Issues
Review and Discussion
Report date: May 15, 2009



Florida Fish and Wildlife Conservation Commission
Division of Marine Fisheries Management

The South Atlantic Fishery Management Council is scheduled to meet the week before the June FWC meeting. The meeting is scheduled for June 8-12, 2009, in Stuart, Florida. An update of Council business will be given at the June Commission meeting.

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Gag, Red, Black Grouper, Vermilion Snapper



- Federal rules to be implemented
 - Cuts in commercial and recreational harvest
 - November 2009
 - Starts 5-month closed season-Vermilion snapper
 - January 2010
 - Starts 4-month closed season-grouper
- Federal permit holders-federal rules
- FWC consistency



Federal managers have pushed forward with very strict regulations to address overfishing in the Atlantic Snapper-Grouper fishery and comply with federal law. On March 24th, 2009, the National Marine Fisheries Service (NMFS) approved final rules to reduce commercial quotas, restrict bag limits and implement a four-month spawning season closure for “shallow-water” grouper species and a five-month closed season for vermilion snapper. The new five-month closed season for all vermilion snapper fishing will begin this November. In January the new four-month closed season for all harvest of shallow-water groupers will begin. The primary shallow-water species of interest in Florida are gag, red and black grouper.

All federal permit holders will be required to adhere to federal rules, even if they are fishing in state waters. This means that commercial and for-hire (charter) permit holders will not be able to fish during the closed seasons even if Florida does not implement the same rules for state waters. Private recreational anglers and commercial or for-hire fishermen that do not have a federal permit would not be affected by this provision.

Staff is evaluating the implications of implementing consistent regulations in state waters. The implications are complex and not unlike the situation recently faced with red snapper in the Gulf of Mexico. Possible consistency actions, if any, are scheduled for initial review at the September 2009 FWC meeting.

Major Additional Restrictions Coming



- 10 species of snapper and grouper undergoing overfishing
 - Law requires limits by 2010
 - Snowy grouper, golden tilefish, speckled hind, Warsaw grouper, red grouper, black grouper, black sea bass, gag grouper, vermilion snapper, and red snapper
 - Big reductions in harvest



In addition to the recently approved harvest restrictions for gag, red and black grouper and vermilion snapper, the Council continues work on a comprehensive plan to implement annual catch limits and accountability measures. These additional measures include the four species mentioned above, plus six others that are undergoing overfishing. Federal law requires the Council to implement these measures by 2010. Catch limits will result in separate, specific quotas or allotments of catch to the commercial, recreational, and possibly the charter sectors.

The 10 species are snowy grouper, golden tilefish, speckled hind, Warsaw grouper, red grouper, black grouper, black sea bass, gag grouper, vermilion snapper, and red snapper. Red snapper is considered severely overfished and permanent reductions will very likely close down all fishing for that species. Overfishing is occurring to all 10 species, and therefore the plan will include significant actions to reduce harvest to the extent necessary to end the overfishing condition of these species.

This plan is expected to be finalized by the Council and implemented some time in 2010 for federal waters. Possible FWC consistency review is tentatively planned for September, 2010.

Red Snapper Permanent Regulations



- Will replace interim closure
- Due in 2010
- Complete closure likely
- 90% harvest reduction to end overfishing
- Discard mortality still a problem
 - Possible year-round closed area
 - 30-50 fathom zone



An interim closure of the red snapper fishery was approved by the Council and is scheduled to take effect in June or July 2009.

Permanent restrictions for red snapper are being developed by the Council and will be in place some time in 2010. These permanent restrictions will almost certainly include a complete closure because the most recent stock assessment indicates that harvest must be reduced by over 90 percent to end overfishing and rebuild the population.

Federal managers have determined that the status of the fishery is so poor that even if all directed fishing stops, incidental catch and discard mortality will still result in an overfishing condition. The Council is looking at possible areas to prohibit all bottom fishing. This would need to be done to reduce the incidental harvest of red snapper in deeper waters where they are likely to die even if caught and released.

Spiny Lobster Changes



- Delegating authority to the State of Florida
- Subject to FWC review and approval
- Develop options in the plan for “tailing” of lobsters
- Develop options in the plan for use of “short” lobsters as attractants



The Council is developing a plan to establish annual catch limits and accountability measures for harvest over-runs for spiny lobsters. This would be a joint plan with the Gulf of Mexico Fishery Management Council.

As part of this plan the Council is considering delegating certain operational authority over the federal waters fishery to the State of Florida. The next step in this process is for FWC staff to carefully review whether this would be in Florida’s best interest. Following that review we will initiate discussions with federal managers and stakeholders.

The Council is also developing options in the plan for “tailing” of lobsters, either to continue allowing the practice, or to completely prohibiting it. Current federal rules allow the separation or “tailing” of lobster on board vessels for storage purposes. Tailing permits are issued to commercial vessels and authorize the practice when fishing exclusively in federal waters on a trip of 48 hours or more. While this has been a convenience issue for fishermen, abuse has been cited where tailing is used to conceal harvest of lobster by hooks and spears (not allowed). *The State of Florida currently does not allow tailing in state waters but allows possession of tailed lobsters with a valid federal permit.*

Finally, the Council is developing options in the plan for handling of “short” (undersized) lobsters used as attractants, either continuing to allow the practice or to prohibit it. Current federal law allows undersized lobsters that are caught in traps in federal waters to be retained for use as attractants in traps. No more than 50 shorts or one per trap aboard the vessel (whichever is greater) may be retained. *Current state regulations are more liberal, allowing possession of 50 shorts plus one short for each trap on board.*

Summary (no action needed)



- Gag, red, black grouper, and vermilion snapper – September 2009
- Annual catch limits – September 2010
- Red snapper – September 2010
 - No harvest
 - Closing deepwater zone to bottom fishing
- Spiny lobster



The Commission previously gave staff guidance on all of these issues at the April 2009 meeting:

Staff is evaluating the implications of implementing consistent regulations for grouper and vermilion snapper in state waters. Possible consistency actions, if any, are scheduled for the September 2009 FWC meeting.

Regulatory changes to address annual catch limits for the 10 species of snapper and grouper that are undergoing overfishing are expected to be implemented some time in 2010 for federal waters. Possible FWC consistency review is tentatively planned for September, 2010.

Significant regulatory restrictions will be included for red snapper, which is undergoing overfishing and is considered to be severely overfished in the South Atlantic. Regulations are very likely to include a complete harvest closure for an unknown period of time. Additionally, the Council is considering an area of deep water that may be closed to all bottom fishing. This action would be targeted to reduce the amount of discard mortality of red snapper.

The Council continues work on regulatory changes that might include delegation of more management authority to the State of Florida.