

MEMORANDUM



To: Florida Fish and Wildlife Conservation Commissioners
From: Jessica McCawley, Director, Marine Fisheries Management
Date: April 13, 2016
Subject: Reef Fish Species Removed from Federal Management

Purpose:

Staff will present a draft rule that addresses state rules for reef fish species that are not federally managed. The proposed rules would:

- 1) Remove federal commercial requirements from state rule for species that are not federally managed or pending removal from federal management.
- 2) Apply state rules (such as size limits, bag limits, and state permit requirements) in adjacent federal waters for several reef fish species that are not managed or pending removal from management.
- 3) Remove tiger grouper from state management.

Summary:

In 2011, both the Gulf and South Atlantic Fishery Management Councils were required to establish annual catch limits (ACLs) for all federally-managed species. During this process, both Councils removed from federal management several reef fish species that had: very low landings, a majority of landings from state waters, or not enough information to set reliable ACLs. Once these species were removed from federal management, all regulations, such as bag limits, size limits, and commercial permit requirements no longer applied to harvest of these species in federal waters. In 2015, the South Atlantic Fishery Management Council removed four more species from federal management: black snapper, dog snapper, mahogany snapper, and schoolmaster snapper. These species all have very low landings, and the Council felt Florida could effectively manage these species because they occur off south Florida. FWC sent a letter of support to the Council stating the FWC's intent to assume management of these species in federal waters. Removal of federal rules for these species is now pending approval by the U.S. Secretary of Commerce.

Currently, state rules require commercial harvesters to possess federal permits to harvest reef fish species in state waters, and some of those species have been removed from federal management or were never managed in federal waters. Staff proposes removing the requirement for commercial harvesters to have a federal permit to harvest species that are not federally managed. Similarly, staff proposes removing the requirement for commercial harvesters to have a federal Gulf IFQ vessel account to harvest species that are no longer federally managed. Staff also evaluated whether it was appropriate for the state to manage certain species in both state and federal waters by examining the biology, landings history, and current state rules on a species-by-species basis. Based on this analysis, staff proposes adding language that applies state rules (such as size limits, bag limits, and state permit requirements) in federal waters for several reef fish species that are not federally managed, except in the case of tiger grouper, which is a deepwater species that is rarely landed. For tiger grouper, staff recommends removing the species from state management.

Many of the species that have been removed from federal management are included in the state snapper or grouper recreational aggregate bag limits, so these aggregate bag limits would be extended into adjacent federal waters as part of this proposal. One exception to this would be red snapper. Red snapper is included in the state snapper aggregate but not the Atlantic or Gulf federal aggregates, so staff proposes clarifying that red snapper would only be included in the snapper aggregate when harvested from state waters.

Staff Recommendation:

Staff recommends approving the proposed draft rules for publication.

Staff Contact and/or Presenter:

Martha Bademan, Division of Marine Fisheries Management