



Mutton Snapper

Final Public Hearing
September 8, 2016

Florida Fish and Wildlife Conservation Commission
Division of Marine Fisheries Management

Version 3

This document summarizes proposed final rules amending Chapter 68B-14, Florida Administrative Code (FAC), within the Florida Fish and Wildlife Conservation Commission's (FWC) marine fisheries regulations. The proposed draft rules would increase the minimum size limits for harvest, importation, and sale; reduce the recreational bag limit; and modify commercial trip limits for mutton snapper. This document also summarizes comments gathered at FWC and federal public workshops.

NOTE: This document will be updated prior to the Commission meeting to include workshop feedback.

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Background

November 2015: Commission discussed mutton snapper status and management

- Stock assessment indicated regulatory changes are needed
- Expressed desire to keep state and federal regulations consistent
- Directed staff to hold public workshops

February 2016: FWC and South Atlantic Council public workshops

June 2016: Commission reviewed public comments and approved draft rules

- Directed staff to hold additional public workshops

August 2016: FWC and South Atlantic Council public workshops

Today: Final public hearing with review of public comments and proposed final rules



In November 2015, the Commission discussed the status and management of the mutton snapper fishery. The 2015 mutton snapper stock assessment indicated regulatory changes are needed for the fishery. The Commission expressed a desire to keep state and federal mutton snapper regulations consistent to prevent confusion for harvesters. Because the public has been vocal about wanting changes for mutton snapper regulations in the past, the Commission directed staff to hold public workshops to gather more information about stakeholder concerns, as well as desired management changes in light of the recent stock assessment.

During February 2016, FWC and South Atlantic Council staff jointly held public workshops to collect stakeholder input on possible changes to mutton snapper regulations. The Commission reviewed public comments on mutton snapper during their June 2016 meeting in Eastpoint. Based on these comments, the Commission approved draft rules for a final public hearing. Because public comments were divided on special protections for the mutton snapper spawning aggregation at Western Dry Rocks, the Commission directed staff to hold additional public workshops. Staff will hold public workshops in south Florida and St. Petersburg in August. Three of those workshops will be held in cooperation with the South Atlantic Council.

Today, staff will provide a review of public comments and present proposed final rules for this fishery.

Review – Stock Status and Management



- 2015 stock assessment
 - Not overfished, overfishing not occurring
 - Population is smaller than previously estimated
- Councils required to reduce federal quotas
 - Harvest under current regulations expected to exceed proposed quotas
- Mutton snapper management framework
 - Managed in state waters by FWC and in federal waters by Gulf and South Atlantic councils
 - South Atlantic quota 82%; Gulf quota 18%
 - FWC is taking the lead on regulatory changes and coordinating with councils



Before reviewing public comment and proposed final rules, here is a brief review of the status of mutton snapper and how the fishery is managed.

All mutton snapper in U.S. waters come from a single stock, which primarily occurs off south Florida. FWC's 2015 stock assessment for mutton snapper found the stock is not overfished and overfishing is not occurring, and the population is smaller than previous assessments suggested, and likely always has been.

Because the stock is smaller than previously believed, the South Atlantic and Gulf councils are required to reduce federal harvest quotas. In total, the proposed mutton snapper quotas will be 36.5% lower in 2017 compared to 2016. If recent landings trends continue, harvest under current regulations is expected to result in overages of the proposed quotas. Thus, changes to regulations are warranted to avoid future federal quota overages and closures.

The mutton snapper fishery falls under three management jurisdictions. FWC manages mutton snapper in state waters, and the South Atlantic and Gulf councils manage the fishery in federal waters. Although there is only one stock of mutton snapper, the quota is divided between the two councils and each Council independently manages mutton snapper within their respective jurisdiction. The South Atlantic Council manages 82% of the federal quota and allocates their share between the recreational fishery (83%) and the commercial fishery (17%). The Gulf does not divide their 18% quota share between sectors. As almost all mutton snapper are harvested off Florida, FWC is taking the lead on modifying mutton snapper regulations and is coordinating with the councils.

Current Mutton Snapper Regulations



Harvest Regulations by Area		All State Waters	South Atlantic Federal Waters	Gulf Federal Waters
Recreational	Size Limit	16 inches TL		
	Bag Limit	10 fish/person within 10-fish snapper aggregate		
	Closed Season	None		
Commercial	Size Limit	16 inches TL		
	Harvest Limits	July – April: no restrictions; May – June: 10 fish/person/day or trip		None
	Closed Season	None		
	Allowable Gears	Hook and line and spearing		Hook and line, spearing, and bottom longline

*Riley's Hump is closed year-round to all harvest



Current mutton snapper regulations are largely consistent across state and federal boundaries. These boundaries converge in the Keys, which is where the majority of mutton snapper harvest occurs. Differences in mutton snapper regulations only exist between federal Gulf commercial regulations and the commercial regulations for the other two jurisdictions.

During May and June, in all state waters and Atlantic federal waters, commercial harvesters are limited to the recreational bag limit of 10 fish per person per day or trip, whichever is more restrictive. Throughout the rest of the year, there are no commercial trip limits for state waters or Atlantic federal waters. In Gulf federal waters, there is no commercial trip limit.

In all state waters and federal waters, all fishermen may use hook-and-line and spearing gear to harvest mutton snapper. In Gulf federal waters, commercial harvesters may use these two methods as well as longline gear, which is a method prohibited for harvesting any fish in state waters and for harvesting mutton snapper in Atlantic federal waters.

In Atlantic federal waters, there is a no-take closed area to conserve the mutton snapper spawning aggregation at Riley's Hump in the Dry Tortugas.

Mutton Snapper Spawning



- The non-schooling fish form large spawning aggregations during full moons from April through August
 - Peak often occurs May – July, but can start in April
 - Individual fish may spawn multiple times per season
- Aggregations occur at predictable locations, including
 - Riley's Hump in federal waters: closed to harvest
 - Western Dry Rocks in state waters: open to harvest

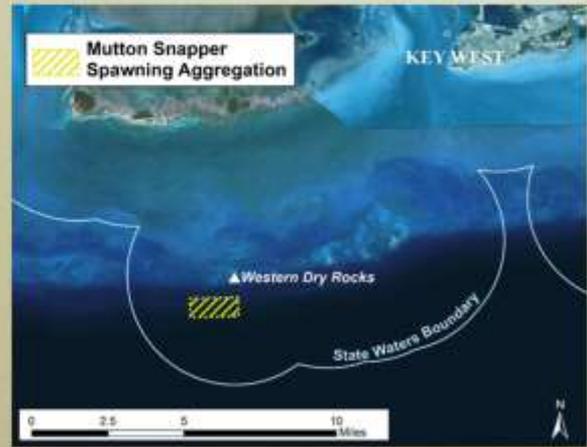
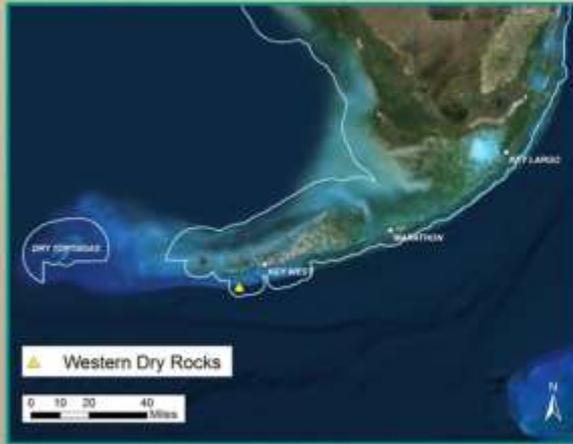


Adult mutton snapper do not form schools; however, they form large spawning aggregations during full moons from late April through August. The largest aggregations typically occur between May and July, but can also occur in April. Individual fish may participate in multiple spawning events each year.

These aggregations are highly predictable and occur at the same locations from year to year. FWC researchers have documented mutton snapper spawning at Riley's Hump, which is located in federal waters near the Dry Tortugas. A closed area to protect this spawning aggregation at Riley's Hump was established in 2001. Since then, the number of mutton snapper in the aggregation has grown by 400%.

Western Dry Rocks is another known mutton snapper spawning aggregation site. This site is a popular fishing spot in Atlantic state waters, and fishermen converge on this one-square-mile area throughout the spawning season to target mutton snapper. Western Dry Rocks is also a favorite spot for targeting gray snapper and permit. The photograph on the slide above is of boats fishing at Western Dry Rocks during the mutton snapper spawning season.

Western Dry Rocks Spawning Area



As mentioned previously, Western Dry Rocks is the most well-known and popular mutton snapper aggregation and fishing site in state waters. One reason for its popularity is its close proximity to Key West. It's also popular because many species of fish form spawning aggregations at the site, which makes for easy fishing.

Although anglers commonly refer to it as Western Dry Rocks, the aggregation actually occurs over Boca Grande Bar. The bar is a stretch of hard bottom that lies south of the reef tract and is a gentle rise that ranges in depth from 55 to 130 feet. For simplicity and consistency, the term *Western Dry Rocks* will be used to refer to this site.

The mutton snapper spawning area at Western Dry Rocks is marked by the yellow triangle in the image on the left and by the yellow box in the image on the right.

Western Dry Rocks Spawning Aggregations



- Spring/summer spawning species aggregate in a 1-square-mile area
 - Mutton snapper
 - Gray snapper
 - Mahogany Snapper
 - Permit
 - Spadefish
 - Bar jack
 - Goatfish
- Larvae spawned at Western Dry Rocks seed fish populations throughout the Keys
 - Benefits entire Florida Keys ecosystem and fishing communities



Many species of spring/summer-spawning fish such as gray snapper, mahogany snapper, permit, spadefish, bar jack, and goatfish aggregate at Western Dry Rocks. Florida Fish and Wildlife Research Institute staff have not sampled this location during winter months, thus it is unclear if fish that spawn in the winter also aggregate at Western Dry Rocks.

Research indicates that several species generally aggregate in the same one-square-mile area at Western Dry Rocks. However, variations in environmental factors may cause species to shift their exact spawning location between the occurrences of full moons and from year to year. If this one-square-mile area were closed to fishing, a seasonal closure from April to July could protect the aggregations from most fishing pressure.

Studies of ocean currents indicate larvae spawned at Western Dry Rocks can seed fish populations throughout the entire Florida Keys archipelago. Thus, protection of spawning fish at Western Dry Rocks will benefit the entire Keys ecosystem and fishing communities.

August 2016 Public Workshops



- Public workshops to gather input on
 - Increasing the minimum size limit to 18 inches
 - Reducing the recreational bag limit to 3 fish/person
 - Setting the Atlantic commercial trip limit equal to the recreational bag limit from April – June
 - Establishing a 500-lb. Atlantic commercial trip limit from July – March
 - Public perspectives on management at Western Dry Rocks

This slide will be updated after the August workshops are completed



At the Commission's direction, staff coordinated with the South Atlantic Council to hold a second round of public workshops on mutton snapper. Most workshops will take place in south Florida and the Keys. An additional workshop will be held in St. Petersburg to gather input from Gulf commercial longline fishermen. Staff will seek public input on (1) increasing the minimum size limit to 18 inches; (2) lowering the recreational bag limit to three fish per person; (3) setting the commercial daily trip limit equal to the 3-fish recreational bag limit from April through June in Atlantic state waters; and (4) establishing a 500-pound commercial trip limit in Atlantic state waters from July through March. Staff will also gather public perspective on management of the mutton snapper spawning aggregation at Western Dry Rocks.

Three workshops will be held jointly with the South Atlantic Council in Ft. Lauderdale, Duck Key, and Key West. The remainder will be FWC-hosted workshops in Key Largo, Stuart, and St. Petersburg.

During the first round of public workshops in February 2016, three meetings were also held in partnership with the South Atlantic Council at Ft. Lauderdale, Duck Key, and Key West. The remainder were FWC-hosted workshops at Key Largo, Naples, Stuart, and St. Petersburg. FWC staff also held a webinar to obtain public input. The workshops were well-attended.

Public Comment Summary



- Stakeholders requested proactive management to conserve the resource
- Broad support for lowering the recreational bag limit, but mixed opinions on approach
 - Year-round
 - During spawning season only
 - Year-round with a further reduction during spawning months
- Mixed opinions about commercial trip limits
- Support for lengthening the time in which spawning season regulations would apply
- Suggestions for increasing the minimum size limit
- Recommendations for Western Dry Rocks varied by region



This slide will be updated after the August workshops are completed



Although stakeholders expressed a wide variety of opinions during the February 2016 workshops, they generally requested FWC take proactive management action necessary to ensure mutton snapper remains available for the public to harvest for many years to come. Comments mainly reflected concern about potential overharvest during the spawning season. This is consistent with past public comments.

There was broad support for reducing the recreational bag limit; however, there was no consensus as to whether it should be lowered year-round, lowered during the spawning season only, or lowered year-round with a further drop during the spawning season. The most common bag limit recommendations were three-fish year-round bag limit and a five-fish bag limit during non-spawning months with a two-fish bag limit during spawning months. Few supported a vessel limit.

With regard to commercial trip limits, commercial fishermen said they are unnecessary because mutton snapper are not often their primary target. Hook-and-line harvesters state they only take targeted trips during the spawning season and the current limit is restrictive enough; anything less would make these trips economically unfeasible. The longline fleet catches mutton snapper when targeting grouper, therefore a mutton snapper trip limit may force discards of dead fish. For this reason, there was almost no support for a longline trip limit. A few of the recreational anglers who commented on trip limits asked for a year-round trip limit with either a spawning season limit equal to the recreational bag limit or no commercial harvest during the spawn.

Several people supported changes to allow mutton snapper to complete more spawns before they are harvested, such as including April, July, or August in spawning season regulations, or increasing the minimum size from 16 inches to 18 or 20 inches total length.

Comments related to Western Dry Rocks varied by region. Some of those who fish the area are opposed to any closure because it is a popular fishing site for targeting multiple species. Those in favor of a closure felt it is important to protect spawning aggregations from harvest.

Considerations for Recreational Management

- Based on recent harvest, an 18% decrease in Atlantic recreational landings is necessary to avoid a quota overage
- Reduction in Atlantic recreational landings could be achieved by
 1. Lowering bag limit from 10 fish/person to 3 fish/person
 - A lower bag limit was the most common stakeholder request
 2. Increasing minimum size limit from 16 to 18 inches
 - Proposed by stakeholders during public workshops
 - Females are sexually mature at 18 inches
 3. Combined #1 and #2 create a projected reduction of 74%
- A closure at Western Dry Rocks is not required to achieve target reduction



Data are preliminary



Recent harvest suggests that the proposed federal quotas will not affect all fisheries equally. If trends continue, preliminary data indicate the Atlantic recreational fishery may need to reduce harvest by 18% to avoid a quota overage in 2017. The Atlantic commercial fishery is not likely to exceed its quota and a Gulf quota overage is not expected.

The Atlantic recreational fishery has the largest federal quota share at over 67% of the South Atlantic and Gulf quotas combined. Regulation changes are likely needed to avoid a future quota overage and closure of this fishery in federal waters. The most common stakeholder-requested change was a lower recreational bag limit. However, preliminary data indicate reducing the bag limit from 10 to three fish per person within the 10-fish snapper aggregate is projected to only decrease Atlantic recreational harvest by 1% as few people harvest more than three mutton snapper per trip.

During the public workshops in February 2016, stakeholders from the private recreational, for-hire, and commercial sectors proposed a minimum size limit increase. Because female mutton snapper reach sexual maturity at 18 inches, an 18-inch minimum size limit would improve the odds of female mutton snapper spawning before they are harvested. Males reach maturity around the current 16-inch minimum size limit. Preliminary data indicate an 18-inch minimum size limit could reduce Atlantic recreational harvest by 74%.

Combined, a three-fish bag limit and an 18-inch minimum size limit are projected to reduce Atlantic recreational landings by 74%, well over the 18% predicted as necessary. If the Commission and the councils adopt this proactive management strategy, a quota overage could possibly be avoided and more fish could be conserved to participate in the spawn. Because these changes are expected to greatly reduce Atlantic recreational harvest, a fishing closure at Western Dry Rocks is not necessary to meet target reductions at this time.

Considerations for Commercial Management

- Commercial fisheries not expected to exceed quotas
- Commercial regulatory changes could address stakeholder comments and concerns, and create consistency between state and federal regulations by
 - Replacing the current May – June commercial trip limit with a 3-fish/person trip limit from April – June in Atlantic state waters
 - Projected reduction in Atlantic commercial landings = 28%
 - Establishing a 500-lb. commercial trip limit for the remainder of the year in Atlantic state waters
 - Projected reduction in Atlantic commercial landings = 4%
 - Eliminating trip limits for Gulf commercial fishery
 - Increasing the commercial minimum size limit to 18 inches

Data are preliminary



Commercial mutton snapper fisheries are not expected to exceed the proposed federal quotas in either the Atlantic or Gulf, therefore changing regulations to reduce harvest is not necessary. However, some changes could address stakeholder requests for management safeguards.

Recreational anglers supported keeping the commercial trip limit during the spawning season the same as the recreational bag limit. Revising the current May through June commercial 10 fish per person per day commercial trip limit in state waters and Atlantic federal waters to be three fish per person per day (like is proposed for the recreational fishery) from April through June in the Atlantic would mirror the current management scheme. It would also achieve consistency between state and federal waters. Preliminary data indicate this change is projected to reduce Atlantic commercial harvest by 28%. Commercial fishermen are opposed to this change. They claim a lower spawning season limit would make mutton snapper trips economically unfeasible.

The public supported a year-round commercial trip limit to prevent overharvest. A 500-pound commercial trip limit from July through March in the Atlantic could preserve status quo in the fishery and prevent future expansion since commercial fishermen rarely make targeted mutton snapper trips outside the spawning season. This would affect only 10 trips per year, on average. The 500-pound Atlantic commercial trip limit is supported by Florida's commercial fishermen.

Because mutton snapper are commercially harvested by longline in Gulf federal waters, a trip limit for the Gulf is not supported by commercial or recreational fishermen. Public preference is to allow this fishery to operate without a trip limit to prevent regulatory dead discards. Removal of the May through June commercial trip limit in Gulf state waters would create consistent state and federal regulations in the Gulf and should have minimal effect on the resource because harvest Gulf state waters harvest makes up less than 4% of all Florida commercial landings.

An increase in the size limit to 18 inches is supported by commercial harvesters in the Atlantic.

Proposed Final Rules

68B-14.0035 Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper and 68B-14.00355 Size Limits for Importation and Sale

- Increase recreational, commercial, importation, and sale minimum size limits for mutton snapper to 18 inches total length

68B-14.0036 Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption

- Reduce mutton snapper recreational bag limit to 3 fish/person within the 10-fish snapper aggregate bag limit year-round

68B-14.0045 Commercial Harvest Requirements: Licenses, Season Closures, Bag and Trip Limits

- Replace the May – June commercial mutton snapper harvest limit of 10 fish/person/day in all state waters with a 3-fish/person/day limit applicable from April – June in Atlantic state waters
- Establish a 500-pound commercial trip limit for mutton snapper during the remainder of the year (July – March) in Atlantic state waters



The proposed final rules would modify 68B-14.0035, FAC, and 68B-14.00355, FAC, to increase the recreational, commercial, importation, and sale minimum size limits for mutton snapper from 16 to 18 inches total length.

They would modify 68B-14.0036, FAC, by reducing the mutton snapper recreational bag limit from 10 fish per person within the 10-fish snapper aggregate bag limit to 3 fish per person within the 10-fish snapper aggregate bag limit.

The proposed final rules would modify 68B-14.0045, FAC, to replace the May through June commercial harvest limit of 10 fish per person per day in all state waters with a 3-fish per person per day limit applicable from April through June in Atlantic state waters only, and establish a 500-pound commercial trip limit for the remainder of the year (July through March) in Atlantic state waters.

Staff Recommendation



Approve the proposed final rules for mutton snapper to

- Increase the recreational, commercial, importation, and sale minimum size limits to 18 inches
- Reduce the recreational bag limit to 3 fish/person within the 10-fish snapper aggregate bag limit
- Replace the May – June commercial trip limit in all state waters with a 3-fish/person/day limit from April – June in Atlantic state waters
- Establish a 500-pound commercial trip limit for the remainder of the year (July – March) in Atlantic state waters

If approved, make rules effective Jan. 1, 2017

Federal councils anticipated to take final action in late 2016/early 2017

This slide will be updated prior to the Commission meeting to include workshop feedback



This slide will be updated prior to the Commission meeting to include workshop feedback.

Staff recommends approving the proposed final rules to reduce recreational harvest of mutton snapper and address stakeholder requests for proactive management action.

Specifically, staff recommends:

- Increasing the recreational, commercial, importation, and sale minimum size limits to 18 inches;
- Reducing the recreational bag limit to three fish per person within the 10-fish snapper aggregate bag limit;
- Replacing the May through June commercial trip limit in all state waters with a three-fish per person per day limit from April through June in Atlantic state waters only; and
- Establishing a 500-pound commercial trip limit for the remainder of the year (July through March) in Atlantic state waters only.

If approved, staff recommends making the rules effective Jan. 1, 2017. Staff have evaluated the proposed rules under the standards of 68-1.004, FAC, and found them to be in compliance.

The federal councils are expected to take final action on their proposed mutton snapper regulatory changes in late 2016 or early 2017.