



## Gray Triggerfish – Atlantic

Consent Agenda Item #4: Draft Rule

September 8, 2016

**Florida Fish and Wildlife Conservation Commission**

Division of Marine Fisheries Management

This document summarizes a draft rule to amend the Florida Fish and Wildlife Conservation Commission's (FWC) regulations for gray triggerfish in Atlantic state waters. The proposed draft rule would modify the recreational and commercial minimum size limit and set a recreational bag limit.

Authors: Martha Guyas, Jessica McCawley, and Erika Burgess

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## Background – Atlantic Gray Triggerfish



- July 2015: Minimum size limit was increased from 12 to 14 inches
- Fall 2015: Stakeholders expressed concerns about 14-inch limit
  - Triggerfish are abundant in south Florida but are small in size
  - Regulatory discards increased following size limit increase
- Nov. 2015: Commission returned to 12-inch minimum size limit and created 10-fish recreational bag limit via Executive Order
  - Intent was to revisit once stock assessment complete
  - Executive Order expires Oct. 31, 2016
- Today: Consider continuing 12-inch minimum size limit and 10-fish recreational bag limit



In 2015, the Commission approved federal consistency action to increase the recreational and commercial size limit for Atlantic gray triggerfish from 12 to 14 inches. The Commission also increased the statewide import size limit to 14 inches since the minimum size limit in the Gulf of Mexico was already 14 inches. The Commission and South Atlantic Fishery Management Council (Council) increased the size limit prior to the release of a stock assessment at the request of stakeholders who were concerned about gray triggerfish.

At the September 2015 Commission meeting, a member of the public brought forward concerns about the increased minimum size limit and the lack of public comments on this issue from Florida fishermen south of Ponce Inlet. That fall, staff reached out to fishermen on the east coast, particularly south of Ponce Inlet, for more information. Fishermen indicated they catch large numbers of gray triggerfish in this area, but few harvested from state waters are over 12 inches in length. Many felt the 14-inch minimum size limit resulted in large numbers of discarded fish and was not appropriate for Florida state waters, especially in south Florida.

In response to these concerns, the Commission decreased the minimum size limit back to 12 inches and implemented a 10-fish recreational bag limit in Atlantic state waters via Executive Order. The 10-fish recreational bag limit was set as a conservation measure. This Executive Order was written to expire on Oct. 31, 2016, so the Council and Commission could revisit gray triggerfish regulations following completion of the 2016 stock assessment. This assessment is now complete, but was rejected for use in informing management decisions.

Because the Executive Order modifying Atlantic gray triggerfish regulations expires on Oct. 31, 2016, the Commission will consider today whether to continue the 12-inch minimum size limit and 10-fish recreational bag limit in state waters.

## Federal Stock Assessment – Atlantic Gray Triggerfish

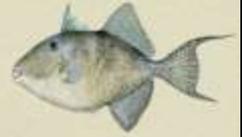
- Stock assessment rejected
  - Data used to determine ages of triggerfish was unreliable
- Council expected to keep status quo regulations
  - Federal size limit off Florida will remain 14 inches



A new federal stock assessment was recently completed for Atlantic gray triggerfish. Unfortunately, this assessment was rejected during peer review because the data used in the assessment to determine ages of gray triggerfish were unreliable. Because of this, the assessment is not helpful in informing management decisions. Additional research into triggerfish ages is ongoing and could inform the next stock assessment, which is scheduled for 2020.

In the meantime, the Council is expected to keep status quo regulations in Atlantic federal waters. This includes a 14-inch minimum size limit in federal waters off Florida. The following slide outlines current state and federal regulations for gray triggerfish in the Atlantic.

## Gray Triggerfish Regulations – Atlantic



Regulation	State	Federal
Recreational Minimum Size Limit	12 in. FL	14 in. FL
Recreational Bag Limit	10 fish/person	20 fish/person within the snapper-grouper aggregate
Commercial Minimum Size Limit	12 in. FL	14 in. FL
Commercial Trip Limit	1,000 lbs.	1,000 lbs.

*Current state minimum size limit and recreational bag limit set by Executive Order that expires Oct. 31, 2016*



For state waters, the current Executive Order reduced the minimum size limit from 14 inches fork length (FL) to 12 inches FL in Atlantic state waters. Through the same Executive Order, the Commission took the precautionary step to reduce the Atlantic bag limit from 100 pounds to 10 fish. The regulations set through this Executive Order are shown in blue in the table above and will expire Oct. 31, 2016. The Commission will consider continuing these regulations for state waters by incorporating them into FWC rule today. If no action is taken, the commercial and recreational minimum size limit will automatically revert back to 14 inches in Atlantic state waters once the Executive Order expires. Additionally, the 10-fish per person recreational bag limit would revert back to the default limit of 100 pounds.

Commercial harvesters have a 1,000-pound trip limit in both Atlantic state and federal waters.

For Atlantic federal waters, the current minimum size limit for recreational and commercial harvest is 14 inches FL. Gray triggerfish is also included in a 20/fish per person aggregate bag limit for Atlantic federal waters. This aggregate includes many species of snappers, groupers, and reef fishes.

## Proposed Rules



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

- *Reduce the gray triggerfish minimum size limit from 14 to 12 inches fork length for harvest in Atlantic state waters and for statewide importation and sale*

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

- *Set the 10-fish recreational bag limit for Atlantic state waters*



If the Commission decides to maintain the Atlantic gray triggerfish minimum size limit and recreational bag limit set in the Executive Order, the following changes would be made to FWC rules. Chapter 68B-14.0035, Florida Administrative Code (FAC), would be modified to reduce the minimum size limit of 12 inches FL for gray triggerfish harvested both recreationally and commercially in Atlantic state waters.

Chapter 68B-14.00355, FAC, specifies minimum size limits for importation and sale of reef fish, including gray triggerfish. This rule would be amended to reduce the minimum size limit from 14 to 12 inches FL for the importation and sale of gray triggerfish. This would apply statewide since gray triggerfish that are commercially harvested from the Atlantic could be distributed and sold throughout the state.

Finally, 68B-14.0036, FAC would be modified to establish a 10-fish recreational bag limit for gray triggerfish in Atlantic state waters.

## Staff Recommendation



### Approve the proposed rules for gray triggerfish

- Reduce the recreational and commercial minimum size limits to 12 inches fork length for harvest in the Atlantic Ocean and statewide importation and sale
- Create a recreational bag limit of 10 fish in Atlantic state waters

*If approved by the Commission, the draft rules will be noticed and filed without further hearing unless requested and be effective as soon as possible*



Staff recommend approving the proposed rules for Atlantic gray triggerfish, which would

- Reduce the recreational and commercial minimum size limits to 12 inches fork length for harvest in the Atlantic Ocean and statewide importation and sale, and
- Create a recreational bag limit of 10 fish in Atlantic state waters.

Approving the proposed rule rules would essentially keep in place the regulatory changes enacted last fall by FWC via Executive Order. This Executive Order expires Oct. 31, 2016, so action is required if the Commission wants to continue the 12-inch minimum size limit and 10-fish recreational bag limit in Atlantic state waters.

If the Commission approves the proposed rule amendments, the draft rules will be noticed and filed without further hearing unless requested and become effective as soon as possible before Oct. 31, 2016.

Staff have evaluated the rules under the standards of 68-1.004, FAC, and found them to be in compliance.