

# Gulf Council Issues



Review and Discussion  
September 27, 2018



Florida Fish and Wildlife Conservation Commission

Version 1

This is a review and discussion of actions and discussions from the Gulf of Mexico Fishery Management Council's (Council) June 18-21 meeting in Key West, FL, and August 20-23 meeting in Corpus Christi, TX.

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Unless otherwise noted, images throughout the presentation are by FWC.

## Outline

- Hogfish
- Cobia
- Gray triggerfish recreational season closure – *DIRECTION REQUESTED*
- Red snapper
  - Council actions and discussions
  - 2018 Florida EFP season update
  - State management plan 2020 and beyond – *DIRECTION REQUESTED*



This presentation will provide an update on recent Gulf Council discussions including hogfish and cobia. Additionally, the recent recreational closure of gray triggerfish in federal waters will also be discussed. Several red snapper items will be presented including recent Council actions and discussions, an update on the 2018 Florida Exempted Fishing Permit (EFP), and potential state management for 2020 and beyond. Commission direction is requested on several items.

# Hogfish and Cobia



## Gulf hogfish – final action

- Not overfished or undergoing overfishing but assessment very uncertain
- Annual catch limit reduced by 41% for 2019 based on recent assessment
  - Decrease could result in future overages
  - Recent size limit change may reduce likelihood of overages

## Potential cobia changes – Council-preferred options

- Bag limit from 2 to 1 fish per person per day
- Daily vessel limit of 2 fish
- Minimum size limit change from 33 to 36 inches would conflict with FWC's Gulf rules



In June, the Council reviewed the most recent stock assessment for Gulf hogfish. Although the stock is not overfished or undergoing overfishing, the assessment was very uncertain. Because of this uncertainty, the Council's scientific advisors recommended a decrease in catch limits for that stock. At its August meeting, the Council took final action to reduce the hogfish annual catch limit (ACL) by approximately 41% for 2019. This decrease is pending approval by the U.S. Secretary of Commerce, and could mean that overages are more likely to occur in the hogfish fishery in the future. However, the minimum size limit for hogfish increased from 12 to 14 inches in August 2017, and this change could reduce landings and offset the risk of quota overages.

The Council also continued discussions on changes to federal cobia management in response to stakeholder concerns. The Council's preferred alternatives are to decrease the recreational and commercial bag limits from two to one fish per person per day and to create a daily vessel limit of two fish. These alternatives are consistent with FWC regulations for state waters that took effect in February. The Council also added a preferred alternative to increase the size limit from 33 to 36 inches after learning that an increase in the minimum size limit would have a larger reduction in harvest and could provide more relief for this stock.

This size limit increase would conflict with Florida's minimum size limit, which is currently 33 inches. Last year, the Commission considered increasing the minimum size limit for cobia in Gulf state waters from 33 to 38 inches FL, but there was public concern from anglers in the Big Bend and southwest Florida that an increased size limit would severely limit the ability of these anglers to harvest cobia. Anglers from these areas encounter much smaller cobia compared to those in the Panhandle. The Council is expected to take final action on these changes at its October meeting.

## 2018 Gray Triggerfish Recreational Season Closure

- NOAA Fisheries determined 2018 quota was met and closed federal waters on Aug. 17
  - Federal season scheduled to reopen March 1, 2019
- NOAA Fisheries requesting FWC close recreational harvest in state waters to be consistent with the federal quota closure
- Not considered overfished, continues to rebuild
  - Paybacks no longer required



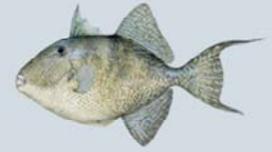
*Direction requested*

The recreational harvest of gray triggerfish in Gulf federal waters closed on Aug. 17 for the remainder of the 2018 season due to harvest projections indicating that the recreational annual catch target (ACT) of 217,000 lbs. has been caught. NOAA Fisheries sent a letter to the Commission requesting FWC close Gulf state waters to recreational harvest to be consistent with the federal quota closure. The federal season will reopen March 1, 2019, after the annual Jan. – Feb. closure.

The Gulf gray triggerfish stock is no longer considered overfished, and as a result, quota paybacks are no longer required for this fishery. Last year, the Council adjusted the minimum stock size threshold (which is used to determine if a stock is overfished) for numerous reef fish species, including gray triggerfish, which resulted in gray triggerfish being reclassified from overfished to not overfished. While the fishery is not undergoing overfishing, it is still continuing to rebuild.

Staff requests Commission direction on whether to close gray triggerfish recreational harvest in Gulf state waters.

# Gray Triggerfish Recreational State Season Considerations



## Benefit of keeping state waters open

- Maintains state waters fishing opportunities

## Benefit of closing state waters

- Could help prevent large quota overage and exceeding the overfishing limit
- Contributes to stock rebuilding
- Current season structure optimizes reef fish harvest opportunities

## Additional considerations

- Most Gulf recreational landings come from Florida Panhandle and Alabama
- Discard mortality is low (5%)



*Staff recommends closing recreational harvest in state waters*

There are several factors to consider when addressing the season for recreational gray triggerfish in Gulf state waters. One benefit of state waters remaining open is Florida anglers have more opportunities to harvest gray triggerfish in 2018, even when federal waters are closed.

One benefit of closing state waters is preventing large quota overage. Although quota paybacks no longer apply since gray triggerfish is not considered overfished, any large overage could risk exceeding the overfishing limit (OFL). The Gulf gray triggerfish OFL (commercial and recreational) is 401,600 lbs., and any harvest that exceeds the OFL results in overfishing. The recreational gray triggerfish ACL of 241,200 lbs. and commercial ACL of 64,100 lbs. are set below the OFL to ensure that overfishing does not occur. The recreational ACT of 217,100 lbs. and commercial ACT of 60,900 lbs. are then set below both ACLs. However, gray triggerfish has a history of large quota overages, with harvests well above the current OFL. Keeping state waters open could potentially exceed the OFL, which would require the Council to take action to prevent overfishing.

Anglers have reported more and larger gray triggerfish in the past few years, and we are hopeful that the stock is improving. A harvest closure could contribute to continuing this stock rebuilding.

The current season structure also optimizes reef fish harvest opportunities. This season structure is new for 2018 and includes a closed season of Jan. to Feb., in addition to the current June to July spawning closure. The season structure is supported by stakeholders as it helped to ensure popular reef fish harvest opportunities throughout the year. For example, this year gray triggerfish was open in the spring and early fall, red snapper in the summer, and greater amberjack in May and the fall.

Another consideration is that most Gulf recreational landings are from the Florida Panhandle and Alabama. Off Florida's Gulf coast, a large portion of recreational gray triggerfish harvest occurs in state waters. Over the past 15 years, the portion of gray triggerfish harvest off Florida from state waters has ranged from 25% to 75% annually. Finally, discard mortality of gray triggerfish is estimated to be 5% in the recreational fishery, which is low compared to other reef fish. This means that most fish that are caught and returned to the water are likely to survive after release.

Staff recommends closing recreational harvest of gray triggerfish in Gulf state waters for the remainder of 2018.

# Red Snapper Management



## Annual catch limits – final action

- Increased total red snapper ACL from 13.74 to 15.10 million lbs.
- Stock is rebuilding and is not overfished or undergoing overfishing

## Annual catch targets – final action

- Reduced federal for-hire ACT buffer from 20% to 9%
- Private angling ACT buffer remains at 20%

## Sector allocation

- Potential changes to recreational and commercial allocations

## IFQ programs

- Potential changes to commercial IFQ programs, including requiring a federal permit to hold IFQ and establishing a quota bank



The Council recently discussed several red snapper management topics and took final action on two items. The Council increased the total red snapper ACL from 13.74 to 15.10 million lbs. starting in 2019. The most recent stock assessment showed Gulf red snapper is not overfished or undergoing overfishing. As a result, the Council's scientific advisors recommended increasing the acceptable biological catch (ABC) limit, which allows the Council to increase ACLs. This increase is pending approval by the U.S. Secretary of Commerce.

The Council also took final action to reduce the buffer between the ACL and ACT for the federal for-hire component from 20% to 9% for 2019. The federal for-hire fishery has not had any overages since sector separation began in 2015. Since this component has stayed within its quota, this buffer reduction could result in a longer for-hire season. This change is pending approval by the U.S. Secretary of Commerce. Since the private angling component has had overages in 2015, 2016, and 2017, the Council chose not to reduce the private recreational 20% buffer. However, for 2018 and 2019, each state set their own ACT buffers under their individual Exempted Fishing Permits (EFPs) with many buffers set below 20%. These buffers are in lieu of the 20% that would occur under federal management for 2019.

The Council continued discussions on potential changes to the allocations in the red snapper fishery between the commercial and recreational sectors. Currently, the red snapper fishery is allocated 51% to the commercial sector and 49% to the recreational sector.

The Council also continued discussions on potential modifications to the commercial IFQ programs for red snapper and grouper/tilefish. The proposed changes would include requiring persons to have a federal permit to hold IFQ shares or allocations, creating a plan for distributing shares that have been reclaimed by NOAA Fisheries, establishing a quota bank, and requiring weight estimates provided in landing notifications to be accurate. The Council will continue discussions on this amendment at future meetings.

## Red Snapper EFP Update

- EFP pilot program for 2018 and 2019
  - Florida managing recreational red snapper season in both state and federal waters
- 2018 Florida season June 11 – July 20 (40 days)
  - Federal waters – private anglers only
  - State waters – private anglers and state for-hire vessels
- Preliminary landings estimate indicates 63% of the state quota harvested as of June 30 – *Updated estimate expected for Commission meeting*
- Any overage of the 2018 quota will have to be paid back in 2019



This year, Florida and the other Gulf states are testing pilot programs to manage the recreational red snapper season in both state and federal waters through Exempted Fishing Permits (EFP). This pilot study allows FWC to test the concept of state management by managing recreational red snapper harvest in Florida's Gulf state and federal waters for 2018 and 2019. The 2018 red snapper season was open June 11 – July 20 (40 consecutive days) in Florida state and federal waters for private recreational anglers. For-hire operations that do not have a federal reef fish permit could also target red snapper during this 40-day season, but they were limited to fishing them in Gulf state waters only.

The federal for-hire season was open in federal waters June 1 – July 21 (51 days).

Preliminary landings through June 30, 2018 show that 63% of the state quota (1,778,515 lbs.) has been harvested. This estimate only includes Florida private boat landings. Any overage of the 2018 Florida quota must be paid back in 2019, which would result in a shortened 2019 season.

Staff will provide another update on the 2018 season and a discussion of the upcoming 2019 season at the December Commission Meeting.

## Future Red Snapper State Management through Council Process – 2020 and Beyond



- Council is developing individual state management plans for moving beyond EFP
- Would allow each state to manage the recreational fishery in Gulf state and federal waters under a Council-set ACL
- Each state selecting preferred options for individual management plans
- Public workshops will be held in Florida following Council's October meeting



The Council continued discussions on establishing long-term state management plans for the recreational harvest of red snapper starting in 2020. These individual plans would allow each state to manage their recreational fishery in Gulf state and federal waters under a Council-set ACL. Each state has been selecting preferred options for their individual state management plans.

The Council anticipates holding public hearings on state management following the Council's October meeting. The Council will hold Florida public hearings in Destin, Panama City, the Tampa/St. Pete area, and Fort Myers. FWC staff plan to supplement these public hearings with additional FWC-lead meetings in Pensacola, Tallahassee, Crystal River, and Key West.

The Council will continue discussions on state management at future meetings, but will choose preferred management options for consideration at the upcoming public hearings at its October meeting.

Staff is requesting direction on preferred options for state management plans.

# Potential State Management Options



## Federal for-hire under state management?

- Current Council preferred: allow individual states to manage only private anglers in state and federal waters
  - Includes state for-hire vessels in state waters
- Federal for-hire vessels would not be included and would remain under Council management
  - Would remove sunset provision on sector separation
  - Many federally-permitted for-hire vessels in Florida prefer to remain excluded



*Direction requested: excluding federal for-hire from state management*

In August, the Council chose a preferred management option that would allow individual states to manage only the private sector of the recreational fishery in state and federal waters, which would also include state for-hire vessels in state waters. Federal for-hire vessels would not be included and would remain under Council management. As a result, this option would remove the sunset provision on sector separation, which is currently set to expire in 2022. Many federal for-hire permit holders in Florida prefer to stay under the current federal management system rather than be included in state management, because it has allowed for a longer season for these vessels and a more predictable model for their business. Even many federal for-hire businesses that initially opposed separate management of the federal for-hire fleet now support sector separation for the recreational red snapper fishery because it has benefitted them.

Staff requests direction on whether federal for-hire should be excluded from state management.

# Potential State Management Options



## State-by-state allocations percentages?

- Current Council preferred: quota based on EFP allocations
  - Florida's allocation: 45.78%
  - Provides Florida anglers with the most equitable access to harvest opportunities compared to other Gulf states
  - Other states not comfortable with EFP allocations as they want more allocation to allow for longer seasons

## Direction requested on state-by-state allocations



State	EFP Allocation (lbs.)	Allocation %	2018 Season Length (days)
Texas	241,245	6.2%	State: 365 Federal: 82
Louisiana	743,000	19.38%	60
Mississippi	137,949	3.55%	75
Alabama	984,291	25.33%	28
Florida	1,778,515	45.78%	40

The Council also selected a preferred management option that would establish state allocations based on the allocations used in the state Exempted Fishing Permits (EFPs). Of the options currently being considered by the Council, this provides Florida the greatest allocation of 45.78%. This option also provides Florida anglers with the most equitable access to harvest opportunities considering the significantly longer seasons that were set by the other Gulf states under their EFPs.

In 2018, Florida's season was set at 40 days based on the quota allocated to Florida. Although final landings from Florida's 2018 season are not yet available, staff believes this allocation option would provide the Commission with the best ability to set recreational seasons that are satisfactory to anglers while promoting conservation of red snapper.

However, other states are not comfortable with using the EFP allocations for state management after the EFPs expire because they feel they need more allocation to allow for longer seasons in their states. For example, this year Alabama estimated a 47-day season. However, their season closed after 28 days because their quota was estimated to have been met early. Alabama's season was open for 3-day weekends starting June 1, including the week of July 4. Fishing effort is typically higher on weekends than weekdays, which could partly account for their shorter season.

Staff requests direction on whether to support the preferred EFP-based allocation for state-by-state allocations.

# Florida Red Snapper State Management Plan



- Previous Commission direction supported full delegation of management authority for recreational red snapper harvest to FWC

## Potential delegation options include:

- Bag limits
- Prohibition of bag limits for for-hire captain and crew
- Minimum size limit between 14-18 inches
- Maximum size limit
- Barotrauma release tools
- Allowable and prohibited harvest gear – *Delegation not necessary*
- Area or depth specific regulations – *DIRECTION REQUESTED*



Past Commission direction supported full delegation of management authority for recreational red snapper harvest. This would allow the Commission to set regulations for recreational red snapper harvest that apply in federal waters. Staff requests direction on preferred options for Florida's state management plan.

These potential delegation options include:

- Bag limits
- Prohibition of bag limits for for-hire captain and crew (this would only apply if the federal for-hire fishery is managed by the state)
- Minimum size limit between 14-18 inches
- Maximum size limit
- Barotrauma release tools (like descending devices or venting tools)
- Allowable and prohibited harvest gear
- Area or depth-specific regulations

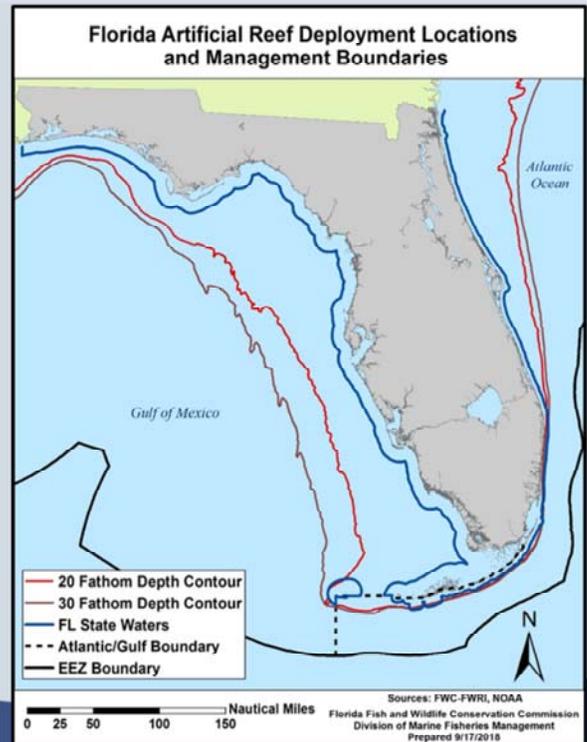
Staff recommends the Commission accept delegation of all the above options, except for allowable and prohibited harvest gear, because they are unlikely to change under state management.

The delegation of area or depth-specific regulations is explored more on the next slide and direction is requested.

## Area or Depth-Specific Options

- To explore this option, FWC must provide specific management measures that can be analyzed by the Council
- Staff recommends adding potential closures beyond 20 and 30 fathoms as management options
  - Could provide Commission flexibility when setting future seasons

*Direction requested to add 20 and 30 fathom options*



If the Commission would like to have the option to set area or depth-specific regulations for federal waters, FWC will need to provide specific potential management options that can be analyzed by the Council. Staff recommends adding closures beyond 20 and 30 fathoms as potential management options for Florida. The ability to create depth-specific closures could provide the Commission flexibility when setting future seasons.

This map illustrates boundaries for potential depth-specific management options off Florida's Gulf coast. The 20 fathom line is shown in red and the 30 fathom line is shown in brown. Florida state waters and EEZ boundary are also shown in blue and black, respectively.

The Council would need to take final action on state management in January or April 2019 for it to be implemented by 2020. Before the Council takes final action, staff may request additional direction on state management to ensure staff best represents the Commission's position on this topic during Council deliberations.

## Direction Requested



- Staff recommends closing recreational harvest of gray triggerfish in Gulf state waters for remainder of 2018 via Executive Order
- Staff requests direction on Florida's red snapper state management plan:
  - Exclusion of federal for-hire?
  - State-by-state allocations?
  - Delegation options/area or depth-specific regulations?
- Input on other Council items is welcome
- Next Gulf Council meeting is Oct. 22-25 in Mobile, AL



Staff recommends closing recreational harvest of gray triggerfish in Gulf state waters for the remainder of the 2018 season via Executive Order. This closure would be consistent with the closure in Gulf federal waters.

For the red snapper state management plans, staff recommends excluding federal for-hire from state management and supporting the preferred EFP-based allocations for state-by-state allocations. Staff also recommends supporting all delegation options, including adding 20/30 fathom depth-specific closures as potential management options for Florida.

Input on additional on Council items is always welcome. The next Gulf Council meeting is Oct. 22-25 in Mobile, AL.