



Update: This is a review and discussion of issues that were discussed at the Oct. 29 through Nov. 1, 2012, Gulf of Mexico Fishery Management Council (Council) meeting in Gulfport, MS, and a draft rule for the 2013 Gulf of Mexico recreational gag grouper season. This document was updated following the Council meeting. The next Council meeting will be Feb. 5-8, 2013, in Mobile, AL.

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Red Snapper Sampling – Destin Fishing Rodeo



- NOAA Exempted Fishing Permit issued to allow rodeo participants to harvest up to 400 red snapper for research on Oct. 27-28
- Part of a Gulf-wide sampling effort
- Harvest tags issued to rodeo anglers via lottery:
 - 1 fish per person per day – keep first fish
- 206 red snapper sampled by FWRI staff



Earlier this year, NOAA Fisheries Service issued an Exempted Fishing Permit that allowed for a limited harvest of red snapper at seven fishing rodeos throughout the Gulf of Mexico. The purpose of this harvest was to collect biological information from the harvested fish to better document their age structure and biology and to sample fish not normally sampled by recreational fishing surveys. The Destin Fishing Rodeo was the sole volunteer participating tournament from Florida.

FWC issued 400 tags to rodeo participants who entered a no cost lottery for a chance to participate. The harvest was on Saturday and Sunday, Oct. 27-28 at the Destin Fishing Rodeo. Anglers could tag and harvest one red snapper per person per day and were required to keep the first fish caught, regardless of size. The tags were valid Saturday and Sunday during the hours of the tournament and were one tag per person per day. Onshore, staff from FWC's Fish and Wildlife Research Institute and Louisiana's Department of Wildlife and Fisheries collected data from the fish including weight, length, and otoliths, which are used to determine the age of the fish. Anglers could then take their fish home. Although seas were rough during the red snapper tagging weekend, 206 red snapper were tagged and sampled as part of this effort.

Red Snapper – Discussions



- Individual Fishing Quota (IFQ) 5-year review
- Regional management of recreational harvest approved for scoping
- 2013 recreational season and inconsistency by states
 - Inconsistency by LA and TX projected to result in short federal season
 - One-fish bag limit to be considered



The Council discussed several red snapper management issues at their October meeting. As part of the scheduled five-year review for the commercial red snapper individual fishing quota (IFQ) program, the Council discussed economic, social, and biological outcomes of the IFQ program, and also made some suggestions to Council staff about other information, such as law enforcement concerns, that should also be included in the five-year review.

The Council also discussed the upcoming 2013 recreational red snapper season. Both Texas and Louisiana have indicated that they will not go consistent with the federal season for 2013 in their state waters. NOAA Fisheries Service staff presented the Council with an analysis of how inconsistency could affect the federal season (which has not yet been set), annual catch limit, and season length in other states. This analysis used data from 2011 (data from 2012 is not yet available), but indicated that the 2011 federal season would have needed to be shortened by nine days to account for both states' inconsistent regulations. There are a number of other factors to be considered in estimating the 2013 season, including 2012 landings and results of the ongoing red snapper assessment, so it is too early to project what next year's season dates will be. The Council also discussed the option of reducing the red snapper bag limit from two to one fish per person per day to allow for more red snapper fishing days.

The Council also discussed a regional management system in the Gulf of Mexico for recreational red snapper. This regional plan could entail state-by-state quotas, or dividing the Gulf into two or three regions for red snapper management. Details of how this program would work and how it would affect each state still need to be decided, but the Council directed Council staff to hold scoping meetings to get public input on regional management. These meetings have not yet been scheduled, but will be held in Florida in Destin and St. Petersburg.

Direction Requested on Red Snapper



- Reef Fish Committee meeting to discuss red snapper Jan. 7-8, 2013, in Tampa
 - 2013 recreational season options: bag limit, size limit, season dates



Because these issues are complicated and time-sensitive, the Council is holding a special reef fish committee meeting on Jan. 7-8, 2013, in Tampa to further discuss red snapper and recommend Council action as necessary for the regularly-scheduled Council meeting in February. Staff requests Commission direction on 2013 recreational season preferences, including bag limits, size limits, and season dates.

Other Discussions



- Vermilion snapper annual catch limit and bag limits
 - Recreational bag limit of 10 fish per person per day proposed
 - 10-fish bag limit would match Florida regulations
- Removal of venting tool requirement for reef fish
- Ad hoc artificial substrate panel members selected
- Aquaculture proposed rule
- Electronic reporting by for-hire vessels



In August, the Council requested an emergency rule to raise the 2012 annual catch limit (ACL) for vermilion snapper from 3.42 million pounds (mp) to 4.19 mp. At its October meeting, the Council reviewed a draft regulatory amendment to amend annual catch limits and bag limits for vermilion snapper for the long term. For recreational harvesters, a 10-fish per person per day bag limit was proposed. This bag limit was suggested because it matches the bag limit for Florida state waters.

The Council also discussed removing the requirement for recreational and commercial harvesters to possess and use a venting tool when fishing for reef fish. The Council is expected to take final action to remove this requirement at the next Council meeting in February.

The Council selected participants for the ad hoc panel that will assist with an amendment that would designate fixed petroleum platforms and artificial reefs as essential fish habitat. Representatives from Florida that were selected include: Jon Dodrill (FWC Artificial Reef Program), Bill Lindberg (University of Florida), and Lori Schmitz Janowski (Emerald Coast Scuba).

The Council also received an update on a proposed rule for aquaculture. The Council approved a fishery management plan for aquaculture in the Gulf of Mexico in 2009, but it has not yet been implemented. The purpose of this plan is to maximize benefits to the Nation by establishing a regional permitting process to manage the development of an environmentally sound and economically sustainable aquaculture industry in federal waters of the Gulf of Mexico. Some changes need to be made to the proposed aquaculture rule to be consistent with the NOAA Marine Aquaculture Policy. At the February Council meeting, the Council will review updated proposed rule language.

Finally, the Council reviewed a scoping document on electronic reporting requirements by for-hire vessels. Currently, for-hire vessels are not required to report catch or effort electronically, but some vessels have been submitting data to NOAA Fisheries Service electronically as part of a pilot program to test the feasibility of this idea. The Council will coordinate with the South Atlantic Council and NOAA Fisheries Service in considering options for electronic reporting by for-hire vessels.

Gray Triggerfish – Final Action



- Stock is overfished and undergoing overfishing
- Council-approved actions:
 - Establish 2-fish recreational bag limit
 - Establish recreational and commercial closed season during peak spawning (June - July)
 - Establish commercial trip limit of 12 fish



At the October Council meeting, the Council took final action approving long-term management options to rebuild the gray triggerfish stock (Amendment 37). The 2011 stock assessment update for gray triggerfish indicates that the stock is overfished and undergoing overfishing.

For the recreational sector, the Council approved establishing a two-fish bag limit for gray triggerfish, which would continue to be included in the 20-reef fish aggregate bag limit. Additionally, a recreational closed season during June and July (peak spawning months) was selected by the Council. For the commercial sector, the Council voted to establish a 12-fish trip limit and a harvest closure during peak spawning (June – July). Based on Commission direction, the Commission staff representative supported these actions. If approved by the Secretary of Commerce, these changes would likely take effect early next year. Staff will ask that the Commission consider consistent regulations for gray triggerfish Gulf state waters at the February Commission meeting.

Recreational Shallow-water Grouper Closure - Final Action



- Council voted to eliminate Feb. 1 – Mar. 31 shallow-water grouper closure shoreward of 20-fathom line
- Waters beyond 20 fathoms would remain closed Feb. 1 – Mar. 31
- Likely to take effect in 2014



The Council also took final action to modify the annual shallow-water grouper closure, which closes red grouper, black grouper, yellowfin grouper, scamp, and yellowmouth grouper each year from Feb. 1 through Mar. 31. This spawning season closure was originally intended to help rebuild gag grouper and red grouper populations, but now red grouper is fully rebuilt and gag grouper has its own closed season. Fishermen from Southwest Florida requested removal of this closure during public comment at the April Council meeting. The Council voted to eliminate the Feb. 1-Mar. 31 closure shoreward of the 20-fathom line. Most gag grouper spawning aggregations occur beyond the 20-fathom line, so this will continue to protect spawning gag grouper from incidental bycatch. The 20-fathom line is in federal waters only and is shown in green on the above map. State waters are shown in white.

This change to the closed season will likely not take effect until 2014. If this rule is approved by the Secretary of Commerce, staff will ask the Commission to consider consistency by eliminating the Feb. 1 through Mar. 31 state waters grouper closure after the federal rule change is implemented.

2013 Recreational Gag Grouper Federal Season - Public Input



- Council held public hearings in Destin, St. Petersburg, and Naples; FWC workshop held in Perry
- For-hire federal permit holders generally wanted consistency with federal season
- Open gag season after red snapper is closed
- Some favored the longest season possible, but saw benefits of shorter split seasons
- Regional differences in desired seasons
- Divided opinion on reducing bag limit to one fish



Before the October Council meeting, the Council held public hearings in Destin, St. Petersburg, and Naples to gather public input on the recreational season options for gag grouper in 2013. The FWC held an additional public workshop in Perry to gather input from stakeholders in the Big Bend region of Florida. Many people at these workshops offered comments and recommendations about their recreational gag grouper season preferences. Many for-hire permit holders stated that they preferred state regulations to be consistent with the federal regulations because they have to follow the federal season, which would likely be shortened if the state season is inconsistent. Several people commented that they would like the gag grouper season to be open after red snapper is closed, so that they have more total days to target these species. Many people favored the longest season possible, but recognized the economic benefits and additional fishing opportunities that could be provided by shorter split seasons. Some argued that split seasons could be complicated and result in non-compliance.

Stakeholders in different regions of Florida preferred to have the open season for gag grouper at different times of the year. Some stakeholders from Southwest Florida stated that they preferred to fish for gag starting in November and into early spring, so that the season would align with their tourist season. Many people at the Destin Council public hearing felt that October was an important fishing month for gag grouper, and also preferred a season beginning July 1 that is consistent with the season chosen by the Council. Spring (March – June) and fall (October – November) fishing months were favored by some in the Big Bend.

Finally, public opinion on whether to reduce the recreational bag limit for gag grouper to one fish was divided. Some felt that reducing the bag limit would be beneficial because it would provide additional fishing days and could help rebuild the fishery, while others felt that reducing the bag limit did not result in enough extra fishing days to be worth it.

2013 Recreational Gag Grouper Federal Season - Final Action



- Council did not select season recommended by FWC
- Federal season opening July 1 and closing when annual catch target is projected to be met; 2-fish bag limit
 - Season projected to close between Nov. 11 and Dec. 3
 - Season would close earlier if 2012 ACL exceeded or if states do not adopt consistent seasons



Finally, the Council took final action to approve dates for the 2013 recreational gag grouper harvest season in Gulf of Mexico federal waters. Based on Commission guidance, the FWC staff representative on the Council made a motion to approve a split harvest season for gag grouper which included a June 1 through July 15 sub-season and a fall sub-season that would end on Dec. 31. The opening date for the fall sub-season would have depended on how much recreational quota remained, and would have likely been between mid-November and early-December. This split season would have accommodated regional differences in fishing activity off Florida's Gulf coast.

However, the Council ultimately chose a continuous season with a two-fish bag limit beginning July 1 and ending when the annual catch target (ACT) is projected to be met. This is projected to be sometime between Nov. 11 and Dec. 3, 2013, assuming that the annual catch limit (ACL) was not exceeded in 2012 and that each Gulf state adopts consistent regulations in state waters. This season provides the greatest number of fishing days without disrupting the gag rebuilding plan. If these assumptions are not met, the season would likely end earlier. If this season is approved by the Secretary of Commerce, NOAA Fisheries Service is expected to notify the public of the season ending date for 2013 sometime in the spring. NOAA Fisheries Service is expected to have estimates of the 2012 recreational gag harvest by mid- to late-December.

2013 Recreational Gag Grouper Season – Draft Rule for State Waters

- Commission recommendation and Council action suggests Commission should discuss inconsistency
- 2012 season for state waters: Apr.1 – June 30 for Big Bend; July 1 – Oct. 31 for remainder of Gulf
- If an inconsistent season is chosen for state waters, rulemaking process will take two FWC meetings
- Actual 2013 federal season ending date will depend on Florida state waters season
 - Federal season ending date will be set in spring
- Consider draft rule today



Because the season for gag grouper harvest in federal waters chosen by the Council is inconsistent with the season recommended by the FWC, the Commission should discuss whether or not they want to adopt a season that is consistent with the federal season for 2013. The 2012 recreational gag grouper season for most Gulf state waters was July 1 through Oct. 31, which was the same as the 2012 federal season, but the Commission chose a different 2012 season for the Florida Big Bend (Taylor, Jefferson, Wakulla, and Franklin counties), which was Apr. 1 through June 30. If the Commission decides to have a Gulf recreational gag grouper season for state waters that is inconsistent with the federal season, it will take at least two Commission meetings to finalize the season. Additionally, the ending date to the federal season for 2013 (which will begin on July 1) will depend on the season chosen for Florida state waters. NOAA Fisheries Service expects to set and announce the federal season dates in the spring.

With that in mind, staff proposes that the Commission consider a draft rule to set the gag grouper season at this meeting and hold a final public hearing at the February Commission meeting so that the state season for 2013 can be set as soon as possible. The following slides outline some season options for state waters and issues that the Commission should consider when selecting dates for the 2013 recreational gag grouper season.

Gulf Gag Grouper Draft Rule Options

Would set the Gulf of Mexico recreational gag grouper harvest season (excluding Monroe County) for 2013:

- FWC recommendation to Gulf Council: June 1- July 15; Nov. 15- Dec. 31 for FL Gulf coast
- Consistency with federal season: Open July 1 until ACT is projected to be met (likely between Nov. 11 and Dec. 3) for FL Gulf coast
- Spring/fall split statewide season: Apr. 1 – May 31; Nov. 1 – Dec. 31 for FL Gulf coast
- Two-month regional openings: Jul. 1 – Aug. 31 in Panhandle; Apr. 1 – May 31 in Big Bend; Nov. 1 – Dec. 31 in Southwest
- Could also reduce bag limit to one fish



If the Commission decides to propose a draft rule for the Gulf recreational gag grouper season, there are several options that the Commission could consider for Gulf state waters (excluding Monroe County, which follows the Atlantic grouper seasons). Staff is providing the following seasons as options for Commission consideration and discussion, but the Commission is not limited to these options. First, the Commission could consider a season that is similar to the FWC-preferred season for Gulf federal waters. This would create a split gag season for all Gulf state waters with the first sub-season running from June 1 through July 15 and the second sub-season from Nov. 15 through Dec. 31. Another option to consider is consistency with the federal season, which will begin July 1 and could stay open as late in the year as early December. If this option is chosen, the Commission would not know the season end date until sometime in spring 2013. The Commission could also consider a split Gulf state waters season that is open from Apr. 1 through May 31 and from Nov. 1 through Dec. 31 to accommodate late spring/early summer and late fall gag grouper fishing. Finally, the Commission could also consider regional openings for gag grouper harvest along Florida's Gulf coast. An example of this would be a July 1 through Aug. 31 open season off the Panhandle (Escambia through Gulf counties), an Apr. 1 through May 31 open season of the Big Bend (Franklin through Taylor counties), and a Nov. 1 through Dec. 31 open season in Southwest Florida (Dixie through Collier counties). The Commission could also consider reducing the gag grouper recreational bag limit from two fish to one fish per person per day. Reducing the bag limit could help avoid a quota overrun by reducing harvest if an inconsistent season is chosen for state waters.

Other Considerations for Selecting a Season

- Persons fishing aboard federally-permitted for-hire vessels must follow federal season, even in state waters
- Federal season length will likely be shortened based on inconsistency – end date for federal season not yet determined
- Most recreational gag grouper harvested off Florida
- If there is a quota overage in 2012 or 2013, this could mean:
 - Shortened federal seasons for 2013 and beyond
 - Could result in no scheduled quota increase
- An inconsistent season could provide state waters fishing opportunities, but could delay recovery of gag grouper if federal quota is exceeded
- Red snapper season scheduled to begin June 1



There are many points to consider when selecting a season for Gulf recreational gag grouper in state waters. First, persons fishing aboard federally-permitted for-hire vessels must follow the federal season, even in state waters, so an inconsistent season would not provide Floridians and tourists that fish from for-hire vessels additional fishing opportunities. An inconsistent season would likely limit their opportunities to catch gag because the federal season length will likely be shortened if Florida's season is inconsistent so that the rebuilding requirements for gag grouper are still met. The end date for the federal season will not be determined until the spring, and this date will depend on the dates of Florida's state season. More than 90% of gag grouper are caught off Florida, so Florida plays a key role in the gag grouper rebuilding plan and the state season could have a significant effect on the length of the federal season.

Additionally, if there is a quota overage in 2012 or 2013, this could result in shortened federal seasons for 2013 and beyond. Scheduled increases to the quota may not occur if the quota is exceeded, which could also affect the length of the federal season. For 2013, the recreational annual catch target is scheduled to be increased from 1.031 million pounds to 1.287 million pounds, which is an increase of nearly 25%.

One benefit of selecting a different season for state waters is that the harvest season could provide more opportunities for private recreational anglers to harvest gag grouper in state waters. This is especially true for smaller private recreational boats that do not have the capability to safely fish offshore in federal waters (beyond 9 miles in the Gulf). However, an inconsistent season could also delay recovery of gag grouper if harvest exceeds the quota outlined in the gag grouper rebuilding plan.

Finally, red snapper season is currently scheduled to begin June 1. Some stakeholders expressed interest in having gag grouper open when red snapper is closed so that they have more total days to fish. However, as noted previously in the presentation, red snapper regulations could be changing for 2013, which means that the start date for red snapper season could also change.

Staff Recommendations – Gulf Recreational Gag Grouper Season



- Select 2013 recreational season option for Gulf gag grouper and approve as a proposed draft rule
- Return for final public hearing at the February FWC meeting in Orlando

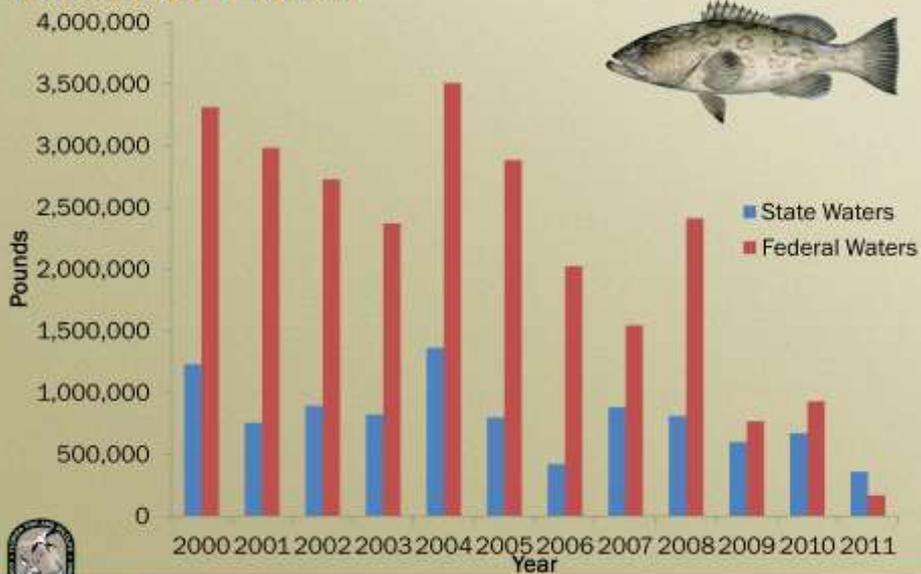


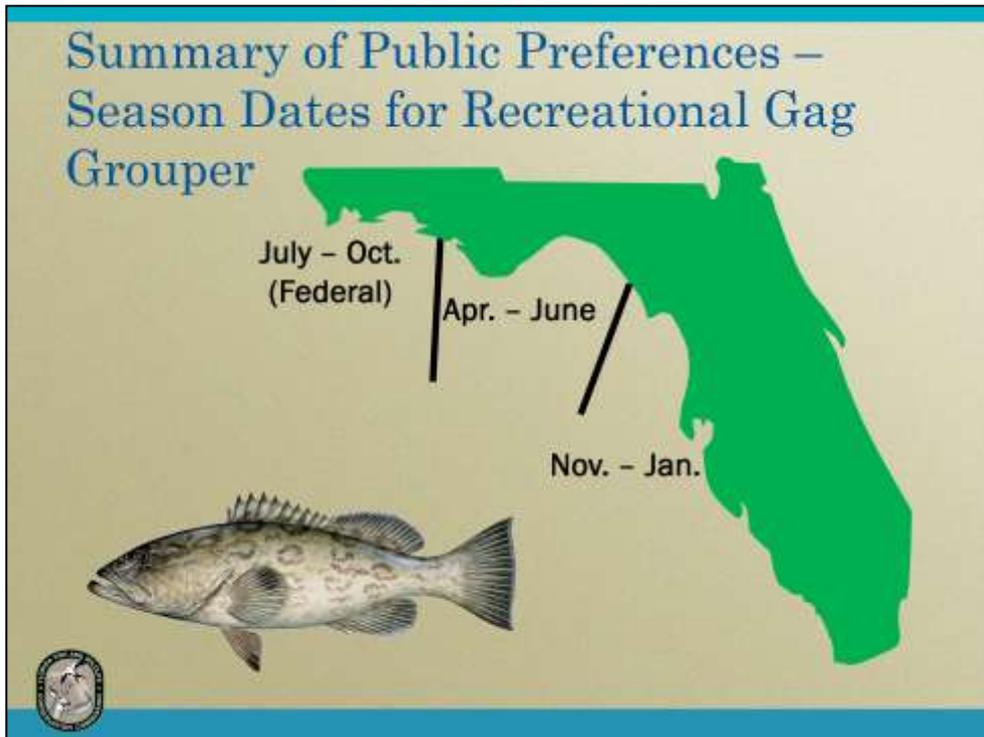
Staff recommends that the Commission select their preferred recreational season option for the 2013 recreational Gulf gag grouper season and approve this season as a proposed draft rule. If approved, staff recommends returning to the Commission for a final public hearing at the February FWC meeting in Orlando.

The following slides are considered back up material and are not anticipated to be part of the Commission meeting presentation



Recreational Gag Harvest in State vs. Federal Waters off Florida





Public comments received by the FWC before the 2012 gag grouper season was established were used to create this map, which shows regional season preferences. Many similar comments were received regarding the 2013 season. Please note that this is generalization of comments received from each region and does not represent all comments. For instance, some for-hire federal permit holders from southwest Florida asked for consistency with the July 1 through Oct. 31 federal season.

Gulf Gag Grouper Season History

- Pre-2011: Feb. 1 – Mar. 31 annual spawning season closure in state and federal waters (closed 2 months)
- 2011:
 - **Federal waters** open Sept. 16 – Nov. 15 (closed 10 months)
 - **State waters** closed Feb. 1 – Mar. 31; June 1 – Sept. 15 and Nov. 16 – Dec. 31 for 2011 only (closed 7 months)
- 2012:
 - **Federal waters** open July 1 – Oct. 31 (closed 8 months)
 - **State waters** open Apr. 1– June 30 off Franklin, Wakulla, Jefferson, and Taylor counties; open July 1 – Oct. 31 elsewhere



The recreational harvest season for gag grouper in the Gulf of Mexico has been modified in federal and state waters several times over the past few years. Before 2011, gag grouper, along with other several other groupers, was closed in state and federal waters from Feb. 1 through Mar. 31 each year for a spawning season closure.

The Council and NOAA Fisheries Service approved a series of interim rules in 2011 to comply with the requirement to end overfishing while the long-term gag grouper management measures in Amendment 32 were being developed. The first interim rule prohibited recreational harvest of gag grouper from January 1 through May 31, 2011. The Commission did NOT go consistent with this rule, so gag grouper harvest was open in state waters in Jan., Apr., and May. A second interim rule, which took effect June 1, 2011 kept gag grouper harvest closed in Gulf federal waters for the remainder of 2011, with the exception of a recreational harvest season for gag grouper from September 16 through November 15. The Commission approved consistent regulations for state waters of the Gulf of Mexico, also effective June 1, for 2011 only.

The Gulf Council delayed final action on the gag grouper management measures in Amendment 32 to allow the FWC Commission to weigh in on the dates for the federal recreational gag season. Because of this, Amendment 32 has not yet been implemented and the Gulf Council voted to extend this interim rule so that recreational harvest of gag grouper in federal waters remained closed after Nov. 15 and into 2012. The 123-day July 1 – Oct. 31 federal open season in Amendment 32 replaced this interim rule.

NOAA Fisheries Service requested that the Commission go consistent with Amendment 32 AND the renewed interim rule so that gag harvest in Gulf state waters reopened on July 1, 2012. The Commission voted to keep Gulf state waters closed to recreational harvest of gag through the end of January 2012 via an Executive Order, and waited to consider consistency with the July 1 through October 31 federal season until the federal rulemaking process was further along. For 2012, the Commission approved an Apr. 1 through June 30 open season in state waters off Franklin, Wakulla, Jefferson, and Taylor counties and a July 1 through Oct. 31 open season that was consistent with the federal season for the remainder of Gulf state waters.

Season Options Considered by the Council – Continuous Seasons

- Status quo: July 1 – Oct. 31
federal season (123 days)

- Continuous season that begins:
 - March 1 (72-88 days)
 - June 1 (86-137 days)
 - July 1 (133-155 days)



This and the following slide outline the federal Gulf recreational gag grouper season options that were considered by the Council for 2013.

Season Options Considered by the Council – Split Seasons

- Two sub-seasons:
 - March 1-31 and June 1 until quota met (67-96 days)
 - June 1-30 and Nov. 1 until quota met (61-89 days)
 - January 1-31 and June 1 until quota met (60-86 days)
 - FWC preferred: June 1 – July 15 and winter season ending Dec. 31
- Three sub-seasons
 - Mar. 1-31, June 1-21, Nov. 1 until quota met (68-89 days)
 - April 1-30, July 1-31, and winter season ending Dec. 31 (88-108 days)



Recreational Gag Grouper Quota Schedule

Year	Annual Catch Limit (million pounds gutted weight)	Annual Catch Target (million pounds gutted weight)
2011	0.964	0.781
2012	1.232	1.031
2013	1.495	1.287
2014	1.720	1.519
2015+	1.903	1.708



This table shows the scheduled increases to the recreational gag grouper quota through 2015. Scheduled quota increases may not occur if the annual catch limit is exceeded during the previous year.

Inconsistent Recreational Red Snapper Regulations in Other Gulf States

State	2013 Open Season	Bag Limit	Minimum Size Limit
Texas	Year round	4 fish	15 inches
Louisiana	3 day weekends from Saturday preceding Palm Sunday through Sept. 30 including Memorial Day and Labor Day (88 days)	3 fish	16 inches



This table shows state red snapper recreational harvest regulations for Texas and Louisiana, which have both indicated that they will be inconsistent with federal red snapper regulations in 2013. For comparison, the federal season is currently scheduled to begin on June 1, but the season length has not yet been calculated. The federal bag limit is two fish per person per day and the minimum size limit is 16 inches total length. In 2011, 10.5% of the Gulf recreational red snapper quota was landed in Texas and 6.2% of the quota was landed in Louisiana.