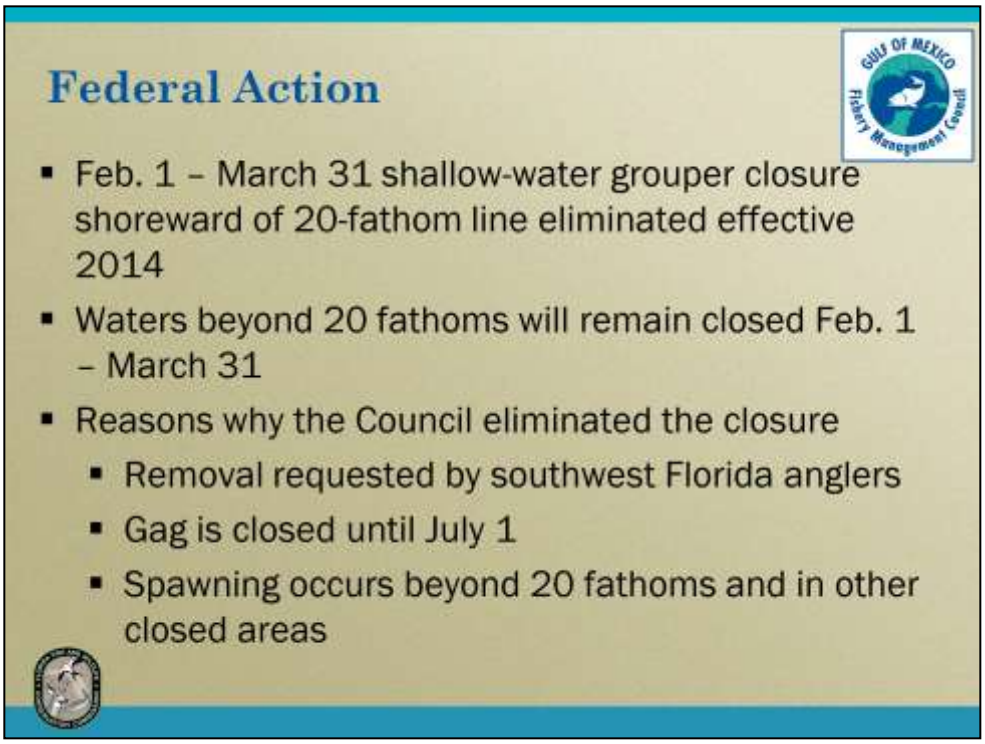
This is a summary of a proposed rule to eliminate the Feb. 1 through March 31 season closure for shallow-water grouper species in the Gulf of Mexico (excluding Monroe County). Groupers are regulated as reef fish in Chapter 68B-14, Florida Administrative Code (FAC). This action would make state recreational grouper regulations in the Gulf of Mexico consistent with federal regulations that are already in effect.

Authors: Martha Bademan, Jessica McCawley, and Tony Bresnen

Report date: July 29, 2013



The Feb. 1 through March 31 shallow-water grouper closure (which included black, gag, red, red hind, rock hind, scamp, yellowfin, and yellowmouth groupers) was approved by the Gulf of Mexico Fishery Management Council (Council) in 2008 to prevent bycatch and discard mortality of gag grouper during the spawning season. The Commission approved a rule creating the Feb. 1 through March 31 closure for Gulf of Mexico state waters in June 2009.

At the October 2012 Council meeting, the Council took final action to modify the annual shallow-water grouper closure. This closure now only closes black, red, scamp, yellowfin, and yellowmouth grouper each year from Feb. 1 through Mar. 31 seaward of 20 fathoms. Also, red hind and rock hind were removed from federal management in 2012, and thus are no longer subject to the closure. The 20-fathom line is only in federal waters and is shown on the map located on the next slide.

Fishermen from Southwest Florida requested removal of this closure during public comment at the April 2012 Council meeting in Corpus Christi, Texas. The shallow-water grouper spawning season closure was originally intended to help rebuild gag grouper. Since that time, gag grouper has its own harvest season which does not open until July 1 in most state and all federal waters and closes in late fall. Modifying this closure will likely not impact grouper spawning aggregations since many of these aggregations are in areas with water deeper than 20 fathoms, and therefore would still be part of the Feb. 1 through March 31 closure. Current area closures (such as the Edges) to protect grouper spawning aggregations and prevent the overharvest of shallow-water grouper species will remain in place.

The 20-fathom boundary line is shown as a red dashed line in the map provided on this slide. Shoreward of this line, in green, is the area in federal waters where the February through March shallow-water grouper closure will no longer be in effect. Seaward of the 20-fathom line, in light red, is the area where the shallow-water grouper closure will remain in place during February and March. Madison Swanson and Steamboat Lumps are closed year-round to grouper fishing and the Edges is closed from Jan. 1 through April 30.

Currently in Florida Gulf state waters, groupers are managed under an aggregate bag limit. An aggregate bag limit puts a limit on the total number of groupers an angler can keep, and it applies to multiple species (in this case, all grouper species). In Gulf of Mexico state waters, there is a 4-fish aggregate bag limit for groupers. Within the 4-fish aggregate bag limit, there is a 2-fish bag limit for gag grouper. Additionally, captain and crew of for-hire vessels have a zero-fish bag limit for black, gag, and red grouper. Most grouper species in the Gulf have specific minimum size limits, with the exception of red hind and rock hind. Anglers targeting groupers can use hook and line or spearing devices. Black, red, red hind, rock hind, scamp, yellowfin, and yellowmouth groupers have a closed season from Feb. 1 through March 31, which the Commission will consider removing today.

The following slide outlines changes that could be made to FWC rules to be consistent with the Council-approved regulations for Gulf federal waters.

Chapter 68B-14.0039, FAC, (Recreational Grouper Seasons) would be modified to eliminate the closed season for most common Gulf groupers (including black, red, red hind, rock hind, scamp, yellowfin, and yellowmouth) in state waters of the Gulf of Mexico (excluding Monroe County). Because all state waters in the Gulf of Mexico are inside the 20–fathom line, approving this proposed rule would be consistent with the approved federal regulations. Also, removing the grouper closure in state waters would be consistent with actions taken by the Council that removed harvest restrictions on red hind and rock hind.

Removing this closure would be beneficial to private recreational anglers and the charter for-hire industry by providing additional opportunities to fish for many species of grouper in February and March in state waters. Federally permitted for-hire vessels would be able to fish for these grouper species in federal waters shoreward of 20 fathoms and all state waters during February and March.

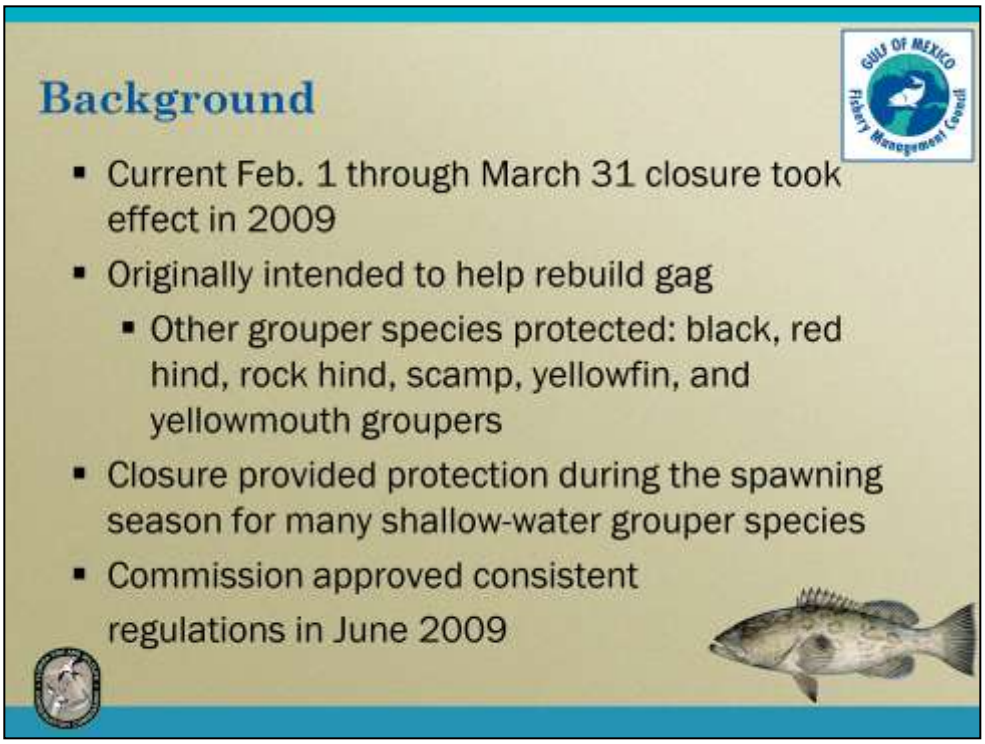
No changes are needed to state commercial grouper rules at this time. The Feb. 1 – March 31 grouper closure applies only to recreational harvest. Commercial grouper harvesters in the Gulf are still required to abide by seasonal area closures and the grouper IFQ program.

Staff recommends approving the proposed rule amendment for Gulf of Mexico black, red, red hind, rock hind, scamp, yellowfin, and yellowmouth groupers. The proposed rule would eliminate the Feb. 1 through Mar. 31 closed season for these grouper species in Gulf state waters (excluding Monroe County), making state regulations consistent with the current federal regulations. If the Commission approves the proposed rule amendment, this rule would be filed without further public hearing and would become effective as soon as possible.

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

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

Grouper Seasons Chart – Gulf of Mexico State Waters



The February through March shallow-water grouper closure was first approved in 2008 as part of Reef Fish Amendment 30B. This amendment addressed the overfished gag stock. At the time, the Council was attempting to reduce recreational harvest of gag grouper by 26 percent. Through a combination of reduced gag grouper bag limits, area closures, and the shallow-water grouper closure, the Council expected to achieve the reduction in harvest by the recreational sector which would end overfishing and begin to rebuild the stock. The intent of a broad closure for all shallow-water grouper species (which include black, gag, red, red hind, rock hind, scamp, yellowfin, and yellowmouth groupers) was to prevent bycatch and discard mortality of gag grouper during the spawning season.

The Commission approved consistent rules creating the Feb. 1 through March 31 grouper closure in Gulf of Mexico state waters in June 2009.