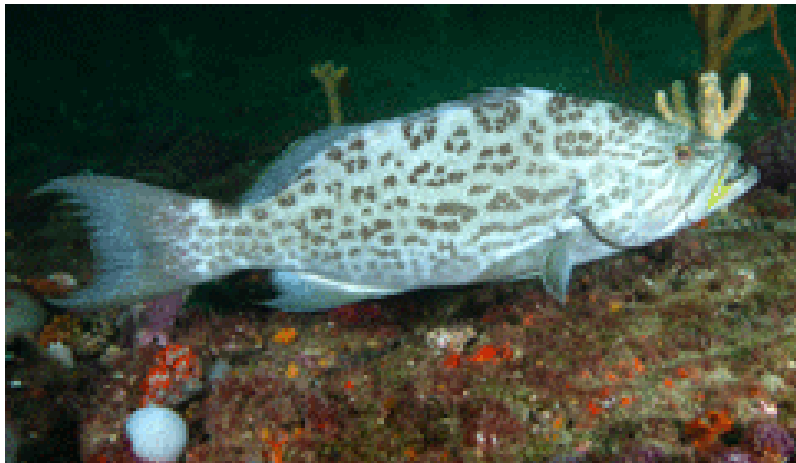


Modifications to Other Shallow Water Grouper Complex Management Measures



Draft Framework Action under the Fishery Management Plan for Reef Resources in the Gulf of Mexico

January 2025



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ENVIRONMENTAL ASSESSMENT COVER SHEET

Framework Action to the Fishery Management Plan for Reef Fish Resources of the Gulf of Mexico: Modifications to Other Shallow Water Grouper Complex Management Measures

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Type of Action

Administrative
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 Final

This Environmental Assessment is being prepared using the 2020 CEQ NEPA Regulations. The effective date of the 2020 CEQ NEPA Regulations was September 14, 2020, and reviews begun after this date are required to apply the 2020 regulations unless there is a clear and fundamental conflict with an applicable statute. 85 Fed. Reg. at 43372-73 (§§ 1506.13, 1507.3(a)). This Environmental Assessment began on April 30, 2021, and accordingly proceeds under the 2020 regulations.

ABBREVIATIONS USED IN THIS DOCUMENT

ABC	acceptable biological catch
ACL	annual catch limit
AM	accountability measure
BEA	Bureau of Economic Analysis
BiOp	biological opinion
BLL	bottom longline
CFR	code of federal regulations
CHTS	Coastal Household Telephone Survey
CFpA	cash flow per angler
Council	Gulf of Mexico Fishery Management Council
CS	consumer surplus
CV	coefficient of variation
Data Calibration FA	Gulf of Mexico Red Snapper Recreational Data Calibration and Recreational Catch Limits Framework Action
DLMTToolkit	Data Limited Methods Toolkit
DPS	distinct population segment
EA	environmental assessment
EEZ	exclusive economic zone
EIS	economic impact statement
EFH	essential fish habitat
EFP	exempted fishing permit
EJ	environmental justice
E.O.	executive order
ESA	Endangered Species Act
F	fishing mortality rate
FES	fishing effort survey
FMP	Fishery Management Plan
GDP	Gross Domestic Product
GRSC	Great Red Snapper Count
GSAD	Gulf and South Atlantic Dealers
Gulf	Gulf of Mexico
gw	gutted weight
HCR	harvest control rule
IFQ	individual fishing quota
IPCC	Intergovernmental Panel on Climate Change
LDWF	Louisiana Department of Wildlife and Fisheries
Magnuson-Stevens Act	Magnuson-Stevens Fishery Conservation and Management Act
MFMT	maximum fishing mortality threshold
MMPA	Marine Mammal Protection Act
mp	million pounds
MRIP	Marine Recreational Information Program
MSST	minimum stock size threshold
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration

OFL	overfishing limit
PAH	polycyclic aromatic hydrocarbons
PS	producer surplus
PW	product weight
Reef Fish FMP	Fishery Management Plan for Reef Fish Resources in the Gulf of Mexico
RFA	Regulatory Flexibility Act
RFFA	reasonably foreseeable future actions
RIR	regulatory impact review
RQ	regional quotient
Secretary	Secretary of Commerce
SEDAR	Southeast Data and Review
SEFSC	Southeast Fisheries Science Center
SERO	Southeast Regional Office
SPR	spawning potential ratio
SRHS	Southeast Region Headboat Survey
SSC	Scientific and Statistical Committee
TAC	total allowable catch
TL	total length
TNR	trip net revenue
TPWD	Texas Parks and Wildlife Department
tpy	tons per year
UCB	uncharacterized bottom
VOC	volatile organic compounds
VMS	vessel monitoring system\
ww	whole weight

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CHAPTER 1. INTRODUCTION

1.1 Background

Several species of Gulf of Mexico (Gulf) grouper are currently managed within the Other Shallow-water Grouper (SWG) complex. These species include scamp (*Mycteroperca phenax*), yellowmouth grouper (*Mycteroperca interstitialis*), black grouper (*Mycteroperca bonaci*), and yellowfin grouper (*Mycteroperca venenosa*). These species were assigned to this complex under the Generic Annual Catch Limits (ACLs) and Accountability Measures (AMs) Amendment to the Fishery Management Plans (FMPs) of the Gulf of Mexico Region (ACL/AM Amendment; GMFMC 2011). Assignment of these species was made with respect to where these species occurred, and whether it was common for these species to be caught on the same fishing trips. Until recently, none of these species had an approved peer-reviewed stock assessment available to inform stock status¹. In 2022, a stock assessment of scamp and yellowmouth grouper was completed (SEDAR 68 2022), which assessed both species together, and passed a peer-review by the Gulf of Mexico Fishery Management Council's (Council) Scientific and Statistical Committee (SSC). The SSC recommended updated status determination criteria (SDC) and catch advice for these two species. To act on these recommendations, the Council initiated work on Reef Fish Amendment 58A to the FMP for the Reef Fish Resources in the Gulf of Mexico (Reef Fish FMP) that considers changes to the Other SWG complex including species within the complex, changes to catch limits, modification of the commercial Individual Fishing Quota (IFQ) program, and other management measures. In recognition of the complexity of Reef Fish Amendment 58A, the Council is developing this framework action to consider changes in catch limits for the Other SWG complex that are consistent with the recommendations from SSC based on its review of SEDAR 68. The modifications from this framework action are expected to reduce the likelihood of overfishing for scamp and yellowmouth grouper while a more holistic management response is developed in Reef Fish Amendment 58A.

The Other SWG complex is managed under an Acceptable Biological Catch (ABC), and there is no defined commercial or recreational sector allocation for either complex. Further, the complex ACL is set equal to the Complex ABC. However, the commercial sector is apportioned a specified amount of the complex ACL) as specified in the Generic ACL/AM Amendment, and that apportionment and the associated catch limits are shown in Table 1.1.1. The commercial apportionment was done to allow the commercial sector to operate under the Grouper-Tilefish IFQ program (Amendment 29 to the Reef Fish FMP; GMFMC 2008). Landings (2013 – 2023) by species for the Other SWG complex are shown in Table 1.1.2. The recreational landings data are presented in Marine Recreational Fisheries Statistics Survey (MRFSS) data units. However, recreational landings are now estimated using Marine Recreational Information Program (MRIP), which includes an Access Point Angler Intercept Survey (APAIS, determines catch) and Fishing

¹ Black grouper had last been assessed in 2010 (SEDAR 19), but an assessment attempted in 2017 (SEDAR 48) had to be terminated due to irreconcilable data issues. Thus, no assessment for informing the stock status of black grouper relative to its SDC exists.

Effort Survey (FES, determines effort), collectively referred to as MRIP-FES. MRFSS and MRIP-FES both generate estimates in pounds of fish, but those estimates are not directly comparable because they use different scales (See Federal Data Collection Programs section in this Chapter).

Table 1.1.1. Catch limits and buffers by complex and sector for Other SWG, as established in the Generic ACL/AM Amendment. Values are in millions of pounds (mp) gutted weight (gw). OFL = overfishing limit. An OFL for Other SWG, and recreational ACLs for both complexes, are presently undefined.

Complex	OFL	ABC (Total ACL)	Comm ACL	Comm Quota	Comm Buffer	Rec ACL
Other SWG	undefined	0.710	0.547	0.526	4%	undefined

Table 1.1.2. Landings for Other SWG by sector from 2013 – 2023. Landings are in lb gw. Data for 2023 are preliminary. Black grouper and yellowfin grouper (YFG) are aggregated for the recreational sector due to data confidentiality requirements. Scamp and yellowmouth grouper (YMG) are aggregated for both sectors because of data confidentiality requirements.

Year	Commercial			Recreational (MRFSS)			Total Landings
	Black + YFG	Scamp + YMG	Total Comm Landings	Black Grouper + YFG	Scamp + YMG	Total Rec Landings	
2013	57,606	243,129	300,735	3,198	153,090	156,288	457,023
2014	61,123	169,125	230,248	826	129,569	130,395	360,643
2015	55,273	183,154	238,427	1,563	178,960	180,523	418,950
2016	49,497	285,741	335,238	8,249	159,438	167,687	502,925
2017	37,184	162,825	200,009	1,706	112,388	114,094	314,103
2018	35,246	143,047	178,293	358	111,654	112,012	290,305
2019	26,011	114,072	140,083	356	201,089	201,445	341,528
2020	25,411	119,043	144,454	516	108,691	109,207	253,661
2021	25,946	129,982	155,928	199	148,441	148,640	304,568
2022	23,946	122,752	146,698	1,215	139,225	140,440	287,138
2023	39,875	109,137	149,012	2,398	133,752	136,150	285,162

Commercial Sector

Commercial harvest of Other SWG complex species has been managed under the Grouper-Tilefish IFQ program since 2010 (GMFMC 2008b). Anyone commercially fishing for Other SWG complex species must possess a federal commercial reef fish permit and Other SWG

complex allocation under the IFQ program. IFQ allocation is determined and distributed at the beginning of each calendar year by multiplying a shareholder's IFQ Other SWG shares, represented as a fraction of the total commercial quota, times the commercial quota for that complex. The current commercial ACT (quota) is 4% below the commercial ACL for both complexes (GMFMC 2011; Table 1.1.1). The difference between the commercial quota and the commercial ACL was put in place to account for uncertainty with discards from the implementation of the IFQ program, and it was noted that this buffer could be re-evaluated with time. The IFQ program acts as the AM for the commercial portion of the reef fish fishery for Other SWG complex, and the commercial quota has never been exceeded for this complex under the IFQ program.

Recreational Sector

Recreational fishing for Other SWG complex species occurs primarily via hook-and-line. All species can be caught throughout the Gulf except for black grouper, which is most common to the southeastern Gulf off Florida. Recreational landings comprise an increasing proportion of landings for this complex (see Table 1.1.2).

Presently, there is no defined ACL for the recreational sector for the Other SWG complex. It is assumed that the difference between the sector apportionment for the commercial ACL from the Generic ACL/AM Amendment and the total complex ACL is to be used by the recreational sector. Because the commercial sector operates under an IFQ program, the pounds available to the commercial sector are released to shareholder accounts on January 1 each year and cannot be recalled. Thus, outside of the use of the IFQ program as the AM for the commercial sector, the only other AM for the Other SWG is a post-season AM for the recreational sector. This AM states that in the year following an overage, fishing for that complex will close for the recreational sector if the complex's total ACL is projected to be reached. No payback provision for an overage of a complex ACL currently exists. Because the IFQ system allows commercial landings year-round, it is unlikely that this AM effectively constrains recreational landings unless NMFS assumes at the beginning of the fishing year that all of the commercial quota will be landed. However, this assumption is not clearly stated in the current AM.

Recreational Data

Federal Data Collection Programs

The National Marine Fisheries Service (NMFS) created the MRFSS in 1979. In the Gulf, MRFSS collected recreational catch and effort data, including for Other SWG species, since 1981. MRFSS included both offsite telephone surveys and onsite interviews at marinas and other points where recreational anglers fish. In 2008, the MRIP replaced MRFSS to meet increasing demand for more precise, accurate, and timely recreational catch estimates. Until 2013, recreational catch, effort, and participation were estimated through a suite of independent but complementary surveys: telephone surveys of households and for-hire vessel operators that collected information about recreational fishing activity and an angler intercept survey that collected information about the fish that were caught.

The MRIP Access Point Angler Intercept Survey (APAIS) began incorporating a new survey design in 2013. This new design addressed concerns regarding the validity of the survey approach, specifically that trips recorded during a given time period are representative of trips for a full day, by extending the time period dockside samplers stayed at an assigned location (Foster et al. 2018). The more complete temporal coverage with the new survey design provides for consistent increases or decreases in APAIS angler catch rate statistics, which are used in stock assessments and management, for at least some species (NOAA Fisheries 2019).

MRIP transitioned from the legacy Coastal Household Telephone Survey (CHTS) to a new mail survey (FES) in 2015, and in 2018, MRIP-FES replaced MRIP-CHTS. Both survey methods collect data needed to estimate marine recreational fishing effort (number of fishing trips) by shore and private/rental boat anglers on the Atlantic and Gulf coasts. MRIP-CHTS used random-digit dialing of homes in coastal counties to contact anglers. The new mail-based FES uses angler license and registration information as one way to identify and contact anglers (supplemented with data from the U.S. Postal Service, which includes virtually all U.S. households). Because FES and CHTS are so different, NMFS conducted side-by-side testing of the two methods and found that, in general, total recreational fishing effort estimates generated from the FES are higher — and in some cases substantially higher — than the CHTS estimates (NOAA Fisheries 2019). This is because the FES is designed to measure fishing activity more accurately than the CHTS, albeit while recognizing a greater degree of uncertainty in those landings estimates. This increase in estimated effort is not because there was a sudden rise in fishing effort, but rather because FES better targets actual fishery participants through the directed mail survey. Likewise, the increase in uncertainty about the effort estimates reflects uncertainty that was likely also present in CHTS but went unaccounted due to biases that were identified as FES was developed. NMFS developed a calibration model to allow historic effort estimates using MRIP-CHTS to be compared to new estimates from MRIP-FES.

2023 MRIP-FES Pilot Study and 2024 Comprehensive Study

At the August 2023 Council meeting, the National Oceanic and Atmospheric Administration (NOAA) Office of Science and Technology (OST) discussed the release of a pilot study (NOAA 2023²), which evaluated potential respondents' bias as recall error in the mail portion of the recreational FES survey used to estimate effort. The 2023 pilot study evaluated this bias for a portion of the year across several states, and preliminary results suggest the order of the questions in the survey has led to overestimation of fishing effort by MRIP-FES. A more comprehensive pilot study began in 2024, will be independently peer-reviewed in early 2025, and will then be available for evaluation by data users (e.g., the Southeast Fisheries Science Center [SEFSC], Southeast Regional Office [SERO], and the Council) thereafter.

² <https://www.fisheries.noaa.gov/recreational-fishing-data/fishing-effort-survey-research-and-improvements>

Recent Stock Assessments and Catch Projections

SEDAR 68 (2022)

SEDAR 68 was completed in 2022 using data through 2020 and assessed both scamp and yellowmouth grouper together as a complex. SEDAR 68 (2022) used updated recreational landings information informed by MRIP-FES, and thus the results are not directly comparable to current catch limits and would require extensive changes to integrate the update catch advice into management. The SSC recommended catch limits (Table 1.1.3) that are a reduction from current landings, and the Council is developing this action to reduce the likelihood of overfishing scamp and yellowmouth grouper while Reef Fish Amendment 58A is developed and implemented.

Table 1.1.3. SSC recommended OFL and ABC values for scamp and yellowmouth grouper, based on the results of SEDAR 68 (2022) and using an MSY proxy of the yield when fishing at $F_{40\%SPR}$. Catch limits are in lb gw and the recreational data were informed by MRIP-FES. These catch recommendations are not directly comparable to current catch limits.

Year	OFL	ABC
2024	271,000	203,000
2025	263,000	203,000
2026+	257,000	203,000

1.2 Purpose and Need

The purpose of this amendment is to modify the current management measures and establish new management measures for the species contained with the Other SWG complex.

The need for these actions is to use the best scientific information available, based on a recent stock assessment, to implement measures to avoid future overfishing, and to achieve OY for the species considered herein, consistent with the authority under the Magnuson-Stevens Fishery Conservation and Management Act.

1.3 History of Management

Amendment 1 to the Reef Fish FMP, including an environmental assessment (EA), regulatory impact review (RIR), and regulatory flexibility analysis (RFA), implemented in 1990, set objectives to stabilize long-term population levels of all reef fish species by establishing a survival rate of biomass into the stock of spawning age fish to achieve at least 20% spawning stock biomass per recruit by January 1, 2000. It set a five-grouper recreational daily bag limit; allowed a 2-day possession limit for charter vessels and head boats on trips that extend beyond 24 hours, provided the vessel has two licensed operators aboard as required by the U.S. Coast Guard, and each passenger can provide a receipt to verify the length of the trip; set an 11.0 mp commercial quota for grouper, with the commercial quota divided into a 9.2 mp SWG (black grouper, gag, red grouper, Nassau grouper, yellowfin grouper, yellowmouth grouper, rock hind, red hind, speckled hind, and scamp) quota and a 1.8 mp DWG (misty grouper, snowy grouper,

yellowedge grouper, and warsaw grouper, and scamp once the SWG quota was filled) quota; established a longline and buoy gear boundary at the 50-fathom depth contour west of Cape San Blas, Florida, and the 20-fathom depth contour east of Cape San Blas, inshore of which the directed harvest of reef fish with longline gear and buoy gear was prohibited, and the retention of reef fish captured incidentally in other longline operations (e.g., sharks) was limited to the recreational daily bag limit; limited trawl vessels to the recreational size and daily bag limits of reef fish; established fish trap permits (up to 100 fish traps per permit holder); and established a commercial reef fish vessel permit.

A **July 1991 Regulatory Amendment**, including EA and effective November 1991, provided a one-time increase in the 1991 quota for SWG from 9.2 mp to 9.92 mp.

Amendment 3 to the Reef Fish FMP, including an EA, RIR, and RFA and implemented in July 1991, transferred speckled hind from the SWG quota category to the DWG quota category.

A **November 1991 Regulatory Amendment**, including EA, RIR and initial regulatory flexibility analysis (IRFA) and effective June 1992, raised the 1992 commercial quota for shallow-water groupers to 9.8 mp whole weight (ww).

Amendment 5 to the Reef Fish FMP, including an EA, RIR, and RFA and implemented in February 1994, established restrictions on the use of fish traps in the Gulf exclusive economic zone (EEZ); implemented a three-year moratorium on the use of fish traps by creating a fish trap endorsement for fishermen with historical landings; created a special management zone (SMZ) with gear restrictions off the Alabama coast; created a framework procedure for establishing future SMZ's; required that all finfish except for oceanic migratory species be landed with head and fins attached; and closed the region of Riley's Hump (near Dry Tortugas, Florida) to all fishing during May and June to protect mutton snapper spawning aggregations.

A **Framework Action**, including an EA, RIR, and RFA implemented in June 2000, increased the commercial size limit for black grouper from 20 to 24 inch total length (TL); prohibited commercial sale of gag, black, and red grouper each year from February 15 to March 15 (during the peak of gag spawning season); and established two marine reserves (Steamboat Lumps and Madison-Swanson) that are closed year-round to fishing for all species under the Council's jurisdiction.

Secretarial Amendment 1 to the Reef Fish FMP, including EIS, RIR, IRFA, and effective July 2004, revised the commercial trip limit to 5,200 lb gutted weight (gw) to achieve a red grouper harvest reduction, a reduction in the SWG quota from 9.35 mp gw (9.8 mp ww) to 8.8 mp gw, and repealed the Feb. 15 – Mar. 15 closed season on commercial harvest of red grouper, black grouper and gag in the Gulf exclusive economic zone (EEZ) (which appeared to be resulting in mini-derby fisheries around the closed season rather than a fishing reduction). The DWG quota was reduced from 1.6 mp ww (equal to 1.35 mp landed weight) to 1.02 mp gw. NMFS rejected the proposed 5,200-pound SWG trip limit and the repeal of the February 15 – March 15 commercial closed season. The remaining proposed measures were approved, and NOAA added a commercial red grouper quota of 5.31 million pounds gutted weight with the stipulation that

the commercial SWG fishery close when either the SWG quota or red grouper quota is reached, whichever occurs first.

An **October 2005 Regulatory Amendment**, including EA, RIR, IRFA and implemented in January 2006, established an aggregate DWG and SWG commercial trip limit of 6,000 lb gw.

Amendment 29 to the Reef Fish FMP, including an EA, RIR, and RFA, implemented January 2010, established an IFQ system for the commercial harvest of grouper and tilefish.

Amendment 30B to the Reef Fish FMP, including a final Supplemental Environmental Impact Statement (SEIS), RIR and IRFA, implemented May 2009, established ACLs and AMs for the commercial aggregate SWG fishery. For the commercial sector, the amendment for 2009 reduced the aggregate SWG quota from 8.80 mp gw to 7.8 mp gw. The gag and SWG quotas were scheduled to increase in subsequent years as the gag stock rebuilt. When 80 percent of a grouper species quota is reached, the allowable catch per trip for that species will be reduced to an incidental catch limit of 200 pounds until the species quota is filled, in order to reduce discard mortality of that species while fishermen target other species. The amendment repealed the commercial closed season of February 15 to March 15 on gag, black and red grouper, and replaced it with a January through April seasonal area closure to all fishing at the Edges 40-fathom contour, a 390-nautical square mile gag spawning region northwest of Steamboat Lumps. In addition, the Steamboat Lumps and Madison-Swanson fishing area restrictions were continued indefinitely. For the recreational sector, the amendment reduced the aggregate grouper bag limit from five fish to four. A recreational closed season on SWG was established from February 1 through March 31 shoreward of 20-fathoms. Finally, the amendment required that all vessels with federal commercial or charter reef fish permits comply with the more restrictive of state or federal reef fish regulations when fishing in state waters.

Amendment 31 to the Reef Fish FMP, including a final SEIS, RIR and IRFA, implemented May 2010, prohibited the use of bottom longline gear shoreward of a line approximating the 35-fathom contour from June through August; established a longline endorsement; and restricted the total number of hooks onboard each reef fish bottom longline vessel to 1,000, of which only 750 may be rigged for fishing.

Amendment 32 to the Reef Fish FMP, including EIS, RIR and IRFA and implemented in March 2012, contained a commercial SWG quota adjustment to account for dead discards, and simplified the commercial SWG AMs by using the IFQ program to reduce redundancy.

Amendment 38 to the Reef Fish FMP, including EA, RIR, and RFA and implemented in March 2013, revised the postseason recreational AM that reduces the length of the recreational season for all SWG in the year following a year in which the ACL for gag or red grouper is exceeded. The modified AM reduces the recreational season of only the species (gag or red grouper) for which the ACL was exceeded.

A **2013 Framework Action**, including EA, RIR, and RFA and implemented in March 2013, eliminated the February 1 through March 31 SWG closure shoreward of 20 fathoms.

Amendment 44 to the Reef Fish FMP standardized the MSST for certain reef fish species. The MSST is used to determine whether a stock is overfished; if the biomass of the stock falls below the threshold, then the stock is overfished. The MSST for several reef fish species was set equal to 50% of the biomass at MSY. This amendment was approved on December 21, 2017.

Amendment 36A to the Reef Fish FMP, including EIS, RIR and IRFA and implemented in January 2019, requires all reef fish permitted vessels landing federally managed reef-fish to land at approved locations and hail-in at least 3 hours, but no more than 24 hours before landing. The Amendment returns red snapper and grouper-tilefish shares from non-activated individual fishing quota (IFQ) accounts to the National Marine Fisheries Service (NMFS) for redistribution and allows NMFS to withhold a portion of IFQ allocation at the start of the year equal to an anticipated quota reduction.

CHAPTER 2. MANAGEMENT ALTERNATIVES

2.1 Action 1: Modification of Gulf of Mexico (Gulf) Other Shallow Water Grouper (SWG) Complex Catch Limits

Alternative 1: No Action – Maintain the current catch limits for the Other SWG complex: scamp, yellowmouth grouper, black grouper, and yellowfin grouper. The complex acceptable biological catch (ABC) is 710,000 pounds gutted weight (lb gw). The complex annual catch limit (ACL) is set equal to the complex ABC. The commercial ACL is 547,000 lb gw, and the commercial annual catch target (ACT) or quota, set 4% below the commercial ACL is 526,000 lb gw. The recreational ACL is undefined. Maintain the individual fishing quota (IFQ) share category associated with the Other SWG complex.

Alternative 2: Reduce the Other SWG complex ABC, that is set equal to the Stock ACL by 54.7%. The Stock ACL is equal to 322,000 lb gw, the Commercial ACL is equal to 255,636 lb gw, and the Commercial ACT (quota) equal to 245,410 lb gw. These catch limits, in MRFSS units, are consistent with the percent reduction in the complex ABC that the SSC recommended for scamp and yellowmouth grouper based on the SEDAR 68 operational assessment that are being developed in Reef Fish Amendment 58A.

Alternative 3: Reduce the Other SWG Complex ABC by 54.7% based the average Other SWG complex landings, in MRFSS units, from 2019-2023. The complex ABC is equal to the Stock ACL and set at equal to 133,000 lb gw, the Commercial ACL equal to 105,589 lb gw, and the Commercial ACT (quota) equal to 101,365 lb gw.

Alternative 3: Reduce the total ACL of the scamp and yellowmouth grouper component of the Other SWG Complex by 54.7% based on the average Other SWG complex landings from 2019-2023. Use the average of the 2019-2023 landings for black grouper and yellowfin grouper to calculate the catch limits. The complex ABC/ACL is equal 151,000 lb gw, the commercial ACL equal to 119,879 lb gw, and the commercial ACT equal to 115,084 lb gw.

Discussion:

The Other SWG complex is currently managed under a single ABC for the complex (710,000 lb gw, “complex ABC”) and monitored in MRFSS units. The Stock ACL is equal to the complex ABC. The commercial ACL was established based on an apportionment of the Stock ABC, and the commercial ACT was reduced by 4% from the commercial ACL to accommodate flexibility measures between the Deep-Water Grouper and Other SWG complexes in the IFQ program. The recreational apportionment of the harvest results from the difference in allowable harvest between the Stock ABC and the commercial ACL. This same approach is continued for each of the action alternatives.

This action would modify the Acceptable Biological Catch (ABC), Commercial Annual Catch Limit (ACL), and Commercial Annual Catch Target (ACT) for the Other SWG complex. Consistent with current practice, the Overfishing Limit (OFL) will remain undefined. SEDAR 68 (2022) was completed and reviewed the Gulf of Mexico Fishery Management Council’s (Council) Scientific and Statistical Committee (SSC) that provided revised catch limits for scamp and yellowmouth grouper. Scamp and yellowmouth grouper are managed along with black and yellowfin grouper in the Other Shallow-Water Grouper (SWG) complex. However, the SSC recommended reduced catch limits for scamp and yellowmouth grouper and the Council is developing an action that considers modifying the composition of the Other SWG complex, that will also consider modifying the composition of this complex, specifying sector allocations, and modifying the structure of the commercial individual fishing quota program (IFQ), and recreational management measures. This framework action aims to reduce catch limits for the Other SWG complex consistent with the results of SEDAR 68 to allow time for completion and implementation of Reef Fish Amendment 58A.

SEDAR 68 used updated recreational landings information informed by MRIP-FES. The SSC reviewed SEDAR 68 and recommended catch limits for scamp and yellowmouth grouper (Table 2.1.1) that are substantially reduced from recent landings for these species (Table 2.1.2³). From 2019 – 2023, average combined annual landings for scamp and yellowmouth grouper were 448,490 lb gw (Figure 2.1.1). To reduce harvest to the ABC recommended by the SSC based on SEDAR 68 (203,000 lb gw), landings would have to be reduced by 54.7% from the 2019-2023 average. This reduction target (as a percentage) was used as the basis for the action alternatives in this document. The percentage basis was used because the Other SWG complex is currently managed using Marine Recreational Fisheries Statistics Survey (MRFSS) data for the recreational component, and thus the ABC recommendation from SEDAR 68 is not directly comparable to the current Complex ABC (710,000 lb gw in MRFSS units). The objective of this action is to reduce landings (and fishing mortality) on the Other SWG complex consistent with SSC’s recommendations for scamp and yellowmouth grouper while modifications to the Other SWG complex are developed in Reef Fish Amendment 58A.

Table 2.1.1. SSC recommended OFL and ABC values for scamp and yellowmouth grouper, based on the results of SEDAR 68 (2022) and using an MSY proxy of the yield when fishing at F40%SPR. Catch limits are in lb gw.

Year	OFL	ABC
2024	271,000	203,000
2025	263,000	203,000
2026+	257,000	203,000

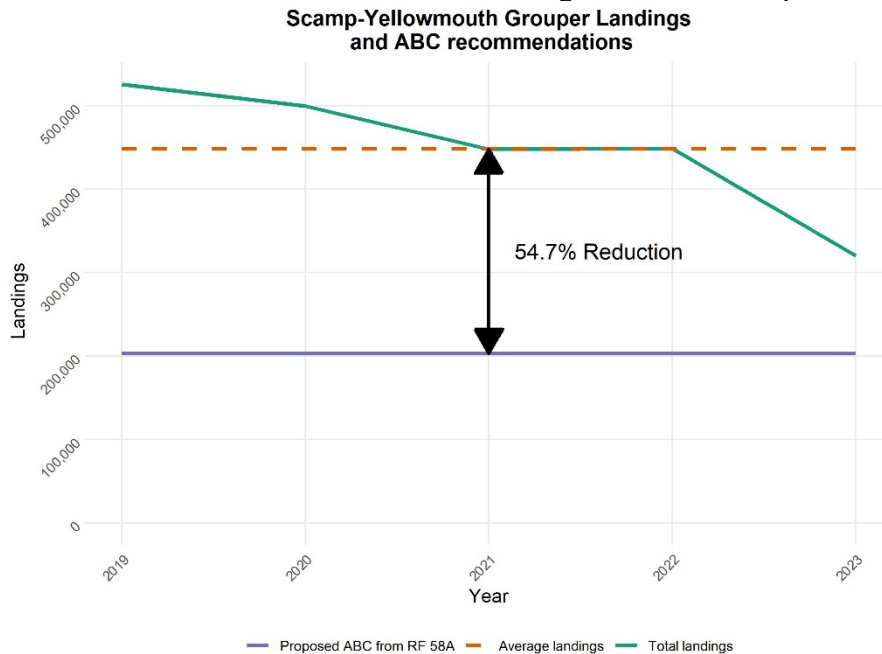
Table 2.1.2. Landings for scamp and yellowmouth grouper from 2019 – 2023. Landings are in lb gw and recreational data are represented in MRIP-FES data units. Data for 2023 are

³ The recreational data are presented in MRIP-FES data units consistent with the stock assessment and SSC review. The data used for the action are in MRFSS data units as presented in Table 1.1.2.

preliminary. Scamp and yellowmouth grouper are aggregated for both sectors because of data confidentiality requirements. The recreational landings data are not directly comparable to the current management measures established and monitored in MRFSS data-units.

	Commercial	Recreational	
Year	Scamp + YMG	Scamp + YMG	Total Landings
2019	114,072	411,764	525,836
2020	119,043	380,593	499,636
2021	129,982	317,851	447,833
2022	122,752	326,023	448,775
2023	109,137	211,234	320,371

Figure 2.1.1. Landings for scamp and yellowmouth grouper from 2019 – 2023 in comparison to the ABC recommendation from the SSC based on the review of SEDAR 68. The ABC recommendation is a 54.7% reduction from recent landings for these two species.



Alternative 1 (No Action) would maintain the current catch limits as established in the Generic ACL/AM Amendment (GMFMC 2011). These catch limits were set using recreational data from MRFSS. **Alternative 1** does not consider the harvest recommendations for scamp and yellowmouth grouper resulting from SEDAR 68 (2022) and increases the likelihood of overfishing of scamp and yellowmouth grouper relative to **Alternatives 2 – 4**.

Alternative 2 would reduce the complex ABC by 54.7% consistent with the SSC recommended percent reduction in the ABC for scamp and yellowmouth grouper based on its review of SEDAR 68. **Alternative 2** would set the commercial ACL equal to 255,636 lb gw, and the Commercial ACT equal to 245,410 lb gw. Recent commercial landings have averaged approximately 150,000 lb gw and thus, the proposed commercial harvest limits may not adequately reduce the catch from this sector. However, this would result in a substantial reduction in the distributed annual IFQ allocation for the Other SWG complex and may lead to a reduction in commercial harvest. **Alternative 2** would reduce the recreational harvest consistent with the overall 54.7% reduction target. This would result in a recreational apportionment equal to 66,364 lb gw; which is substantially below the recreational sectors recent annual landings (~ 150,000 lb gw) and **Alternative 2** is consistent with the objective to reduce harvest as recommended by the SSC.

Alternative 3 would reduce the total allowable harvest by 54.7% relative to recent annual landings⁴ (2019-2023; see Table 1.1.2). This would set the Complex ABC equal to 133,000 lb gw. The commercial ACL, commercial ACT, and the recreational component apportionment were calculated using the same approach as **Alternative 2**. The allowable harvest for both the recreational and commercial sectors would be reduced substantially relative to **Alternatives 1** and **2**.

Alternative 4 is similar to **Alternatives 2** and **3** in that it would reduce harvest of scamp and yellowmouth grouper by 54.7% relative to recent annual landings⁵ (2019-2023; see Table 1.1.2). In contrast to **Alternatives 2** and **3**, **Alternative 4**, would not reduce the harvest of black and yellowfin grouper as part of the calculation of the complex ABC. The complex ABC for **Alternative 4** would include the average landings from 2019-2023 for black and yellowfin grouper and the reduced landings (54.7%) for scamp and yellowmouth grouper. The commercial ACL, commercial ACT, and recreational apportionment would be set in the same manner as **Alternatives 2-3**. In terms of total allowable harvest from greatest to least, the alternatives are: **Alternative 1** > **Alternative 2** > **Alternative 4** > and then **Alternative 3**. In December 2024, the Council's Reef Fish Advisory Panel reviewed the management alternatives and recommended **Alternative 2** as preferred noting the potential for reduced harvest while providing access to this complex while Reef Fish Amendment 58A is developed and implemented.

⁴ The recreational harvest was calculated using the MRFSS data units consistent with current management.

⁵ The recreational harvest was calculated using the MRFSS data units consistent with current management.

2.2 Action 2: Gulf of Mexico (Gulf) Other Shallow Water Grouper (SWG) Complex Recreational Season

Alternative 1: No Action – Do not establish a recreational fixed closed season for the Other Shallow Water Grouper Complex.

Alternative 2: Establish a recreational fixed closed season for the Other SWG complex. The recreational season would open January 1 and close when the recreational portion of the total ACL is expected to be met under the Preferred Alternative in Action 1.

Action 1, Alternative 2: Closed July 17 – Dec 31 (Open January 1 – July 16)

Action 1, Alternative 3: Closed May 26 – Dec 31 (Open January 1 – May 25)

Action 1, Alternative 4: Closed May 31 – Dec 31 (Open January 1 – May 30)

Alternative 3: Establish a recreational fixed closed season for the Other SWG complex. The recreational season would open June 1 and close when the recreational portion of the total ACL is expected to be met under the Preferred Alternative in Action 1.

Action 1, Alternative 2: Closed January 1 – May 31; September 16 – Dec 31 (Open June 1 – September 15)

Action 1, Alternative 3: Closed January 1 – May 31; Closed July 5 – Dec 31 (Open June 1 – June 4)

Action 1, Alternative 4: Closed January 1 – May 31; July 13 – Dec 31 (Open June 1 – July 12)

Alternative 4: Establish a recreational fixed closed season for the Other SWG complex. The recreational season would open September 1 and close when the recreational portion of the total ACL is expected to be met under the Preferred Alternative in Action 1.

Action 1, Alternative 2: Closed January 1 – August 31 (Open September 1 – December 31)

Action 1, Alternative 3: C Closed January 1 – August 31; Closed October 29 – Dec 31 (Open September 1 – October 28))

Action 1, Alternative 4: Closed January 1 – August 31; Closed December 21 – Dec 31 (Open September 1 – December 20)

Discussion:

This action considers action alternatives to establish a recreational closed season for the Other SWG complex. The commercial harvest of Other SWG complex is managed by apportioning a percentage of the complex ABC to shareholders participating in the commercial IFQ program. The remaining portion of the complex ABC can be harvested by the recreational sector. This approach was developed in the Generic ACL/AM Amendment (GMFMC 2011) and the complex ABC has never been exceeded. Historically, most of the harvest of this complex was from the commercial sector however, the recreational sector has incrementally increased its harvest (both in pounds landed and as a percentage of the harvest). The trend of increasing recreational harvest along with the reduction in harvest based on the SSC's recommendation from SEDAR 68

(2022) increases the likelihood of overfishing. The harvest of the commercial sector is limited by the commercial IFQ program where any reduction in allowable harvest is achieved through changes in the distribution of annual allocation. In contrast, the recreational season is managed with a year-round season, 16 inch minimum size limit, and a four fish bag limit within the aggregate grouper bag limit. If Alternative 1 (no action) in Action 1 is selected as preferred (i.e., no reduction in allowable harvest), the total landings (commercial and recreational) are not expected to approach the current 710,000 lb gw complex ABC. However, the action alternatives in Action 1 consider reduced Complex ABC values ranging from 322,000 – 133,000 lb gw, of which only a proportion would be available for recreational harvest consistent with approach developed in the Generic ACL/AM amendment (GMFMC 2011).

Alternative 1 would maintain the current regulatory structure including a year-round recreational fishing season along with minimum size and daily bag limits. **Alternatives 2 - 4** retain the minimum size and bag limits but also consider a recreational closed season across different portions of the year. For **Alternatives 2 - 4**, the opening date for each alternative is specified while the close date (if applicable), is dependent upon the catch limits selected in Action 1. For each action alternative, the season duration is conditional upon the preferred Alternative in Action 1. No consideration of a recreational closed season is proposed in relation to Alternative 1 in Action 1 as the total harvest is not projected to exceed the complex ABC.

Alternative 2 would open the season on January 1 and close the season when the recreational portion of the ABC is projected to be harvested. The close date depends on the action alternative selected in Action (no closure is predicted if Alternative 1 in Action 1 is selected). **Alternatives 3-5** function in the same manner only differing in the start dates. The total recreational harvest is intended to be equal across all action alternatives.

Alternative 3 would open the recreational fishing season on June 1 and prohibit harvest from January through May. This alternative would allow harvest during the summer when fishing effort is greatest and other target species are open to harvest. However, the increased catch rate during summer compared to **Alternatives 2** and **4** would allow for fewer fishing days than **Alternatives 2** and **4**. **Alternative 4** would open the season on September 1. This opening day corresponds to the start date of the gag recreational season. Gag and Other SWG complex species often occupy similar habitat and can be caught in the same areas with similar fishing tactics. This alternative would aim to align this fishing effort and create an opportunity for harvest of multiple prized species on a trip. From September 1 through the end of the year, fishing effort is generally less than the peak months) and the season length is longer for each option than **Alternative 3**.

Table 2.2.1. Proposed recreational harvest levels based on an apportionment of the ABC.

Alternative 2 Fishing Season Start Date: January 1			
Action 1	Proposed Recreational harvest (lb gw)	Open Dates	Season Duration
Alternative 2	66,364	January 1 – July 16	198
Alternative 3	27,411	January 1 – May 25	145
Alternative 4	31,121	January 1 – May 30	150
Alternative 3 Fishing Season Start Date: June 1			
Alternatives	Proposed Recreational harvest (lb gw)	Close Date	
Alternative 2	66,364	June 1 – September 15	107
Alternative 3	27,411	June 1 – June 4	35
Alternative 4	31,121	June 1 – July 12	42
Alternative 4 Fishing Season Start Date: September 1			
Alternatives	Proposed Recreational harvest (lb gw)	Close Date	
Alternative 2	66,364	September 1 – December 31	122
Alternative 3	27,411	September 1 – October 28	58
Alternative 4	31,121	September 1 – December 20	112

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GMFMC = Gulf of Mexico Fishery Management Council; NOAA GC = National Oceanic and Atmospheric Administration General Counsel; SEFSC = Southeast Fisheries Science Center; SERO = Southeast Regional Office of the National Marine Fisheries Service

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