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Modifications to Deep-water Grouper Management Measures



Draft Amendment 58B to the Fishery Management Plan for Reef Fish Resources of the Gulf of Mexico

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ABBREVIATIONS USED IN THIS DOCUMENT

ABC	acceptable biological catch
ACL	annual catch limit
ACT	annual catch target
AM	accountability measure
AP	Advisory Panel
APAIS	Access Point Angler Intercept Survey
BiOp	biological opinion
BPA	bycatch practicability analysis
CFpA	net cash flow per angler
CFR	code of federal regulations
CHTS	coastal household telephone survey
Council	Gulf of Mexico Fishery Management Council
CS	consumer surplus
CVA	climate vulnerability analysis
DLMTToolkit	Data Limited Methods Toolkit
DPS	distinct population segment
EA	environmental assessment
EEZ	exclusive economic zone
EFH	essential fish habitat
EFP	exempted fishing permit
EIS	environmental impact statement
EJ	environmental justice
E.O.	executive order
ESA	Endangered Species Act
F	fishing mortality
FES	fishing effort survey
FHS	for-hire survey
FMP	Fishery Management Plan
FMSY	maximum sustainable yield
FWC	Florida Fish and Wildlife Conservation Commission
GRFS	Gulf Reef Fish Survey
GT	grouper-tilefish
Gulf	Gulf of Mexico
HAPC	habitat area of particular concern
HHI	Hertindahl-Hirschman Index
IFQ	individual fishing quota
IPCC	Intergovernmental Panel on Climate Change
IRFA	initial regulatory flexibility analysis
LAPP	Limited Access Privilege Program
LKE	lowest known entity
LQ	local quotient
Magnuson-Stevens Act	Magnuson-Stevens Fishery Conservation and Management Act
MFMT	maximum fishing mortality threshold
MMPA	Marine Mammal Protection Act

mp	million pounds
MPA	marine protected area
MRIP	Marine Recreational Information Program
MRFSS	Marine Recreational Fisheries Statistics Survey
MSST	minimum stock size threshold
MSY	maximum sustainable yield
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
OFL	overfishing limit
OST	Office of Science and Technology
OY	optimum yield
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
RG	red grouper
RQ	regional quotient
RIR	regulatory impact review
RS	red snapper
SDC	status determination criteria
Secretary	Secretary of Commerce
SEDAR	Southeast Data and Review
SEFSC	Southeast Fisheries Science Center
SERO	Southeast Regional Office
SMZ	special management zone
SOI	segments of interest
SPR	spawning potential ratio
SSB	spawning stock biomass
SSC	Scientific and Statistical Committee
SRFS	State Reef Fish Survey
SRHS	Southeast Region Headboat Survey
SWG	shallow-water grouper
T	time
TF	tilefish
TL	total length
VOC	volatile organic compounds
ww	whole weight

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CHAPTER 1. INTRODUCTION

1.1 Background

Several species of Gulf of Mexico (Gulf) groupers are currently managed within two distinct complexes: the Other Shallow-water Grouper (SWG) complex and the Deep-water Grouper (DWG) complex. Scamp (*Mycteroperca phenax*), yellowmouth grouper (*Mycteroperca interstitialis*), black grouper (*Mycteroperca bonaci*), and yellowfin grouper (*Mycteroperca venenosa*) are managed under the Other SWG complex. Yellowedge grouper (*Hyporthodus flavolimbatus*), snowy grouper (*Hyporthodus niveatus*), warsaw grouper (*Hyporthodus nigritus*), and speckled hind (*Epinephelus drummondhayi*) are managed under the DWG complex. These species were originally assigned to these complexes under the Generic Annual Catch Limits (ACL) and Accountability Measures (AM) Amendment to the Fishery Management Plans (FMP) of the Gulf of Mexico Region (ACL/AM Amendment; GMFMC 2011). Assignment of these species was, at the time, made with respect to where these species occurred in the Gulf environment, and whether it was common for these species to be caught on the same fishing trips. Until recently, none of these eight species had approved peer-reviewed stock assessments available to inform their stock status¹. In 2022, a stock assessment of scamp and yellowmouth grouper was completed (SEDAR 68 2022), which assessed both species together as a complex, 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 Amendment 58 to the FMP for the Reef Fish Resources of the Gulf of Mexico (Reef Fish FMP). Following, in 2024, a stock assessment of yellowedge grouper also passed a peer-review by the SSC (SEDAR 85 2023). Likewise, the SSC recommended updated SDC and catch advice for yellowedge grouper. Due to the way in which the SWG and DWG complexes are managed, modifications to the management of these species were originally examined concurrently in draft Amendment 58. In August 2024, to efficiently address necessary management modifications, the Council decided to split draft Amendment 58 into Amendment 58A, which focuses on the SWG species, and Amendment 58B (this document), which focuses on DWG species. As such, discussion of the SWG complex will be limited from this point forward herein.

The DWG complex is managed under a total complex ACL, and there is no defined commercial or recreational sector allocation. However, the commercial sector is apportioned 96.47% of the total 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 implemented to allow the commercial sector to operate under the Grouper-Tilefish Individual Fishing Quota (IFQ) program (Amendment 29 to the Reef Fish FMP; GMFMC 2008b). Landings (2000 – 2023) by species for DWG are shown in Table 1.1.2. The recreational

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.

landings data used to develop the current catch limits were derived from the Marine Recreational Fisheries Statistics Survey (MRFSS). Landings including those using MRFSS data are shown in Table 1.1.3, which is provided only for illustrative and comparative purposes. Recreational landings are now estimated using Marine Recreational Information Program (MRIP), which includes the Access Point Angler Intercept Survey (APAIS) and the Fishing Effort Survey (FES), 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 methods for estimating fishing effort. Therefore, the total landings shown in Table 1.1.2 cannot be directly compared to the complex ACL shown in Table 1.1.1. A depiction of the percentage of commercial landings attributable to each species within the DWG complex is shown in Figure 1.1.1.

Table 1.1.1. Catch limits and buffers by sector for DWG, as established in the Generic ACL/AM Amendment. Values are in millions of pounds (mp) gutted weight (gw). OFL = overfishing limit; ABC = acceptable biological catch.

Complex	Year	OFL	ABC (Complex ACL)	Comm ACL	Comm Quota	Comm Buffer	Rec ACL
DWG	2016+	1.113	1.105	1.066	1.024	4%	undefined

Table 1.1.2. Landings for DWG by sector from 2000 – 2023. Landings are in lb gw.

Year	Commercial						Recreational (MRIP-FES)					Total Landings
	Snowy Grouper	Speckled Hind	Warsaw Grouper	Yellowedge Grouper	Total Comm Landings	Snowy Grouper	Speckled Hind	Warsaw Grouper	Yellowedge Grouper	Total Rec Landings		
2000	Pre-IFQ Years, SEFSC Commercial ACL Files (February 2024)	184,381	64,242	161,543	1,349,383	1,759,549	Confidential				13,917	1,773,466
2001		175,591	62,366	145,278	873,682	1,256,917	2,804	3,076	90,316	1,370	97,567	1,354,484
2002		134,999	48,220	217,031	925,582	1,325,832	5,763	1,413	61,520	2,159	70,855	1,396,687
2003		218,137	82,000	265,480	1,291,967	1,857,584	695	13,222	48,588	329	62,834	1,920,418
2004		180,487	101,745	176,895	1,020,564	1,479,691	3,273	25,546	89,214	1,162	119,194	1,598,885
2005		182,647	88,636	164,292	918,521	1,354,096	1,771	158	29,522	105,090	136,541	1,490,637
2006		171,616	64,620	140,662	824,952	1,201,850	1,610	42,667	84,972	2,546	131,796	1,333,646
2007		175,531	79,784	86,376	1,002,080	1,343,771	1,035	5,316	9,498	2,822	18,672	1,362,443
2008		199,782	41,187	88,622	946,423	1,276,014	2,426	958	17,434	1,252	22,069	1,298,083
2009		183,998	68,292	117,695	972,112	1,342,097	1,727	697	42,449	3,209	48,081	1,390,178
2010	Gulf IFQ Program	90,180	15,359	56,496	443,887	605,922	11,177	14,006	5,507	28,403	59,094	665,016
2011		132,971	24,925	61,661	558,908	778,465	8,108	2,419	6,621	9,461	26,609	805,074
2012		168,759	43,344	86,212	667,785	966,100	69,469	4,115	35,329	1,212	110,125	1,076,225
2013		108,689	34,922	103,074	673,349	920,034	50,297	205	18,774	6,198	75,474	995,508
2014		159,857	72,241	75,426	773,621	1,081,145	61,282	508	72,897	18,982	153,669	1,234,814
2015		108,980	55,550	55,502	735,218	955,250	12,174	778	3,636	15,669	32,258	987,508
2016		94,830	41,151	44,635	709,349	889,965	3,365	14,666	8,773	22,637	49,441	939,406
2017		87,587	51,061	44,362	677,926	860,936	2,167	345	8,969	4,139	15,619	876,555
2018		89,416	60,618	35,976	677,310	863,320	6,335	363	55,304	39,221	101,224	964,544
2019		91,430	67,082	33,590	804,558	996,660	5,401	5,665	3,225	74,516	88,807	1,085,467
2020		99,072	36,187	22,707	665,406	823,372	4,883	222	18,865	33,522	57,491	880,863
2021		91,362	41,451	17,419	681,679	831,911	11,873	288	2,216	15,286	29,663	861,574
2022		76,075	27,776	15,012	461,661	580,524	15,335	838	2,850	19,826	38,848	619,372
2023		64,877	34,297	12,056	514,547	625,777	10,362	2,856	2,906	52,314	68,438	694,215

Sources: Commercial data from SEFSC Commercial ACL Data (March 2024); SERO Catch Share Database (February 2024). Recreational data from SEFSC Recreational MRIP-FES ACL File (MRIP_FES_rec81_24wv3_23Aug24).

Table 1.1.3. Landings for DWG by sector from 2000 – 2023, using MRFSS data for the recreational sector. Landings are in lb gw.

Year	Total Comm Landings	Total Rec Landings	Total Landings	DWG Complex ACL	% DWG ACL Landed
2013	920,034	60,773	980,807	1,105,000	88.8%
2014	1,081,145	81,938	1,163,083	1,105,000	105.3%
2015	955,250	28,065	983,315	1,105,000	89.0%
2016	889,965	28,589	918,554	1,105,000	83.1%
2017	860,936	13,765	874,701	1,105,000	79.2%
2018	863,320	67,123	930,443	1,105,000	84.2%
2019	996,660	75,513	1,072,173	1,105,000	97.0%
2020	823,372	32,977	856,349	1,105,000	77.5%
2021	831,911	30,771	862,682	1,105,000	78.1%
2022	580,524	44,869	625,393	1,105,000	56.6%
2023	625,777	33,801	659,578	1,105,000	59.7%

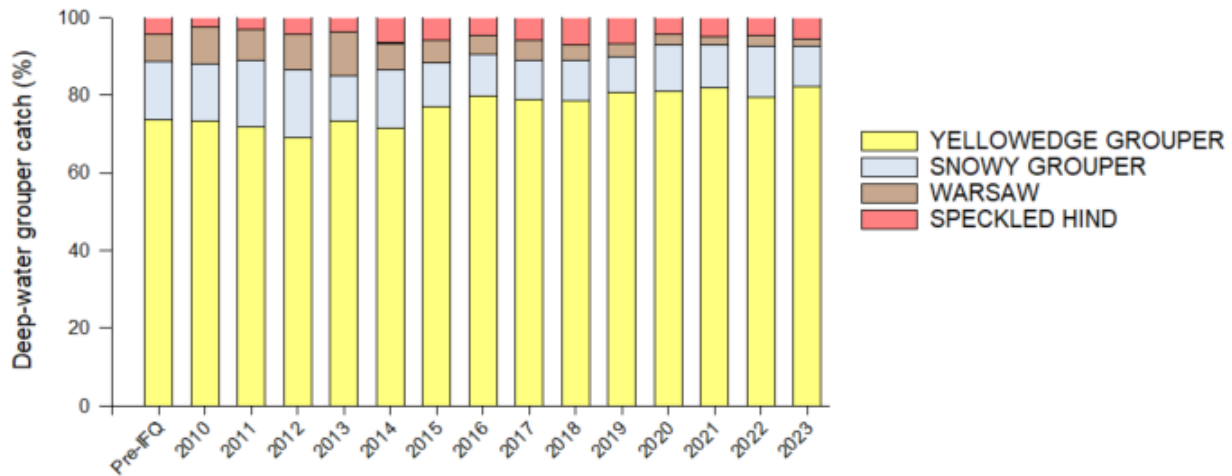


Figure 1.1.1. Percentages of commercial landings by species for the DWG complex from the 2023 Grouper-Tilefish IFQ Program Report². Data for the years prior to the start of the IFQ program are summarized as “Pre-IFQ”.

Commercial Sector

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

² https://noaa-sero.s3.amazonaws.com/drop-files/cs/2023_GT_AnnualReport_FINAL.pdf

determined and distributed at the beginning of each calendar year by multiplying a shareholder's IFQ DWG shares, represented as a fraction of the total commercial quota, times the commercial quota for that year and complex. The current commercial quota is approximately 4% below the commercial ACL (GMFMC 2011; Table 1.1.1). The buffer 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 sector for DWG, and the commercial quota has never been exceeded under the IFQ program.

SWG and DWG Flexibility Measures

Amendment 29 to the Reef Fish FMP (GMFMC 2009) established flexibility measures between the SWG and DWG complexes, in order to reduce discards and allow commercial fishermen to better use the allocation they have in a given fishing year. These measures were implemented without regard to a species' stock status. A graphical depiction of these flexibility measures is shown in Figure 1.1.2. Briefly:

- A shareholder may land scamp under their DWG allocation, so long as they have no SWG allocation remaining in their shareholder account or any associated vessel accounts.
- A shareholder may land warsaw grouper or speckled hind under their SWG allocation, so long as they have no DWG allocation remaining in their shareholder account or any associated vessel accounts.

Because of modifications to the SWG complex structure and catch limits for scamp and yellowmouth grouper, these flexibility measures will be evaluated in Amendment 58A.

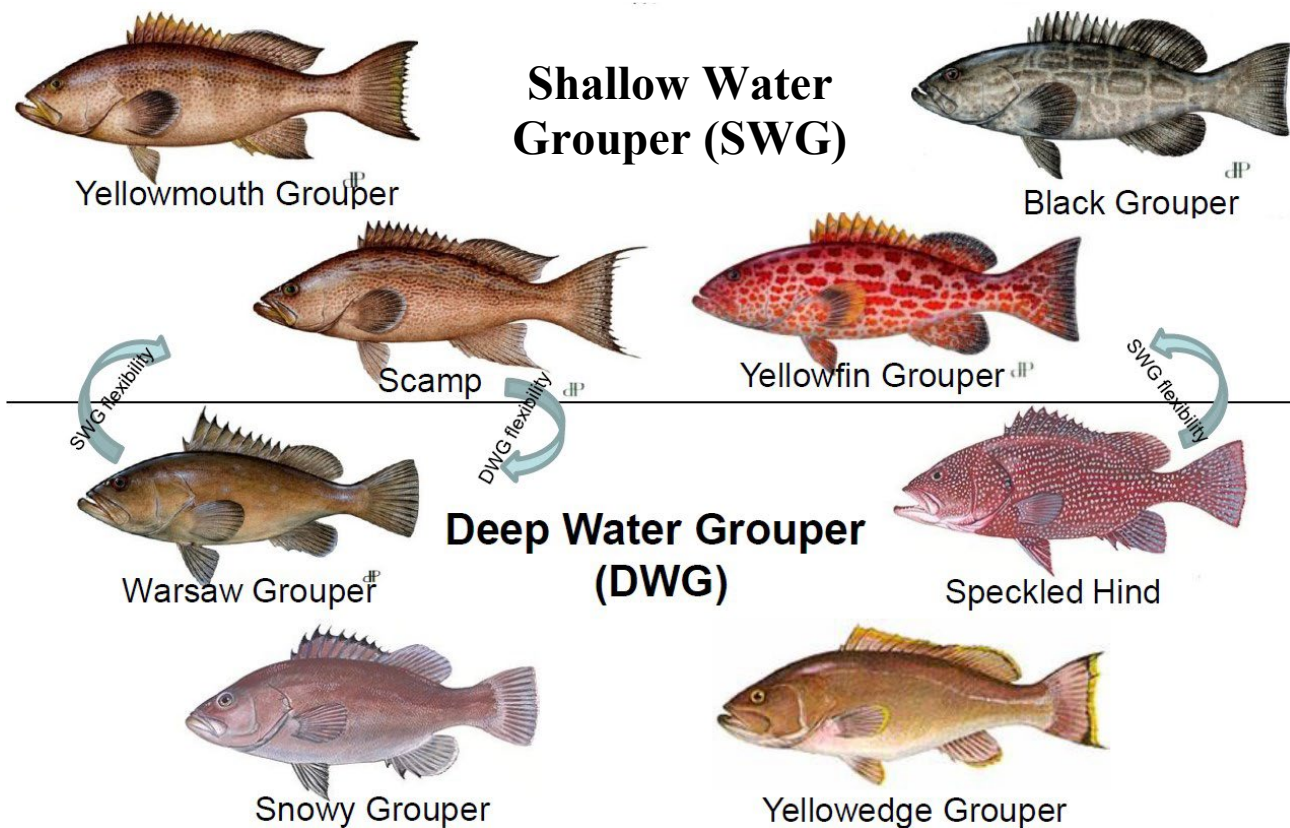


Figure 1.1.2. Depiction of the SWG and DWG flexibility measures as defined in Amendment 29 to the Reef Fish FMP.

Recreational Sector

Recreational fishing for DWG occurs primarily via hook-and-line. All species can be caught throughout the Gulf. Recreational landings comprise an increasing proportion of landings in recent history, yet still comprise a minority fraction of landings for DWG (see Table 1.1.2).

Presently, there is no defined ACL for the recreational sector for DWG. 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 for the recreational sector to harvest. 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 DWG complex is a post-season AM for the recreational sector. This AM states that in the year following an overage, fishing will close for the recreational sector if the complex ACL is projected to be reached. No payback provision for an overage of a complex ACL currently exists. The complex ACL has not been exceeded since implementation of the IFQ program in 2010, and thus the closure and payback provision has not been invoked. However, because the AM is based on reaching the combined (commercial and recreational) ACL, it would allow for overfishing each year since the recreational (undefined) catch limit

could be exceeded prior to the commercial fishery harvesting its IFQ quota. This is especially true given the vast reductions in catch limits being proposed in this document.

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 DWG species, beginning in 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 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 (NMFS 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 (NMFS 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 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 2023³), which evaluated potential respondents' bias (e.g., 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 led to overestimation of fishing effort by MRIP-FES. As a result of this, NOAA OST is conducting a more comprehensive pilot study which 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.

Recent Stock Assessments and Catch Projections

SEDAR 85 (2023)

A stock assessment for yellowedge grouper (SEDAR 85) was completed in 2023 using data through 2021 and assessed yellowedge grouper. This assessment used updated recreational landings information informed by MRIP-FES. However, because recreational landings make up such a small fraction of total yellowedge grouper removals (Table 1.1.3), they were combined with the commercial vertical line fleet for the assessment. These fleets were combined due to similarities in their estimated selectivity and retention functions (i.e., ages and lengths of fish caught by this gear type and kept). In reviewing SEDAR 85, the Council's SSC determined that the proxy value for maximum sustainable yield (MSY), set at the yield when fishing at $F_{30\%SPR}$, was not biologically appropriate for protogynous hermaphrodites like yellowedge grouper. Thus, the SSC recommended changing the MSY proxy to a more conservative yield when fishing at $F_{40\%SPR}$. Based on this proxy, yellowedge grouper was not overfished, but was experiencing overfishing, as of 2021 (Table 1.1.4.). During its review of SEDAR 85, the SSC recommended revised catch limits for yellowedge grouper, which are expected to end overfishing and are shown in Table 1.1.5.

³ <https://www.fisheries.noaa.gov/recreational-fishing-data/fishing-effort-survey-research-and-improvements>

Table 1.1.4. Summary of Magnuson-Stevens Reauthorization Act benchmarks and reference points for the SEDAR 85 assessment. Spawning stock biomass (SSB) is in metric tons (male and female combined SSB), whereas F is a harvest rate (total biomass killed all ages / total biomass age 1+). An SPR proxy of 40% is presented.

Criteria	Definition	Value
SSB ₀	Virgin SSB	13,197
F _{MSYProxy}	Equilibrium F to achieve 40% SPR	0.044
MFMT	F _{MSYProxy}	0.044
F _{Current}	Geometric mean of F ₂₀₁₉₋₂₀₂₁	0.047
F _{Current} /MFMT	Current overfishing status	1.08
SSB _{MSYProxy}	Equilibrium SSB at F _{40%SPR}	4,842
MSST	0.75 * SSB _{40%SPR}	3,632
SSB _{Current}	SSB in 2021	6,017
SSB _{Current} /SSB _{MSYProxy}	Stock status based on SSB _{40%SPR}	1.24
SSB _{Current} /MSST	Stock status based on MSST	1.66
SSB _{Current} /SSB ₀	SSB in 2021 compared to virgin SSB	0.46

Table 1.1.5. SSC recommended OFL and ABC values for yellowedge grouper, based on the results of SEDAR 85 (2023) and using an MSY proxy of the yield when fishing at F_{40%SPR}. Catch limits are in lb gw.

Year	OFL	ABC
2025 – 2029+	487,000	372,000

The SSC also recommended updated catch limits for snowy grouper, warsaw grouper, and speckled hind, using landings calibrated to MRIP-FES to inform recreational landings (Table 1.1.6). The SSC used Tier 3b of the Council’s ABC Control Rule, which is reserved for unassessed and data-poor species, since none of these three species have a peer-reviewed stock assessment to use to inform management decisions.

Table 1.1.6. SSC recommended OFL and ABC values for snowy grouper, warsaw grouper, and speckled hind in lb gw.

Year	OFL	ABC
2025+	244,035	183,026

The SSC thought it appropriate, in the case of DWG, to continue managing all four species together as a complex (Table 1.1.7) by adding the OFL and ABC values for yellowedge grouper to the values for snowy grouper, warsaw grouper, and speckled hind. Since several DWG species inhabit similar environments, the SSC acknowledged the difficulty for fishermen attempting to avoid catching yellowedge grouper when targeting other DWG species. Managing all four DWG species together is expected to reduce overall discard mortality.

Table 1.1.7. SSC combined DWG OFL and ABC recommendations in lb gw.

Year	OFL	ABC
2025 – 2029+	731,035	555,026

Expected Management Considerations

The Council needs to consider revising the MSY proxy for yellowedge grouper given the SSC's recommendation to modify that proxy to the yield when fishing at $F_{40\%SPR}$ for that species. Due in large part to the magnitude of the reduction of the DWG ABC compared to the current landings for the DWG complex, it is possible that the number and composition of DWG discards could change. Thus, the establishment of the separate yellowedge grouper catch limits may require further evaluation of expected discards. The SSC recommended keeping the four DWG species in the same complex for management to reduce discards, which would be expected to be vulnerable to considerable discard mortality due to the deeper depths from which those species are harvested (greater than 100 meters or 330 feet). If yellowedge grouper is managed separately from the other three DWG species, revisions to the DWG complex composition and to the Grouper-Tilefish IFQ program with respect to program structure and share allocation would become necessary. Also, the portion of the DWG stock ACL available to the recreational sector for harvest compared to that sector's recent landings (see Table 1.1.2) may require the establishment of a recreational ACL, and reconsideration of sector allocations. Further, due to the changes proposed to DWG, the current AMs will need to be examined to prevent overfishing.

1.2 Purpose and Need

The purpose of this amendment is to modify the status determination criteria, sector allocations, catch limits, and accountability measures of the DWG complex species in response to recent stock assessment results.

The need for these actions is to use the best scientific information available, based on the recent stock assessment, to implement measures to end overfishing of yellowedge grouper, and to achieve optimum yield for the species considered herein, consistent with the authority under the Magnuson-Stevens Fishery Conservation and Management Act.

1.3 History of Management

This section focuses specifically on management modifications affecting the DWG complex.

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.

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.

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 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, reduced the DWG quota from 1.6 mp ww (equal to 1.35 mp landed weight) to 1.02 mp gw.

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, 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. 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 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 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 Deep-Water Grouper Maximum Sustainable Yield (MSY) Proxy, Overfishing Limit (OFL), Acceptable Biological Catch (ABC), and Complex Annual Catch Limit (ACL)

Alternative 1: No Action. Maintain the current MSY proxy, OFL, ABC, and complex ACL. The MSY proxy is the yield when fishing at 30% spawning potential ratio ($F_{30\%SPR}$), the OFL is 1.113 mp gw, the ABC and complex ACL are 1.105 mp gw.

Alternative 2: Revise the MSY proxy and catch limits for the DWG complex based on the Gulf of Mexico (Gulf) Fishery Management Council's (Council) Scientific and Statistical Committee's (SSC) recommendations. The OFL and ABC for yellowedge grouper would be set based on a MSY proxy of the yield when fishing at $F_{40\%SPR}$, and the yield when fishing at 75% of the F_{MSY} proxy, respectively. The OFL and ABC for the three remaining species would be based on Tier 3b of the Council's ABC Control Rule. The DWG MSY proxy would be the yield when fishing at $F_{40\%SPR}$. The OFL and ABC for yellowedge grouper and the three remaining species would be combined, and all four species would be managed as a single complex with a complex OFL of 731,035 lb gw, and an ABC of 555,026 lb gw. The complex ACL would be set equal to the ABC.

Note: The stock assessment used to determine the catch limits in Alternative 1 included recreational data from the Marine Recreational Fisheries Statistics Survey (MRFSS) which is no longer in operation. Subsequent catch limit recommendations have used more contemporary data and those newer analyses are recognized as consistent with the best scientific information available. Thus, Alternative 1 is not a viable alternative.

Discussion:

Yellowedge grouper were assessed in the Gulf through SEDAR 85 (2023), which estimated that while the stock was not overfished as of 2021, it was experiencing overfishing. The Council's SSC evaluated SEDAR 85 and found the analyses to be consistent with the best scientific information available at its February 2024 meeting. The SSC recommended that the OFL and ABC for yellowedge grouper be 487,000 lb gw and 372,000 lb gw, respectively. The SSC then evaluated updated catch limits for the other three DWG complex species: snowy grouper, warsaw grouper, and speckled hind. These updated landings were informed by the Marine Recreational Information Program (MRIP) Fishing Effort Survey (FES) for the recreational private vessel landings. The SSC recommended that the OFL and ABC for the remaining three DWG complex species for 2025 and subsequent years be 244,035 lb gw and 183,026 lb gw, respectively. Since DWG species inhabit similar environments, the SSC acknowledged the difficulty fishermen would have of attempting to avoid catching yellowedge grouper when targeting other DWG species. Therefore, the SSC also recommended maintaining yellowedge grouper as part of the DWG complex. Since yellowedge grouper has a stock assessment, catch advice informed by SEDAR 85 is added to the OFL and ABC (calculated using Tier 3b of the

ABC Control Rule) for the rest of the DWG complex. This determination maintains the current management structure for this complex.

Alternative 1 would maintain the current MSY proxy, OFL and ABC for the DWG complex, at the yield when fishing at $F_{30\%SPR}$, 1.113 mp gw and 1.105 mp gw, respectively. The MSY proxy in **Alternative 1** was established in Amendment 48 to the Fishery Management Plan (FMP) for the Reef Fish Resources of the Gulf of Mexico (Reef Fish FMP). At that time, there was no defined MSY proxy for any of the species in the DWG complex. The catch limits in **Alternative 1** were based on the results of SEDAR 22 for yellowedge grouper and Tier 3b of the ABC Control Rule for the other three species, which used recreational landings data from the MRFSS. MRFSS has not been in use since 2013. The catch limits in **Alternative 1** are no longer consistent with the best scientific information available. Thus, **Alternative 1** is not a viable alternative.

Alternative 2 would revise the catch limits for the DWG complex based on the SEDAR 85 stock assessment for yellowedge grouper, Tier 3b of the Council's ABC Control Rule for the other three DWG species, and the SSC's recommendations from its February 2024 meeting, which incorporated MRIP-FES data for recreational private vessel landings. The DWG complex OFL would be 731,035 lb gw, and the ABC would be 555,026 lb gw. **Alternative 2** would also modify the MSY proxy for the DWG complex to be the yield when fishing at $F_{40\%SPR}$, based on the SSC's recommendations for yellowedge grouper and the similarities between the species in the DWG complex with respect to their life histories. The SSC recommended changing the yellowedge grouper MSY proxy because yellowedge grouper reaches sexual maturity at older ages relative to other Gulf groupers (half of females are sexually mature by age-9, compared to age-3 in red grouper) and is longer lived (maximum age is estimated at 85 years, SEDAR 85 2023). The other species in the complex are not as long-lived as yellowedge grouper but share other similar characteristics such as later maturity at age (Stevens et al. 2019). Amendment 48 to the Reef Fish FMP provides that for future assessments of reef fish stocks, the MSY proxy equals the yield produced by the F_{PROXY} recommended by the SSC and subject to approval by the Council through a plan amendment. This amendment recognizes the SSC's recommendation for yellowedge grouper and because yellowedge is managed as part of the DWG complex, and the other species in the complex have similar life histories, adopts this new MSY proxy for the complex.

To reduce the likelihood of dead discards, all four DWG complex species would continue to be managed as a single complex under **Alternative 2**. Despite combining the yellowedge grouper OFL and ABC with the three other DWG species, the recommended catch limits are expected to end and prevent overfishing of yellowedge grouper. This is due in part to the historical composition of landings from the DWG complex, in that the other three species are expected to account for some fraction of landings for that complex (approximately 20% for 2019 – 2023; see Table 1.1.2).

Compared to **Alternative 1**, **Alternative 2** is a reduction in allowable catch of approximately 50%. This is due to three main factors. First, the use of the more conservative MSY proxy ($F_{40\%SPR}$) for yellowedge grouper results in a reduction in allowable yield compared to **Alternative 1**, as more of the spawning stock biomass is conserved. Second, when evaluating the projections for yellowedge grouper, the SSC used the average recruitment to the population from 1998 – 2012 to inform future recruitment from the yellowedge grouper stock. This

decision recognized lower recruitment during the time period in which recruitment was estimable, and results in a lower yield projection to account for that. Third, the yield projections informing **Alternative 2** are designed to end overfishing, as is currently occurring under **Alternative 1**.

2.2 Action 2: Modification of Deep-Water Grouper Sector ACLs and Sector Allocations

Alternative 1: No Action. Based on the Generic ACL/AM Amendment, the DWG ACL provides 96.50% of the complex ACL for the commercial sector based on landings during 2001-2004. The recreational sector’s ACL is unspecified.

The complex ACL is set equal to the ABC. Based on the DWG complex OFL of 731,035 lb gw, and the ABC of 555,026 lb gw, the commercial ACL is 535,600 lb gw. The commercial quota is reduced from the commercial ACL by 4% and is set at 514,176 lb gw. The remainder of the complex ACL (19,426 lb gw) is available for use by the recreational sector. These values are shown in the table below in lb gw.

Complex	Year	OFL	ABC (Complex ACL)	Comm ACL	Comm Quota	Rec ACL
DWG	2025-2029+	731,035	555,026	535,600	514,176	undefined

Alternative 2: The complex ACL is set equal to the complex ABC. Establish a recreational ACL and sector allocation based on the average recreational landings as used in the Generic ACL/AM Amendment (2001 – 2004). This results in a recreational ACL of 19,426 lb gw, or 3.50% of the complex ACL. The commercial sector is allocated 96.50% of the complex ACL, or 535,600 lb gw. The commercial quota is reduced from the commercial ACL by 4% and is set at 514,176 lb gw. The recreational and commercial ACLs sum to equal the DWG complex ACL. These values are shown in the table below in lb gw.

Complex	Year	OFL	ABC (Complex ACL)	Comm ACL	Comm Quota	Rec ACL
DWG	2025-2029+	731,035	555,026	535,600	514,176	19,426

Alternative 3: The complex ACL is set equal to the complex ABC. Establish a recreational ACL and sector allocation based on the average recreational landings from the most recent 5 years (2019 – 2023; see Table 1.1.2.). This results in a recreational ACL of 56,834 lb gw, or 10.24% of the complex ACL. The commercial sector is allocated 89.76% of the complex ACL, or 498,191 lb gw. The commercial quota is reduced from the commercial ACL by 4% and is set at 478,264 lb gw. The recreational and commercial ACLs sum to equal the DWG complex ACL. These values are shown in the table below in lb gw.

Complex	Year	OFL	ABC (Complex ACL)	Comm ACL	Comm Quota	Rec ACL
DWG	2025- 2029+	731,035	555,026	498,191	478,264	56,834

Alternative 4: The complex ACL is set equal to the complex ABC. Establish a recreational ACL and sector allocation based on the average of the highest (2014) and lowest (2000) annual recorded recreational landings from 2000 – 2023 (see Table 1.1.2.). This results in a recreational ACL of 83,809 lb gw, or 15.10% of the complex ACL. The commercial sector is allocated 84.90% of the complex ACL, or 471,217 lb gw. The commercial quota is reduced from the commercial ACL by 4% and is set at 452,368 lb gw. The recreational and commercial ACLs sum to equal the DWG complex ACL. These values are shown in the table below in lb gw.

Complex	Year	OFL	ABC (Complex ACL)	Comm ACL	Comm Quota	Rec ACL
DWG	2025- 2029+	731,035	555,026	471,217	452,368	83,809

Discussion:

Currently, there is no specified DWG ACL for the recreational sector. However, the commercial ACL was specified as 96.5% of the complex ACL, which leaves the remainder of the complex ACL (3.5%) to be used by the recreational sector (**Alternative 1**). The current commercial allocation is based on that sector’s average landings from 2001 – 2004. The landings used in the establishment of the allocation scenario in **Alternative 1** included MRFSS data. Because of the transition to MRIP-FES data for the recreational sector (which estimates greater historical recreational landings than MRFSS), and the increase in recreational landings estimated in the SEDAR 85 stock assessment, additional recreational removals are not accounted for in **Alternative 1**. This means that despite the reduction in the catch limits recommended by the Council’s SSC, the increased proportion of landings attributable to the recreational sector as estimated by MRIP-FES do not also increase that sector’s portion of the DWG complex ACL. Thus, the commercial sector is inherently benefitting from a sector allocation standpoint if the sector allocation does not explicitly account for the change from MRFSS to MRIP-FES. **Alternative 2** would establish a recreational ACL and sector allocation using the same percentages used in **Alternative 1**. Thus, **Alternative 2** would also benefit the commercial sector by retaining the same allocation scenario as represented in **Alternative 1**.

For the commercial sector, the Grouper-Tilefish IFQ program serves as the AM. For the recreational sector, if the total complex ACL is exceeded in a fishing year, then in the following fishing year, if the sum of commercial and recreational landings reaches or is projected to reach the complex ACL, NMFS closes the recreational sector for the remainder of that fishing year.

Alternative 3 would establish a recreational ACL and sector allocation based on the average recreational landings from the most recent 5 years (2019 – 2023; see Table 1.1.2.). This time period includes 2020, during which the COVID-19 pandemic resulted in various spatiotemporal effects on fishing effort and landings. However, the DWG landings do not demonstrate any obvious effect from this during 2020. Thus, 2020 data are included here. The recreational ACL would equal 56,834 lb gw, or 10.24% of the complex ACL. The commercial ACL would equal 498,191 lb gw, or 89.76% of the complex ACL. The commercial quota is reduced from the commercial ACL by 4% and is set at 478,264 lb gw. **Alternative 3** would give more weight to recent recreational landings, which have ranged from as low as 29,663 lb gw to as high as 88,807 lb gw. Under **Alternative 3**, the recreational ACL would have been exceeded in 3 of the last 5 years (2019, 2020, and 2023).

Alternative 4 would establish a recreational ACL and sector allocation based on the average of the highest (2014) and lowest (2000) annual recorded recreational landings from 2000 – 2023 (see Table 1.1.2.). This results in a recreational ACL of 83,809 lb gw, or 15.1% of the complex ACL. The commercial ACL is 471,217 lb gw, or 84.9% of the complex ACL. The commercial quota is reduced from the commercial ACL by 4% and is set at 452,368 lb gw. **Alternative 4** would give more recognition to the interannual variability in the recreational landings, which are estimated to have ranged from as low as 13,917 lb gw in 2000 to as high as 153,669 lb gw in 2014. It is important to note that the recreational sector was never closed due to the total DWG complex ACL being met during the reference period used for Alternative 4. Thus, management bias would not be expected to have limited the recreational sector’s ability to harvest DWG species between 2000 – 2023. Under **Alternative 4**, the recreational ACL would have been exceeded in 1 of the last 5 years (2019).

Under **Alternative 2**, **Alternative 3**, and **Alternative 4**, the recreational and commercial ACLs equal the DWG complex ACL, which is set equal to the DWG complex ABC. **Alternative 3** and **Alternative 4** both increase the recreational sector’s allocation of the total DWG complex ACL relative to both **Alternative 1** and **Alternative 2**. Under **Alternative 3** and based on the estimated recreational landings from the most recent 5 years, it is possible that recreational landings would exceed the recreational ACL, especially compared to **Alternative 4**. Though season duration projections will still be necessary, the larger ACLs presented in **Alternative 3**, and more so in **Alternative 4**, may improve the ability of NMFS to monitor recreational harvest against the recreational ACL and apply any AMs compared to **Alternative 2** (there is no recreational ACL under Alternative 1). This is because a larger ACL may result in landings being spread over a larger time period and allowing for landings to be estimated before an ACL closure must be implemented. Table 2.2.1 shows the sector allocations and corresponding ACLs in this action. Figure 2.2.1 demonstrates how the alternatives in Action 2 compared to recent recreational landings in lb gw from 2014 – 2023. Over the last 10 years, recreational landings would have exceeded the recreational ACL 9 times under **Alternative 1** and **Alternative 2**, 5 times under **Alternative 3**, and 3 times under **Alternative 4**. Similar data for the commercial sector are not presented, because recent commercial landings exceed the proposed commercial ACLs in all alternatives in Action 2 for the last 10 years.

Table 2.2.1. Sector allocations and corresponding ACLs for alternatives presented in Action 2. All ACLs are in lb gw.

Alternative	Complex ACL	Rec Sector Allocation	Rec ACL	Comm Sector Allocation	Comm ACL	Comm Quota
1	555,026	none	undefined	96.50%	535,600	514,176
2	555,026	3.50%	19,426	96.50%	535,600	514,176
3	555,026	10.24%	56,835	89.76%	498,191	478,264
4	555,026	15.10%	83,809	84.90%	471,217	452,368

Recent DWG Recreational Landings versus Action 2 Alternatives

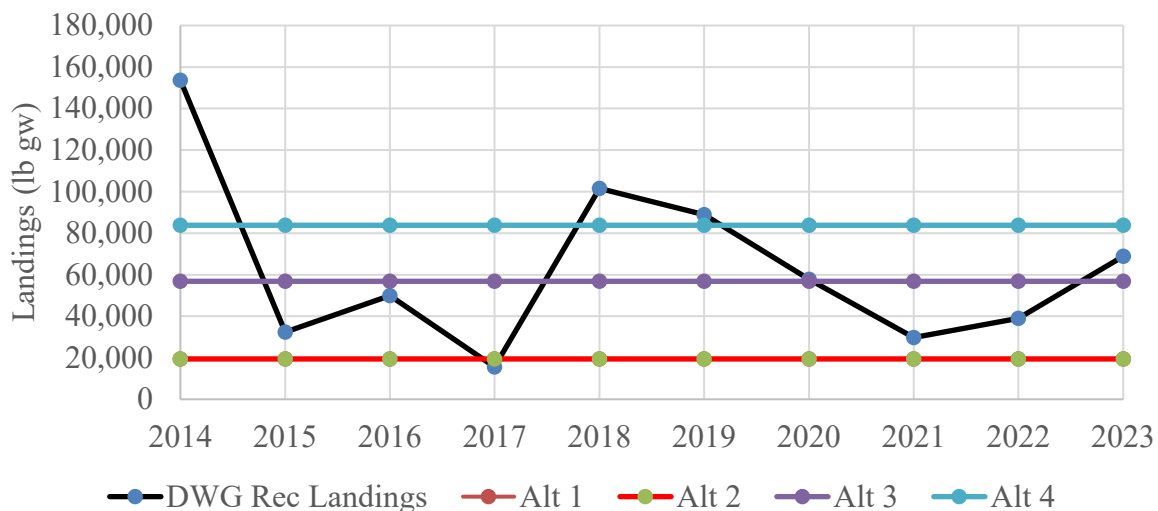


Figure 2.2.1. Comparison of recent landings of DWG species by the recreational sector in lb gw to the alternatives in Action 2. Recreational landings data are the same as those presented in Table 1.1.2. The data for Alternative 1 and Alternative 2 overlap, showing only the data for Alternative 2.

It is important to note that the representativeness of the MRIP-FES recreational landings estimates is highly uncertain, and these data should be used to inform management advice with caution. This is due to two main reasons. First, the proportional standard error about the annual recreational landings estimates for the species in the DWG complex regularly exceeds 50%, even when aggregated to the greatest possible degree (i.e., all recreational fleets combined, all areas in the Gulf combined, and all MRIP waves combined).⁴ Second, the portion of the MRIP-FES survey which records catch, known as the Access Point Angler Intercept Survey (APAIS), is constrained to sampling at public locations and marinas which grant surveyors access. Excluded from APAIS are all private docks, marinas, and other private access points. Given the distances

⁴ <https://www.fisheries.noaa.gov/data-tools/recreational-fisheries-statistics-queries>

necessary to travel to access the depths in which DWG species are typically harvested (again, greater than 100 meters or 330 feet, with the distance from shore to these depths varying across the Gulf), larger vessels with greater fuel capacity and large and/or multiple engines are often used by private anglers to fish these species.

2.3 Action 3: Modification of Deep-Water Grouper Recreational Accountability Measures

Alternative 1: No Action. Maintain the accountability measures (AM) for the DWG complex. For the commercial sector, the Grouper-Tilefish IFQ program serves as the AM. For the recreational sector, if the total complex ACL is exceeded in a fishing year, then in the following fishing year, the Regional Administrator will close the recreational fishing season for the complex for the remainder of that fishing year when the total complex ACL is projected to be met.

Note: Since it is impossible to verify how much of the commercial ACL has been landed until after the commercial fishing year ends on December 31, it is not possible to project when the complex ACL would be met during the fishing year. Therefore, as written, Alternative 1 is not viable.

Alternative 2: Revise the recreational AMs for the DWG complex. For the recreational sector, if the recreational ACL is exceeded in a fishing year, then in the following fishing year, the Regional Administrator would close the recreational fishing season for the DWG complex for the remainder of that fishing year when the recreational ACL is projected to be met. For the commercial sector, the Grouper-Tilefish IFQ program would continue to serve as the AM.

Alternative 3: Revise the recreational AMs for the DWG complex. For the recreational sector, if the recreational ACL is projected to be met in a fishing year, then the Regional Administrator would close the recreational fishing season for the DWG complex for the remainder of that fishing year. For the commercial sector, the Grouper-Tilefish IFQ program would continue to serve as the AM.

Discussion:

The current AMs for the DWG complex were established in the Generic ACL/AM Amendment (GMFMC 2011). These AMs are reflected in **Alternative 1**. The rationale offered in the Generic ACL/AM Amendment for applying the AM to the recreational sector in this manner was if the complex ACL were exceeded, the reason for the overage would be due to high harvests from the recreational sector. So, it was this sector that would be managed under this AM, with the commercial sector using the IFQ Program as its AM. Stock complexes like the DWG complex did not have AMs other than IFQs applied to commercial harvest at the time of the Generic ACL/AM Amendment. The DWG complex also had not had catch apportioned between sectors and so the ACL is specific to the complex as a whole. At the time, the need for season duration projections was only required for those stocks exceeding their ACL and those stocks could be targeted in monitoring activities. None of the DWG complex stocks were overfished, in a rebuilding plan, or undergoing overfishing as of 2008; therefore, the likelihood the DWG ACL would be exceeded was reduced. For this reason, a post-season AM was thought to be appropriate for the DWG complex, and no overage adjustment (payback provision) was applied. However, in practice, **Alternative 1** is not viable because it is impossible to verify how much of the commercial ACL has been landed until after the commercial fishing year ends on December

31st. Thus, it is not possible to project when the complex ACL would be met during the fishing year.

Alternative 2 and **Alternative 3** are proposed in recognition of the overfishing status of yellowedge grouper from SEDAR 85 (2023). Because yellowedge grouper is undergoing overfishing as of 2021, the Council must take steps to end overfishing. This is expected to be accomplished through the reduction of catch limits, as specified in Alternative 2 of Action 1. However, AMs are necessary to help ensure that those reduced catch limits are not exceeded. In this action, **Alternative 2** would modify the AMs for the recreational sector such that if the recreational ACL, as established in Action 2, is exceeded in a fishing year, then in the following fishing year, the Regional Administrator would close the recreational fishing season for the DWG complex for the remainder of that fishing year (post-season AM) when the recreational ACL is projected to be met. Alternative 1 and Alternative 2 of Action 2 would both present the same concerns about the ability to accurately monitor the recreational harvest against the recreational ACL under **Alternative 2** in Action 3. The high interannual variability of these landings (see Table 1.1.2) would be expected to make accurately forecasting recreational fishing season durations difficult, and overages of the recreational ACL would be expected. Alternative 3, and more so Alternative 4 in Action 2, both increase the recreational ACL relative to Alternative 2 in Action 2 and would increase the likelihood of avoiding a closure of the recreational fishing season due to imprecise recreational landings data under **Alternative 2** in Action 3.

Alternative 3 is also proposed in an effort to end overfishing of yellowedge grouper. In conjunction with catch limit reductions in Alternative 2 of Action 1, **Alternative 3** in Action 3 would modify the AMs for the recreational sector such that if the recreational ACL, as established in Action 2, is projected to be met in a fishing year, then the Regional Administrator would close fishing for the recreational sector for the remainder of that fishing year (in-season AM). The same concerns about the ability to accurately monitor the recreational harvest against the recreational ACL exist for **Alternative 3** as under **Alternative 2** in Action 3. **Alternative 3** differs from **Alternative 2** in that if the recreational ACL is estimated to be met under **Alternative 3**, the fishing season closes in that fishing year, as opposed to the fishing season being monitored during the following fishing year and closed then in the event the recreational ACL is estimated to be met again as is the case in **Alternative 2**.

Based on the landings in Table 1.1.2, the proposed catch limits specified in Alternative 2 of Action 1, and on Alternatives 1-3 in Action 2, it is expected that the fishing season for the recreational sector under **Alternative 2** (in the following fishing year) or **Alternative 3** (in the current fishing year) would not continue for the full year as it has in previous years. While this outcome is least likely under Alternative 4 of Action 2, it is nearly certain under Alternatives 1 and 2 of Action 2. This is expected for two reasons. First, the complex ACL specified in Alternative 2 of Action 1 is a reduction in landings of approximately 50%. Second, based on the reductions of the catch limits as specified originally in the Generic ACL/AM Amendment (total ABC to complex ACL, complex ACL to commercial ACL [96.5%], and that which remains available for recreational harvest [3.5%]), and again considering the historical landings in Table 1.1.2, the complex ACL specified in Alternative 2 of Action 1 is expected to be exceeded annually before the end of the fishing year. Further, because the recreational sector's ACLs

under Action 2 would be monitored using MRIP-FES data, the available harvest under the alternatives in Action 2 would be expected to be landed more quickly than under Alternative 1 of Action 2. Thus, without proper consideration of ACLs and AMs for the recreational sector, overages of the recreational ACL may occur. It is common in these circumstances for overages of the complex ACL to occur due to the imprecision of the data available for fishing season projections (and particularly for recreational fishing seasons), and when the closure of the fishing season is scheduled. These fishing season projections are only as reliable as the data upon which they are based. Particularly for DWG species, the accuracy with which the recreational landings are estimated under the current data collection system is poor (see the last paragraph in Section 2.2). When the proportional standard error (PSE) for a species' landings estimate is greater than or equal to 50%, the NOAA Office of Science and Technology (OST), which administers MRIP-FES, does not recommend that estimate for use in management decisions⁵. Per NOAA OST, "the higher the PSE, the larger the margin of error or uncertainty in the data's accuracy." These MRIP-FES data are presently only representative of Mississippi, Alabama, and Florida; Texas and Louisiana have separate recreational data collection programs for estimating recreational landings. The precision of the Texas and Louisiana programs with respect to DWG species has not yet been reviewed by the Council's SSC.

⁵ <https://www.fisheries.noaa.gov/recreational-fishing-data/introduction-marine-recreational-information-program-data#data-use-considerations>

CHAPTER 3. REFERENCES

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