Modifications to Shallow-water Grouper Management Measures

Draft Options for Amendment 58A 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
DLMToolkit	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
F_{MSY}	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

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

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. Scamp (*Mycteroperca phenax*), yellowmouth grouper (*Mycteroperca interstitialis*), black grouper (*Mycteroperca bonaci*), and yellowfin grouper (*Mycteroperca venenosa*) are managed under the Other SWG complex. . These species were originally assigned to this complexe 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, 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 species had approved peer-reviewed stock assessments available to inform their stock status[1]. 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 Amendment 58A to the FMP for the Reef Fish Resources in the Gulf of Mexico (Reef Fish FMP).

The Other SWG complex is managed under a total complex ACL, and there is no defined commercial or recreational sector allocation for either complex. However, the commercial sector is apportioned a specified amount of the total complex ACL for each complex 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 Individual Fishing Quota (IFQ) program (Amendment 29 to the Reef Fish FMP; GMFMC 2008b). Landings (2000 – 2023) by species for the Other SWG are shown in Table 1.1.2. The recreational landings data used to develop the current catch limits were derived from the Marine Recreational Fisheries Statistics Survey (MRFSS). Recreational landings are now estimated using Marine Recreational Information Program, which includes an Access Point Angler Intercept Survey (APAIS) and 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 scales. Therefore, the total landings shown in Table 1.1.2 cannot be directly compared to the total ACL shown in Table 1.1.1. A depiction of the percentage of commercial landings attributable to each species within each grouper complex is shown in Figure 1.1.1.

[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.

Table 1.1.1. Catch limits and buffers by complex and sector for Other SWG and 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. An OFL for Other SWG, and recreational ACLs for both complexes, are presently undefined.

Complex	Year	OFL	ABC (Total ACL)	Comm ACL	Comm Quota	Comm Buffer	Rec ACL
SWG	2015+	undefined	0.710	0.547	0.526	4%	undefined

Table 1.1.2. Landings for Other SWG by sector from 2000 – 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.

	Commercial					Recreational (MRIP-FES)			
Year		Black Grouper	Yellowfin Grouper	Scamp + YMG	Total Comm Landings	Black Grouper + YFG	Scamp + YMG	Total Rec Landings	Total Landings
2000	Pre-IFQ Years SEFSC Commercial ACL Files (February 2024)	390,587	6,996	44,673	442,256	10,777	47,803	58,580	500,836
2001		346,566	7,225	30,542	384,333	27,371	66,988	94,359	478,692
2002		283,751	7,856	47,543	339,150	34,386	93,232	127,617	466,767
2003		332,134	4,380	40,933	377,447	57,770	190,718	248,488	625,935
2004		354,782	6,258	53,848	414,888	8,256	141,925	150,181	565,069
2005		208,309	6,523	47,052	261,884	179,806	168,590	348,396	610,280
2006		147,329	689	35,980	183,998	1,921	324,857	326,778	510,776
2007		92,189	3,913	61,417	157,519	19,863	115,204	135,067	292,586
2008		65,081	2,464	73,528	141,073	3,984	278,945	282,930	424,003
2009		39,702	1,962	66,812	108,476	87,567	198,979	286,546	395,022
2010	Gulf IFQ Program	20,905	1,394	153,618	175,917	334	92,861	93,195	269,112
2011		34,970	945	149,834	185,749	565	124,482	125,048	310,797
2012		47,537	739	249,826	298,102	51,332	237,195	288,527	586,629
2013		56,750	856	243,129	300,735	5,912	261,809	267,721	568,456
2014		60,555	568	169,125	230,248	826	264,495	265,321	495,569
2015		54,831	442	183,154	238,427	3,807	342,097	345,904	584,331
2016		48,788	709	285,741	335,238	8,182	244,715	252,897	588,135
2017		37,032	152	162,825	200,009	8,817	193,630	202,447	402,456
2018		34,806	440	143,047	178,293	358	233,878	234,236	412,529
2019		25,634	377	114,072	140,083	356	411,764	412,120	552,203
2020		25,345	66	119,043	144,454	2,099	380,593	382,692	527,146
2021		25,899	47	129,982	155,928	199	317,851	318,050	473,978
2022		23,892	54	122,752	146,698	1,215	326,023	327,237	473,935
2023		39,814	61	109,137	149,012	32,744	211,234	243,977	392,989

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_23wv6_24Apr24).

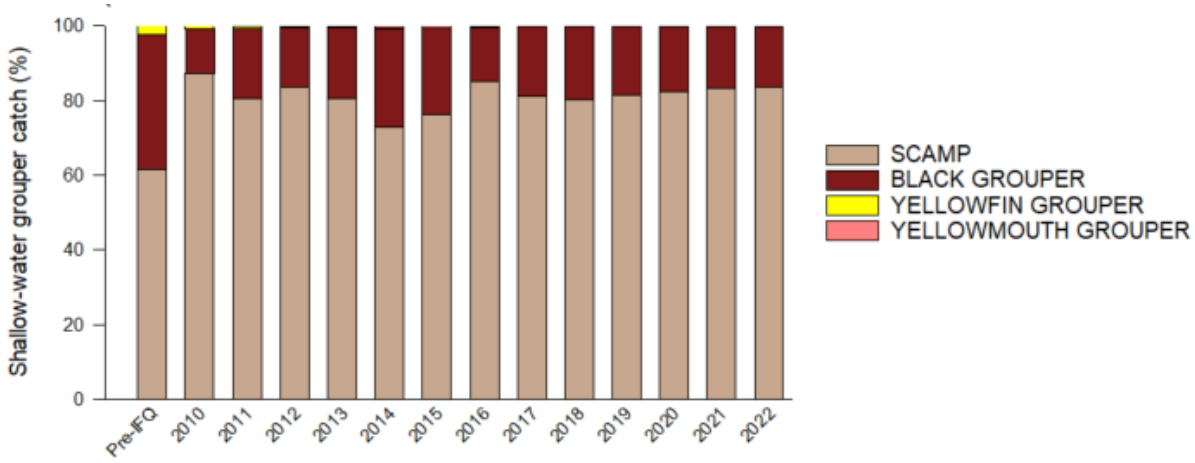

Figure 1.1.1. Percentages of commercial landings by species for the Other SWG complex from the 2022 Grouper-Tilefish IFQ Program Report[2]. Data for the three years prior to the start of the IFQ program are summarized as "Pre-IFQ".

Commercial Sector

Commercial harvest of Other SWG has been managed under the Grouper-Tilefish IFQ program since 2010 (GMFMC 2008b). Anyone commercially fishing for Other SWG must possess a federal commercial reef fish permit and Other SWG 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 quota is approximately 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, and the commercial quota has never been exceeded for this complex under the IFQ program.

Recreational Sector

Recreational fishing for Other SWG 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).

[2] https://noaa-sero.s3.amazonaws.com/drop-files/cs/2022_GT_AnnualReport_Final.pdf

Presently, there is no defined ACL for the recreational sector for either the Other SWG. 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.

Recreational Data

Federal Data Collection Programs

The National Marine Fisheries Service (NMFS) created the Marine Recreational Fisheries Statistics Survey (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 Marine Recreational Information Program (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 (Fishing Effort 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 2023[3]), 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.

Recent Stock Assessments and Catch Projections

SEDAR 68 (2022)

SEDAR 68 2022 was completed in 2021 using data through 2020 and assessed both scamp and yellowmouth grouper together as a complex. The stock identification workshop for SEDAR 68 2022 determined that species misidentification was likely for scamp and yellowmouth grouper measuring approximately 16 inches total length and less; the decision was made to assess the two species together due to the potential for species misidentification combined with similar life histories. SEDAR 68 2022 used updated recreational landings information informed by MRIP-FES. In reviewing SEDAR 68 2022, the Council's SSC determined that the current maximum sustainable yield (MSY) proxy of the yield when fishing at a 30% spawning potential ratio ($F_{30\%SPR}$), was not biologically appropriate for protogynous hermaphrodites (animals which begin life as females and can change sex to male at older ages) like scamp and yellowmouth grouper. Thus, the SSC recommended changing the MSY proxy to a more conservative yield when fishing at $F_{40\%SPR}$, thereby ensuring a larger fraction of the spawning stock biomass would be conserved each year to support future recruitment. The issue of recruitment was discussed at length during the review, with the SSC determining it more appropriate to project future yield under a more conservative recruitment forecast commensurate with recent data (Table 1.1.3). The SSC ultimately recommended catch limits for scamp and yellowmouth grouper shown in Table 1.1.4. While the OFL decreases from 2024 to 2026 as the stock is fished to a long-term equilibrium level, the ABC is fixed at the yield when fishing at 75% of $F_{40\%SPR}$ and based on lower estimated recruitment in the short-term. Despite the healthy stock status (not overfished or undergoing overfishing as of 2020), the recommended catch limits are a reduction from current

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

landings due to the use of a new MSY proxy, along with recent increases in removals of scamp and yellowmouth grouper by the recreational sector without being offset by sufficient recent recruitment (see Table 1.1.2). Consistent with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act, the Council is considering the SSC recommendations to change the MSY proxy and specify new catch limits consistent with that new MSY proxy and the results of SEDAR 68 2022.

Table 1.1.3. Summary of Magnuson-Stevens Reauthorization Act benchmarks and reference points for the SEDAR 68 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	3,779
$F_{MSYProxy}$	Equilibrium F to achieve 40% SPR	0.117
MFMT	$F_{MSYProxy}$	0.117
$F_{Current}$	Geometric mean of $F_{2018-2020}$	0.092
$F_{Current}$/MFMT	Current overfishing status	**0.786**
$SSB_{MSYProxy}$	Equilibrium SSB at $F_{40\%SPR}$	1,230
MSST	0.75 * $SSB_{40\%SPR}$	922
$SSB_{Current}$	SSB in 2021	1,301
$SSB_{Current}/SSB_{MSYProxy}$	Stock status based on $SSB_{40\%SPR}$	1.057
$SSB_{Current}$/MSST	Stock status based on MSST	**1.41**
$SSB_{Current}/SSB_0$	SSB in 2021 compared to virgin SSB	0.34

Table 1.1.4. 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

To constrain harvest to the reduced catch levels and to prevent future overfishing of scamp and yellowmouth grouper, these stocks will need to be managed separately from black grouper and yellowfin grouper. Therefore, separate catch levels for black grouper and yellowfin grouper are proposed based on the same data and methodology used when the Other SWG catch limits were developed in the Generic ACL/AM Amendment (Table 1.1.5). More information on these methodologies can be reviewed in GMFMC (2011)[4]. Importantly, the recreational landings

[4] https://gulfcouncil.org/wp-content/uploads/Final-Generic-ACL-AM-Amendment-September-9-2011-v.pdf

estimates used to develop these catch limits were derived from MRFSS, and that is not being changed through this amendment.[5]

Table 1.1.5. Revised catch limits for black grouper and yellowfin grouper in the Gulf of Mexico, using the time series for each as recommended in the Generic ACL/AM Amendment, and following the jurisdictional apportionment with the South Atlantic Fishery Management Council for black grouper therein. Catch limits are in lb gw and in MRFSS data units.

Year	OFL	Gulf ABC	Gulf Comm ACL	Gulf Comm ACT	Gulf Rec ACL
2015+	Undefined	310,844	227,735	218,626	83,109

Black grouper was last assessed as a single stock that spans the jurisdictions of both the Gulf and South Atlantic Fishery Management Councils (SEDAR 19 2010). Thus, the stock OFL and ABC include harvest in both the Gulf of Mexico and South Atlantic and the ABC is apportioned between the two Councils as specified in the Generic ACL/AM Amendment. Because any changes to the stock OFL and ABC would need to be recommended by both Councils, the Gulf Council is not considering any changes to those catch limits. The proposed combined black grouper and yellowfin grouper catch limits includes the established Gulf apportionment of the black grouper ABC. There is no stock assessment for yellowfin grouper due to limited harvest of this species. The yellowfin grouper portion of the combined catch limits was derived using average total yellowfin grouper landings from the years 1999 – 2008.

Expected Management Considerations

The modifications to the catch limits recommended by the SSC for scamp and yellowmouth grouper will necessitate several changes to Other SWG management in the Gulf.

The Council needs to consider revising the MSY proxy for scamp and yellowmouth grouper given the SSC's recommendation to modify that proxy to $F_{40\%SPR}$ for those species. The SSC did not recommend, and the Council is not considering revising the MSY proxy for the other two SWG species. The revisions to the scamp and yellowmouth grouper MSY proxy and catch limits require that these species be managed separately from black grouper and yellowfin grouper to prevent overfishing from occurring. Managing scamp and yellowmouth grouper separately from black grouper and yellowfin grouper requires revisions to the Other SWG complex composition, and to the Grouper-Tilefish IFQ program with respect to program structure and share allocation. Those revisions will also require the Council to reconsider the sector allocation for scamp and yellowmouth grouper. Due to the many changes proposed to Other SWG, including to the sector allocation, the current AMs will need to be examined to prevent overfishing.

<u>Other SWG and DWG Flexibility Measures</u>:

[5] https://gulfcouncil.org/wp-content/uploads/Final-Generic-ACL-AM-Amendment-September-9-2011-v.pdf

Due to the risk of overfishing scamp and yellowmouth grouper (current landings compared to the proposed ABC), and the subsequent need to restructure the Other SWG, the current flexibility measure allowing warsaw grouper and speckled hind to be landed under Other SWG allocation is not considered in this document. At present, the scamp and yellowmouth grouper is approximately 40% of the recent landings of those two species. Thus, it is expected that the scamp and yellowmouth grouper ABC would be comprised entirely of landings of those species. This would not allow for any remaining quota for the landings of other species using flexibility measures.

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 in response to the results of a recent stock assessment.

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 and IFQ Share Categories

Alternative 1: No Action – Maintain the current composition of the Other SWG complex: scamp, yellowmouth grouper, black grouper, and yellowfin grouper. Maintain the IFQ share category associated with the Other SWG complex.

Alternative 2: Dissolve the Other SWG complex and form two new complexes from the remaining species. The first is the scamp and yellowmouth grouper complex; the second is the black grouper and yellowfin grouper complex. Create two new IFQ share categories: one for the scamp and yellowmouth grouper complex (Scamp Complex) and one for the black grouper and yellowfin grouper complex (Black Grouper Complex). Shares will be distributed such that shareholders will receive the same percentages in each of the two new categories that they held upon dissolution of the Other SWG complex.

Note: *Alternative 1 is inconsistent with the best scientific information available and is therefore not a viable alternative.*

Discussion:

This action would modify the Gulf Other SWG complex based on the results of the SEDAR 68 2022 stock assessment, which assessed Gulf scamp and yellowmouth grouper as a single complex. SEDAR 68 2022 used data through 2020 and updated recreational landings information informed by the Marine Recreational Information Survey (MRIP)-Fishing Effort Survey (FES). The SEDAR 68 2022 stock assessment and its resultant catch projections were determined to be consistent with the best scientific information available by the Gulf of Mexico Fishery Management Council's (Council) Scientific and Statistical Committee (SSC). Although the SSC found the stock to not be overfished and overfishing was not occurring as of 2020, a change to a more conservative proxy for the maximum sustainable yield (MSY) proxy see Chapter 1 above) and recent lower recruitment led the SSC to recommend more conservative catch limits. The recommended catch limits are a reduction from current landings due to the use of the new MSY proxy, along with recent increases in removals of scamp and yellowmouth grouper by the recreational sector (see Table 1.1.2).

Black grouper was last assessed as a single stock across the Gulf and South Atlantic Councils' jurisdictions U.S. (SEDAR 19 2010). Thus, the stock OFL and ABC include harvest in both the Gulf of Mexico and South Atlantic and the ABC is apportioned between the two Councils as specified in the Generic ACL/AM Amendment. Because any changes to the stock OFL and ABC would need to be recommended by both Councils, the Gulf Council is not considering any changes to those catch limits. The proposed combined black grouper and yellowfin grouper catch

limits includes the established Gulf apportionment of the black grouper ABC. There is no stock assessment for yellowfin grouper due to limited harvest of this species.

Alternative 1 would maintain the current Other SWG stock complex, such that it includes scamp, yellowmouth grouper, yellowfin grouper, and black grouper. This alternative is not viable for several reasons. SEDAR 68 2022 included recreational landings estimates for scamp and yellowmouth grouper derived from MRIP-FES while recreational landings estimates for yellowfin grouper and black grouper were derived using MRFSS. Therefore, the recreational landings are not comparable and cannot be combined within a SWG complex. In addition, scamp and yellowmouth grouper require a substantial reduction in the allowable harvest based on SEDAR 68 2022 and the SSC's recommendations. Allowing the current Other SWG complex could allow for overfishing of scamp and yellowmouth grouper.

Alternative 2 would modify the Other SWG complex to form two sub-complexes. The Scamp Complex would include scamp and yellowmouth grouper and the Black Grouper Complex would include black grouper and yellowfin grouper. In addition, because Other SWG species are commercially harvested under the Grouper-Tilefish Individual Fishing Quota (IFQ) program, **Alternative 2** would also create two new share categories, replacing the Other SWG share category: one for scamp and yellowmouth grouper, and one for black grouper and yellowfin grouper. As a result of the Other SWG complex being modified into two new share categories, the flexibility measures as written in Amendment 29 to the Reef Fish FMP (GMFMC 2008b) are not applicable.

Because **Alternative 1** is not viable, and **Alternative 2** best represents the biological requirements of these managed species consistent with the best scientific information available (BSIA), no other alternatives are being considered under this action. Another approach to management under the current IFQ system for these species would not be consistent with BSIA.

2.2 Action 2: Establish Biological Reference Points and Status Determination Criteria (SDC) for the Scamp Complex and the Black Grouper Complex

Alternative 1: No Action – Do not establish MSY, MFMT, MSST, or OY for the new scamp complex and the new black grouper complex as established in Action 1.

Alternative 2: Establish the maximum sustainable yield (MSY) proxy, maximum fishing mortality threshold (MFMT), minimum stock size threshold (MSST), and optimum yield (OY) for the new scamp complex and the new black grouper complex as defined for the Other SWG Complex and for Black Grouper, in Reef Fish Amendment 48 (GMFMC 2021).

Alternative 3: Establish the MSY proxy, maximum fishing mortality threshold (MFMT), minimum stock size threshold (MSST), and optimum yield (OY) for the new black grouper complex as defined for these species in Reef Fish Amendment 48. Establish the MSY proxy, MFMT, MSST, and OY for the scamp complex based on the SSC recommendations as follows:

	Alternative 1	**Alternative 2**	**Alternative 3**	
	Both complexes	Both complexes	Scamp complex	Black grouper complex
MSY	None	yield when fishing at a 30% spawning potential ratio ($F_{30\%SPR}$)	yield when fishing at a 40% spawning potential ratio ($F_{40\%SPR}$)	yield when fishing at a 30% spawning potential ratio ($F_{30\%SPR}$)
MFMT	None	F_{MSY}	F_{MSY}	F_{MSY}
MSST	None	75% of B_{MSY}; $0.75*SSB_{30\%SPR}$ for black grouper	75% of B_{MSY}	75% of B_{MSY} for yellowfin grouper; $0.75*SSB_{30\%SPR}$ for black grouper
OY	None	90% of MSY	90% of MSY	90% of MSY

Discussion:

Alternative 1 would retain the current biological reference points and SDC for Other SWG as defined in Amendment 48 to the Reef Fish FMP (GMFMC 2021). This would be inconsistent with the SSC's recommendation to modify the MSY proxy for scamp and yellowmouth grouper to the more conservative yield when fishing at $F_{40\%}$SPR. Retaining the status quo MSY proxy would also result in an overfishing limit (OFL) and acceptable biological catch (ABC) that are greater than those recommended by the SSC (see Action 1 discussion in Chapter 2). As such, **Alternative 1** is not a viable alternative.

Alternative 2 would establish biological reference points and SDC for the Scamp Complex (scamp/ yellowmouth grouper; if selected in Action 1) and Black Grouper Complex (black grouper/ yellowfin grouper) that are consistent with the values established for the Other SWG in Amendment 48 to the Reef Fish FMP (GMFMC 2021).

Alternative 3 would also establish biological reference points and SDC for both complexes. Under the **Alternative 3**, the MSY proxy for the Scamp Complex would equal yield when fishing at $F_{40\%SPR}$. Likewise, the Maximum Fishing Mortality Threshold (MFMT) would also be revised as consistent with the fishing mortality when fishing at $F_{40\%SPR}$. The MSY proxy and corresponding MFMT values under **Alternative 3** are consistent with the SSC's recommendation for this complex and best scientific information available. For the Black Grouper Complex, the biological reference points are identical between **Alternative 2** and **Alternative 3** and consistent with SSC recommendations and the values for the Other SWG complex established in Reef Fish Amendment 48 (GMFMC 2021).

Relative to **Alternatives 1** and **2, Alternative 3** is expected to make the Scamp Complex more resilient to fishing pressure and other factors (e.g., climate change, episodic mortality events like red tides) that may negatively impact the health of these stocks than. **Alternative 3** would result in lower catch limits for the Scamp Complex than **Alternative 2** because it conserves a larger proportion of the biomass and is therefore expected to result in improved stock health with time. **Alternative 3** would not result in any changes to the Black Grouper Complex relative to **Alternative 2**.

2.3 Action 3: Establish the Stock Complex OFL and ABC for the Scamp Complex and Black Grouper Complex

Alternative 1: No Action – Do not establish catch limits for the new scamp complex and the new black grouper complex as established in Action 1.

Alternative 2: Establish catch limits for the scamp complex based on the SSC's recommendations from SEDAR 68 2022 for 2026+. Catch limits, in gutted weight (gw), were derived in part using MRIP-FES and would be monitored using estimates from MRIP-FES.

Year	OFL	ABC
2026+	257,000	203,000

Establish catch limits for the black grouper complex using the time series for each as recommended in the Generic ACL/AM Amendment, with the Gulf Council's apportionment of black grouper based on the SSC's recommendations. Catch limits are in gutted weight and in MRFSS data units.

Year	OFL	ABC
2026+	Undefined*	310,844

*OFL is not defined because of incompatible OFLs. The black grouper OFL is for Gulf and South Atlantic combined, while the yellowfin OFL is for the Gulf.

Discussion:

This action would consider updates to the catch limits (OFL, ABC) for the Scamp Complex based on SEDAR 68 (Scamp Complex) and OFL and ABC recommendations (Scamp Complex and Black Grouper Complex) from the SSC.

Alternative 1 (No Action) would maintain the current catch limits as established in the Generic ACL/AM Amendment. These catch limits were set using recreational data from MRFSS, and using an MSY proxy of the yield when fishing at $F_{30\%SPR}$. For the Scamp Complex, SEDAR 68 2022 included recreational landings estimates derived from MRIP-FES, and the resultant catch projections used a more conservative but biologically appropriate MSY proxy of the yield when fishing at $F_{40\%SPR}$. The SSC has recommended that SEDAR 68 2022 and the resultant OFL and ABC projections are consistent with the best scientific information available. The catch limits in **Alternative 1** do not reflect the SSC's recent recommendations, and would allow for overfishing of the Scamp Complex by not managing scamp and yellowmouth grouper explicitly, but rather along with black grouper and yellowfin grouper. Thus, **Alternative 1** is not a viable alternative.

Alternative 2 would modify catch limits for the Scamp Complex by setting the OFL at the yield when fishing at $F_{40\%SPR}$ and the ABC at the yield when fishing at 75% of $F_{40\%SPR}$, or 0.203 mp gw each year. Catch limits would be set at this level until changed by future management action. The SSC recommended changing the F_{MSY} proxy to $F_{40\%SPR}$, thereby ensuring a larger fraction of

the spawning stock biomass would be conserved each year to support future recruitment and make the stock more robust to fishing pressure and environmental variables.

Black grouper catch limits were set in the Generic ACL/AM Amendment based on average landings from 2004 – 2008 and 73% of the ACL was allocated to the commercial sector. As explained in Action 1, black grouper is considered as one stock across the Gulf and South Atlantic. Apportionment between the Councils is based on the Council jurisdictional boundary: South Atlantic = 47% of stock ABC and Gulf = 53% of stock ABC (as established by using 50% of catch history from 1986 – 2008 + 50% of catch history from 2006 – 2008). Because black grouper is jointly managed by the Council and South Atlantic Council, catch limits cannot be modified in this amendment without cooperation from the South Atlantic Council. Although the Council's SSC recommended reductions for black grouper catch limits, these reductions cannot be implemented because the amendment is not being developed in conjunction with the South Atlantic Council. Current yellowfin grouper catch limits were set in the Generic ACL/AM Amendment based on landings from 2001 – 2004 and 80.1% of the ACL was allocated to the commercial sector. The yellowfin grouper ACL is added to the Gulf apportionment of the black grouper stock ACL in the same data units. Similar to **Alternative 1**, the OFL black grouper, and by extension, the Black Grouper Complex would remain undefined. The Gulf portion of the ABC for black grouper would remain equal for the **Alternative 1** and **Alternative 2** and under the **Alternative 2**, the ABC is equal 310,844 lb gw.

2.4 Action 4: Establish ACLs and Sector Allocations for the Scamp Complex and the Black Grouper Complex

Alternative 1: No Action – Do not establish sector allocations for the scamp complex and for the black grouper complex.

Alternative 2: Establish the scamp complex stock ACL and set equal to the ABC. Establish the black grouper complex stock ACL and set equal to the ABC, where the ABC for the complex represents the summation of the ABC for yellowfin grouper and the Gulf-apportioned ABC for black grouper. Establish sector allocations for the scamp complex based on apportionment of the stock ACL to the commercial sector established in the Generic Annual Catch Limit/AM (ACL/AM) Amendment (GMFMC 2011). **The commercial sector is allocated 80.1% of the scamp and yellowmouth grouper combined ACL, and the recreational sector is allocated 19.9%.** Establish sector allocations for the black grouper complex based on the apportionment of the black grouper ACL and yellowfin grouper ACL between sectors as defined in the Generic ACL/AM Amendment as follows: commercial sector is allocated 73% of the Gulf's apportionment of the black grouper ACL, and the recreational sector is allocated 27%. The commercial sector is allocated 80.1% of the yellowfin grouper ACL and the recreational sector is allocated 19.9%.

Alternative 3: Establish the scamp complex stock ACL and set equal to the ABC. Establish the black grouper complex stock ACL and set equal to the ABC, where the ABC for the complex represents the summation of the ABC for yellowfin grouper and the Gulf-apportioned ABC for black grouper. Establish commercial-recreational allocations for the scamp complex and black grouper complex. **The scamp complex allocations are based on landings for 2012-2023 excluding the 2020 COVID year, resulting in a split of 38.6% for the commercial sector and 61.4% for the recreational sector.** Maintain the apportionment of the black grouper ACL and yellowfin grouper ACL between sectors as follows based on the Generic ACL/AM Amendment: commercial sector is allocated 73% of the Gulf's apportionment of the black grouper ACL, and the recreational sector is allocated 27%. The commercial sector is allocated 80.1% of the yellowfin grouper ACL and the recreational sector is allocated 19.9%.

Alternative 4: Establish the scamp complex stock ACL and set equal to the ABC. Establish the black grouper complex stock ACL and set equal to the ABC, where the ABC for the complex represents the summation of the ABC for yellowfin grouper and the Gulf-apportioned ABC for black grouper. Establish commercial-recreational allocations for the scamp complex by reducing catch limits equally (percentage-wise) between the commercial and recreational sectors based on the most recent three years of landings (i.e. 2021-2023). **The scamp complex ACL would be split 29.7% for the commercial sector and 70.3% for the recreational sector.** Maintain the apportionment of the black grouper ACL and yellowfin grouper ACL between sectors as follows based on the Generic ACL/AM Amendment: commercial sector is allocated 73% of the Gulf's apportionment of the black grouper ACL, and the recreational sector is allocated 27%. The commercial sector is allocated 80.1% of the yellowfin grouper ACL and the recreational sector is allocated 19.9%.

Discussion:

Alternative 1 would not establish sector allocations for the scamp complex and for the black grouper complex. **Alternatives 2 - 4** would establish sector allocations for the black grouper complex based on the Generic ACL/AM Amendment. **Alternative 2** would establish sector allocations for the scamp complex based on the Generic ACL/AM Amendment. In practice, if the Council selects **Alternative 2**, then it will be reallocating from the recreational sector to the commercial sector. This is because the MRIP-FES recreational landings estimates used in the SEDAR 68 stock assessment and resultant catch projections estimate much higher historical recreational landings than MRFSS, which was the data unit used in the Generic ACL/AM Amendment. Thus, **Alternative 2** would actually lower the allowable landings for the recreational sector relative to the status quo. **Alternative 3** would establish sector allocations for the scamp complex based on landings for 2012-2023, excluding the 2020 COVID year. The landings used for establishing these sector allocations are displayed in Table 2.4.1. This represents a large decrease in the commercial sector allocation with a similar increase in the recreational sector allocation. This allocation is based on landings for all years (apart from 2020) since the Generic ACL/AM Amendment established the SWG complex, its commercial allocation for those species, and set catch limits. 2020 was considered an outlier year due to abnormal fishing effort for many Gulf species because of the COVID-19 pandemic. In using all years since 2012, when Generic ACL/AM Amendment was implemented, **Alternative 3** provides the greatest number of years of appropriate landings to be used in setting the allocation percentages. Because of the longer time period (relative to other alternatives) used in setting the allocation, **Alternative 3** may serve to avoid the effects of short-term trends or changes in fishery dynamics, instead relying on the long-term catch percentages by sector. **Alternative 4** would establish commercial-recreational allocations for the scamp complex by reducing catch limits equally (percentage-wise) between the commercial and recreational sectors based on the most recent three years of landings (i.e. 2021-2023). These sector allocations are displayed in Table 2.4.2.

Table 2.4.1. Excerpt of scamp complex landings compared to total Other SWG landings, and the sector-specific percentages of scamp complex landings, for 2012 – 2023. Alternative 2 calculations of sector allocation excludes 2020. Data used are the same as in Table 1.1.2.

Year	Comm Scamp Complex Landings	Total Comm Landings	Rec Scamp Complex Landings	Total Rec Landings	Total Landings	Scamp Complex % Comm	Scamp Complex % Rec
2012	249,826	298,102	237,195	288,527	586,629	51.3%	48.7%
2013	243,129	300,735	261,809	267,721	568,456	48.2%	51.8%
2014	169,125	230,248	264,495	265,321	495,569	39.0%	61.0%
2015	183,154	238,427	342,097	345,904	584,331	34.9%	65.1%
2016	285,741	335,238	244,715	252,897	588,135	53.9%	46.1%
2017	162,825	200,009	193,630	202,447	402,456	45.7%	54.3%
2018	143,047	178,293	233,878	234,236	412,529	38.0%	62.0%
2019	114,072	140,083	411,764	412,120	552,203	21.7%	78.3%

2020	119,043	144,454	380,593	382,692	527,146	23.8%	76.2%
2021	129,982	155,928	317,851	318,050	473,978	29.0%	71.0%
2022	122,752	146,698	326,023	327,237	473,935	27.4%	72.6%
2023	109,137	149,012	211,234	243,977	392,989	34.1%	65.9%
						% Comm	**% Rec**
					Alt 3	38.6%	61.4%

Table 2.4.2. Sector Allocations for Black Grouper, Yellowfin Grouper, and Scamp Complex

	Alternative 2		**Alternative 3**		**Alternative 4**	
	Comm	Rec	Comm	Rec	Comm	Rec
Black grouper	73%	27%	73%	27%	73%	27%
Yellowfin grouper	80.1%	19.9%	80.1%	19.9%	80.1%	19.9%
Scamp complex	80.1%	19.9%	38.6%	61.4%	29.7%	70.3%

For the scamp complex, **Alternatives 2** – **4** establish the stock ACL and set it equal to the ABC. For the black grouper complex, **Alternatives 2- 4** establish the stock ACL and set it equal to the ABC, where the ABC for the complex represents the summations of the ABC for yellowfin grouper and the Gulf-apportioned ABC for black grouper. These values are displayed in Table 2.4.3.

Table 2.4.3. Stock Complex ABC, Stock ACL, Commercial ACL, and Recreational ACL for the Black Grouper Complex and the Scamp Complex

		Black Grouper Complex	**Scamp Complex**
Alt 2	Stock complex ABC*	310,844	203,000
	Stock ACL	310,844	203,000
	Comm. ACL	227,735	162,603
	Rec. ACL	83,109	40,397
Alt 3	Stock complex ABC	310,844	203,000
	Stock ACL	310,844	203,000
	Comm. ACL	227,735	78,358
	Rec. ACL	83,109	124,642
Alt 4	Stock complex ABC	310,844	203,000
	Stock ACL	310,844	203,000
	Comm. ACL	227,735	60,291
	Rec. ACL	83,109	142,709

*For the black grouper complex, the stock complex ABC represents the summation of the ABC for yellowfin grouper and the Gulf-apportioned ABC for black grouper.

2.5 Action 5: Establish Sector ACL and ACT Buffers for the Scamp Complex and the Black Grouper Complex

Alternative 1: No Action – Do not establish sector buffers between the ACL and ACT for the scamp complex and the black grouper complex.

Alternative 2: For the scamp complex, establish a buffer between the commercial allocation of the ACL and ACT at 4%, as established in the Generic Annual Catch Limit/AM (ACL/AM) Amendment (GMFMC 2011). The commercial ACT is equal to the commercial quota. For the scamp complex, establish a buffer of 18% between the recreational ACL and the recreational ACT using the Council's ACL/ACT Control Rule and manage the recreational sector to this ACT. For the black grouper complex, establish a buffer between the commercial allocation of the ACL and ACT at 4%, as established in the Generic Annual Catch Limit/AM (ACL/AM) Amendment (GMFMC 2011). The commercial ACT is equal to the commercial quota. For the black grouper complex, do not establish an ACT for the recreational sector and manage the recreational sector to its sector ACL.

Discussion:

Alternative 1 would not establish sector ACL/ACT buffers for the scamp complex or for the black grouper complex. **Alternative 2** would establish a 4% buffer between the commercial allocation of the ACL and ACT for the scamp complex and for the black grouper complex. The ACTs would be equal to the commercial quota for each complex, and the quota is used to distribute IFQ allocation at the beginning of each fishing year. Alternative 2 also establishes an 18% buffer between the recreational ACL and ACT using the Council's ACL/ACT Control Rule, using the years 2019, 2021-2023 as see in Appendix A; a recreational ACT would not be established for the black grouper complex. The buffers that would be established by **Alternative 2** are shown in Table 2.5.1.

Table 2.5.1. Sector ACL and ACT Buffers for Black Grouper Complex and Scamp Complex

	Action 5, Alt 2	
	Comm ACL/ACT Buffer	Rec ACL/ACT Buffer
Black grouper complex	4%	N/A
Scamp complex	4%	18%

As the sector allocations for the black grouper complex remain the same across **Alternatives 2** – **4** in Action 4, the resulting commercial ACL, commercial ACT (for Action 5 **Alternative 2**), and recreational ACL are constant regardless of whether **Alternative 1** or **Alternative 2** are selected in Action 5. These values are displayed in Table 2.5.2. For the scamp complex and the black grouper complex, the commercial quota is the commercial ACT rounded down to the nearest 1,000.

Table 2.5.2. Gulf Apportioned Black Grouper and Yellowfin Grouper Catch Limits in lb gw.

Year	Com ACL	Action 5, Alt 2: Com ACT	Rec ACL
2026+	227,735	218,000	83,109

*In MRFSS data units.

Since sector allocations for the scamp complex differ across **Alternatives 2** – **4** in Action 4, the resulting commercial ACL, commercial ACT (for Action 5 **Alternative 2**), recreational ACL, and recreational ACT (for Action 5 **Alternative 2**) differ based on the preferred alternative in Action 4. The resulting values are displayed in Table 2.5.3.

Table 2.5.3. Scamp Complex Catch Limits in lb gw.

Year		Comm ACL	Action 5, Alt 2: Comm ACT*	Rec ACL	Action 5, Alt 2: Rec ACT
2026+	Action 4, **Alt 2**	162,603	156,000	40,397	33,125
2026+	Action 4, **Alt 3**	78,358	75,000	124,642	102,206
2026+	Action 4, **Alt 4**	60,291	57,000	142,709	117,021

*Commercial quota is the commercial ACT rounded down to the nearest 1,000.

2.6 Action 6: Establish Recreational Sector Accountability Measures for the Scamp Complex and the Black Grouper Complex

Alternative 1: No Action – Do not establish recreational sector accountability measures for the scamp complex and the black grouper complex.

Alternative 2: Recreational fishing would close for the scamp complex when NMFS projects that the recreational ACT (as established in Action 5) is met. Recreational fishing would close for the black grouper complex when NMFS projects that the recreational ACL (as established in Action 4) is met.

Discussion:

Alternative 1 would not establish recreational sector accountability measures for either the scamp or the black grouper complex. **Alternative 2** would close recreational fishing for the black grouper complex when the recreational ACL is projected to be met and would close recreational fishing for the scamp complex when the recreational ACT is met. **Alternative 2** would provide a buffer to decrease the chances of exceeding the ACL and of overfishing for the scamp complex but is likely to result in less realized harvest by the recreational sector and potentially a shorter season.

2.7 Action 7: Establish a Fixed Recreational Closed Season for the Scamp Complex and the Black Grouper Complex

Alternative 1: No Action – Do not establish a fixed closed season for the recreational sector for the scamp complex and the black grouper complex.

Alternative 2: Establish a fixed closed season for the recreational sector for the scamp and complex and the black grouper complex. The scamp complex will be closed from January through April each year (open on May 1 until December 31) or require closure based on when the recreational ACT is projected to be met.

Alternative 3: Establish a fixed closed season for the recreational sector for the scamp complex. The scamp and yellowmouth complex will be closed from January through June each year (open on July 1 until December 31) or require closure based on when the recreational ACT is projected to be met.

Discussion:

Alternative 1 would not establish a fixed closed season for the recreational sector for the scamp complex and the black grouper complex. **Alternative 2** will close the scamp complex from January through April each year, while **Alternative 3** will close the scamp complex from January through June each year. Both **Alternatives 2** and **3** would require closure when the recreational ACT is projected to be met. **Alternative 3** will result in a shorter fishing season for recreational sector.

CHAPTER 3. AFFECTED ENVIRONMENT

3.1 Description of the Physical Environment

3.2 Description of the Biological and Ecological Environment

3.3 Description of the Economic Environment

3.4 Description of the Social Environment

3.5 Description of the Administrative Environment

CHAPTER 4. REFERENCES

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Appendix A. Gulf of Mexico Fishery Management Council ACL/ACT Buffer Calculation Spreadsheet

As of 10/16/2024			**Note: Scamp used as indicator for PSE determination and SDC**	**Gulf SWG**	
ACL/ACT Buffer Spreadsheet			version 4.1 - April 2011	**Sector: Rec**	
sum of points	4			**Years: 2019, 2021-2023**	
max points	5.0		Buffer between ACL and ACT (or ABC and ACL)	Unweighted	15
Min. Buffer	**0**	**min. buffer**	User adjustable	Weighted	**18**
Max Unw.Buff	19	max unwt. Buff			
Max Wtd Buff	**25**	**max wtd. buffer**	User adjustable		

	Component	Element score	Element	Selection	Element result
	Stock assemblage	0	This ACL/ACT is for a single stock.		1
		1	This ACL/ACT is for a stock assemblage, or an indicator species for a stock assemblage	x	
	Ability to Constrain Catch	0	Catch limit has been exceeded 0 or 1 times in last 4 years	x	0
		1	Catch limit has been exceeded 2 or more times in last 4 years		
			For the year with max. overage, add 0.5 pts. For every 10 percentage points (rounded up) above ACL	0.0	
			Not applicable (there is no catch limit)		
			Apply this component to recreational fisheries, not commercial or IFQ fisheries		
		0	Method of absolute counting		2
	Precision of	1	MRIP proportional standard error (PSE) <= 20		
	Landings Data	2	MRIP proportional standard error (PSE) > 20	x	
	Recreational		Not applicable (will not be included in buffer calculation)		
			Apply this component to commercial fisheries or any fishery under an IFQ program		
	Precision of	0	Landings from IFQ program		not applicable
		1	Landings based on dealer reporting		
	Landings Data	2	Landings based on other		
	Commercial		Not applicable (will not be included in buffer calculation)	x	
	Timeliness	0	In-season accountability measures used or fishery is under an IFQ		1
		1	In-season accountability measures not used	x	
				Sum	4

Weighting factor				
	Element weight	Element	Selection	Weighting
Overfished status	0	1. Stock biomass is at or above B_{OY} (or proxy).		0.2
	0.1	2. Stock biomass is below B_{OY} (or proxy) but at or above B_{MSY} (or proxy).		
	0.2	3. Stock biomass is below B_{MSY} (or proxy) but at or above minimum stock size threshold (MSST).	x	
	0.3	4. Stock is overfished, below MSST.		
	0.3	5. Status criterion is unknown.		