Modifications to Shallow-Water Grouper Management Measures

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

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ABBREVIATIONS USED IN THIS DOCUMENT

ABC	acceptable biological catch
ACL	annual catch limit
ACT	annual catch target
AM	accountability measures
APAIS	Access Point Angler Intercept Survey
BMSY	stock biomass level capable of producing an equilibrium yield of MSY
BSIA	best scientific information available
CHTS	Coastal Household Telephone Survey
Council	Gulf Council
Councils	Gulf and South Atlantic Fishery Management Councils
DWG	deep-water grouper
E.O.	Executive Order
EA	Environmental Assessment
EEZ	exclusive economic zone
EIS	economic impact statement
FES	Fishing Effort Survey
FHS	for-hire survey
FMP	Fishery Management Plan
FMSY	maximum sustainable yield
GT	grouper-tilefish
Gulf	Gulf of America (Formerly Gulf of Mexico)
IFQ	individual fishing quota
IRFA	initial regulatory flexibility analysis
LA Creel	Louisiana Department of Wildlife and Fisheries' recreational creel survey
LAPP	Limited Access Privilege Program
MD	Memorial Day
MFMT	maximum fishing mortality threshold
MRFSS	Marine Recreational Fishery Statistics Survey
MRIP	Marine Recreational Information Program
MSST	minimum stock size threshold
MSY	maximum sustainable yield
Magnuson-Stevens Act	Magnuson-Stevens Fishery Conservation and Management Act
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
OFL	overfishing limit
OST	Office of Science and Technology
OY	optimum yield
Other SWG	Other Shallow-water Grouper complex
RFA	Regulatory flexibility analysis

RIR	Regulatory Impact Review
RS	red snapper
Reef Fish FMP	Fishery Management Plan for the Reef Fish Resources in the Gulf
SDC	status determination criteria
SEDAR	Southeast Data, Assessment, and Review
SEFSC	Southeast Fisheries Science Center
SEIS	Supplemental Environmental Impact Statement
SERO	Southeast Regional Office
SMZ	special management zone
SPR	spawning potential ratio
SRHS	Southeast Regional Headboat Survey
SSB	spawning stock biomass
SSC	Scientific and Statistical Committee
SWG	shallow-water grouper
South Atlantic Council	South Atlantic Fishery Management Council
TAC	total allowable catch
TL	total length
TPWD	Texas Parks and Wildlife Department
YFG	yellowfin grouper
YMG	yellowmouth grouper
gw	gutted weight
mp	million pounds
ww	whole weight

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CHAPTER 1. INTRODUCTION

1.1 Background

Several species of Gulf of America (Gulf)[1] grouper are currently managed together in the Other Shallow-water Grouper (SWG) complex: scamp (*Mycteroperca phenax*), yellowmouth grouper (*Mycteroperca interstitialis*), black grouper (*Mycteroperca bonaci*), and yellowfin grouper (*Mycteroperca venenosa*). These species were originally assigned to this complex in the Generic Annual Catch Limits (ACLs) and Accountability Measures (AMs) Amendment to the Fishery Management Plans (FMPs) of the Gulf Region (ACL/AM Amendment; GMFMC 2011). This grouping was based on 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[2]. 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 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 (Reef Fish FMP). While developing Amendment 58A the Council simultaneously finalized a framework action at its June 2025 meeting.[3] The purpose of that framework action is to reduce catch levels to align with catch advice from SEDAR 68 and adjust the recreational fishing season to achieve those harvest targets beginning in 2026, while Amendment 58 (this document) is being finalized.

The ACL/AM Amendment specified a total complex ACL for the Other SWG complex with and apportioned a specified amount of the total complex ACL to the commercial sector. 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 – 2024) 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), Louisiana Department of Wildlife and Fisheries Creel Survey (LA Creel), Southeast Regional Headboat Survey, and Texas Park and Wildlife (TPWD) survey. Recreational landings are now estimated using the TPWD recreational creel survey, the LA Creel, the Southeast Region Headboat Survey (SRHS), For-hire Telephone Survey (FHS) and the Marine Recreational Information Program (MRIP) and Fishing Effort Survey (FES). MRIP-FES includes the Access Point Angler Intercept Survey (APAIS) and the FES, and covers Florida, Alabama, and Mississippi. MRFSS and MRIP-FES both generate landings 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

[1] The Gulf of Mexico was renamed the Gulf of America pursuant to Executive Order 14172, and Secretary of the Interior Order No. 3423.

[2] 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.

[3] https://gulf-council-media.s3.amazonaws.com/uploads/2025/07/SWG-Framework-Action_Final.pdf

compared to the total ACL shown in Table 1.1.1. A depiction of the percentage of commercial landings attributable to each species within the Other SWG complex is shown in Figure 1.1.1.

Table 1.1.1. Catch limits and buffers by complex and sector for Other SWG as established in the Generic ACL/AM Amendment. Values are in millions of pounds (mp) gutted weight (gw). OFL = overfishing limit; ABC = acceptable biological catch. An OFL for Other SWG and the recreational ACLs 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 – 2024. Landings are in lb gw. 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	47,774	58,551	500,807
2001		346,566	7,225	30,542	384,333	27,368	66,988	94,356	478,689
2002		283,751	7,856	47,543	339,150	34,132	93,232	127,363	466,513
2003		332,134	4,380	40,933	377,447	57,748	190,714	248,462	625,909
2004		354,782	6,258	53,848	414,888	8,256	141,870	150,126	565,014
2005		208,309	6,523	47,052	261,884	179,705	168,559	348,264	610,148
2006		147,329	689	35,980	183,998	1,915	324,857	326,773	510,771
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	278,926	282,910	423,983
2009		39,702	1,962	66,812	108,476	87,558	198,979	286,538	395,014
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	51,382	237,192	288,573	586,675
2013		56,750	856	243,129	300,735	5,916	261,780	267,696	568,431
2014		60,555	568	169,125	230,248	826	264,471	265,297	495,545
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	8,826	193,595	202,421	402,430
2018		34,806	440	143,047	178,293	358	233,878	234,236	412,529
2019		25,634	377	114,072	140,083	354	411,764	412,118	552,201
2020		25,345	66	119,043	144,454	2,101	380,593	382,694	527,148
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	211,221	243,964	392,976
2024		23,622*		79,704	103,326	17,571	200,134	217,705	321,031

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). *Commercial landings in 2024 for black grouper and yellowfin grouper are aggregated for data confidentiality.

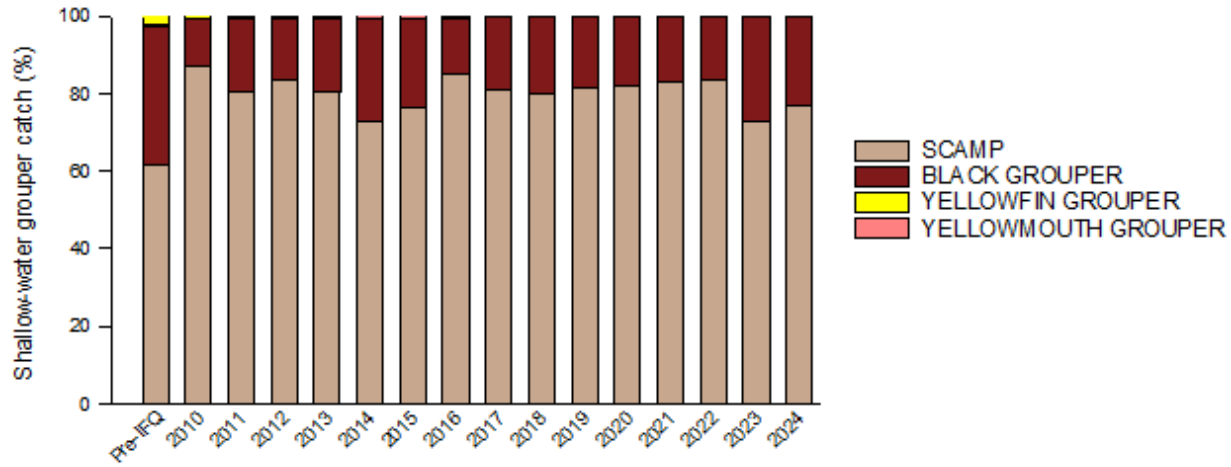

Figure 1.1.1. Percentages of commercial landings by species for the Other SWG complex from the 2024 Grouper-Tilefish IFQ Program Report[4]. Average data for the three years prior to the start of the IFQ program (2007-2009) are summarized as "Pre-IFQ".

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, have an active vessel monitoring system, have an IFQ account, and hold 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. Allocation can be transferred to accounts that do not hold Other SWG shares. The current commercial quota is approximately 4% below the commercial ACL for both complexes (GMFMC 2011; Table 1.1.1) and was originally established to account for flexibility measures in the IFQ program between SWG and deep-water grouper (DWG) share categories. These flexibility measures allow fishermen to land certain species from one share category under the other share category, so long as they no longer hold any allocation for the share category in which the species is included. The stock assessments for IFQ species assume very high certainty in commercial landings estimates relative to non-IFQ species because of the level of program reporting requirements. Recently, the Council discussed the possibility of removing this flexibility measure and the associated buffer[5] and decided to review this provision in Amendment 58A (this document). The IFQ program acts as the AM for the commercial portion of the reef fish fishery for Other SWG, because the pounds available to the commercial sector are released to shareholder accounts on January 1 each year and cannot be recalled. As a result, the commercial quota has never been exceeded for this complex under the IFQ program.

[4] https://noaa-sero.s3.amazonaws.com/drop-files/cs/2022_GT_AnnualReport_Final.pdf
[5] Beginning page 143-- https://gulf-council-media.s3.amazonaws.com/uploads/2025/02/GMFMC-Full-Council-August-2024.pdf

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).

Presently, there is no defined ACL for the recreational sector for Other SWG. The difference between the sector apportionment for the commercial ACL from the Generic ACL/AM Amendment and the total complex ACL is available for the recreational sector. 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

History of Federal Data Collection for the Private Component of the Recreational Sector

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, 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.

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 MRIPCHTS 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 NMFS Office of Science and Technology (OST) discussed the release of a pilot study (NMFS 2023)[6], 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, NMFS OST conducted a more comprehensive pilot study which began in 2024 and is expected to end data collection in 2025. NMFS OST plans to produce a public report with key findings and estimate comparisons in summer 2025 and determine if a new design will be implemented in 2026, pending study results and peer review. In mid-2026, NMFS OST is expecting to produce calibrated historical effort estimates to reflect the findings of the updated survey design for use in future stock assessments and fisheries management. Prior to when data calibration is finalized in spring 2026, any expectation about results would be speculative. After the updated survey data are finalized, it will then be available for evaluation by data users (e.g., the Southeast Fisheries Science Center, Southeast Regional Office, and the Council).

State of Louisiana LA Creel Program and Texas Parks and Wildlife creel survey

Since 2014, Louisiana generates weekly estimates of catch and effort through their LA Creel program. LA Creel uses a combination of data collected dockside (access point survey) and through weekly phone and email effort surveys to estimate recreational saltwater fish harvests. The LA Creel program consists of biologists conducting interviews at public fishing sites, with charter captains and groups of saltwater anglers about their fishing activities. LA Creel provides weekly recreational fishery information to aid in the management of Louisiana's fishery resources. It is composed of an on-site access-point survey and two weekly effort surveys stratified across five basins. The access point survey provides estimated catch rates per trip. One effort survey generates estimated private angler effort in the form of total angler trips and the other does the same for charter trips. Licensed private anglers are stratified across geographical regions and Louisiana's Recreational Offshore Landings Permit (ROLP) holders, while licensed charter captains are stratified between those with and without ROLP permits. Using licensed anglers provides a clearly defined angler frame with high quality contact information, while stratifying within this frame allows LA Creel to account for differences in

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

fishing activity across the state. Access point survey assignments are randomly drawn based on fishing pressures weighted by the types of activities present and the total angler activity. LA Creel boasts production of weekly landings at the basin level on just a two-week delay, which can reduce recall bias and provide near real time landings estimates that can be used in monitoring recreational quotas and identifying impacts to recreational landings from short term events. LA Creel contacts for-hire captains via telephone at random, with a goal of reaching 30% of captains who fish offshore (those who hold a ROLP) and 10% who fish inshore (who do not hold a ROLP). During red snapper season, LA Creel contacts 100% of captains who hold offshore permits.[7]

Alabama and Mississippi piloted versions of LA Creel in their own states alongside the MRIP APAIS and FES programs in 2024. Beginning in 2025, both Alabama and Mississippi were operating their own iterations of LA Creel (AL Creel and MS Creel, respectively) at full implementation.

Texas Parks and Wildlife Department (TPWD) conducts their own creel survey to estimate private and charter landings in Texas.[8] TPWD Sport-boat Angling Survey uses dockside interviews at recreational boat access sites to generate catch and effort estimates for finfish species caught by private boat and charter operators off the Texas coast. Texas reports recreational data in high (May 15 through November 20) and low (November 21 through May 14) activity periods. Creel surveys are conducted from 10 AM to 6 PM at specified boat-access sites along the Texas coast. Over 1,000 surveys are scheduled annually on randomly selected weekdays and weekends in proportion to the amount of fishing activity at each site. Charter vessel catch and effort data in Texas are monitored by the Texas Parks and Wildlife Department's Coastal Creel Survey. This is a field-intercept survey of boat-based fishing, including for-hire vessels. This survey estimates fishing effort and catch (harvest only) on a seasonal (high-use and low-use) basis.

Like all surveys, both the Louisiana and Texas state surveys have inherent uncertainty. Both LA Creel and the TPWD survey are only conducted in their state and therefore cannot generate Gulf-wide estimates. LA Creel is comparable in survey methodology to the MRIP design. The TPWD survey only produces landings estimates and reports every six-months. This time frame limits in-season monitoring for short fishing seasons (e.g., weeks or months). Both state effort surveys, like APAIS, are also limited to intercepting anglers at public access points and their willingness to answer dockside interview questions, and in the case of LA Creel, the effort (telephone survey) portion of the program.

Recent Stock Assessments and Catch Projections

SEDAR 68 (2022)

SEDAR 68 was completed in 2022 using data through 2020 and assessed both scamp and yellowmouth grouper together as a complex. The stock identification workshop for SEDAR 68 determined that species misidentification was likely for scamp and yellowmouth grouper

[7] https://www.lafisheriesforward.org/wp-content/uploads/2024/02/LFF_FastFacts_LaCREEL_2024-01-ADA.pdf
[8] https://tpwd.texas.gov/fishboat/fish/didyouknow/coastal/creel.phtml

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 used updated recreational landings information informed by MRIP-FES. In reviewing SEDAR 68, the Council's Scientific and Statistical Committee (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 (SSB) would be conserved each year to support future recruitment. The issue of recruitment was discussed 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).

At its November 2024 meeting, the Council directed the SSC to provide a comparison of the MSY proxy assuming a spawning potential ratio (SPR) of 30% and 40% along with associated catch levels for scamp and yellowmouth grouper. The Council also requested inclusion of updated scamp and yellowmouth landings data from 2021-2023 and estimates of anticipated landings in 2026 that would be reduced by 54.7% based on the Shallow-water Grouper Framework Action (GMFMC 2025). At its May 2025 meeting, the SSC reviewed updated landings and projections for scamp and yellowmouth grouper.[9] The SSC discussed the need to evaluate its recommendation for a proxy for F_{MSY} (assuming either an SPR 30% or 40%) and what to recommend for a corresponding catch limit. The SSC recommended to the Council catch advice for scamp and yellowmouth grouper where the OFL was equal to the yield at $F_{40\%SPR,}$ or 233,000 lb gw, and the ABC was set at 75% of $F_{40\%SPR}$, or 183,000 lb gw, for 2027 – 2031 and subsequent years (Table 1.1.4). Consistent with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens 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 updated projections using the SEDAR 68 assessment model.

Table 1.1.3. Summary of selected Magnuson-Stevens Act benchmarks and reference points for the SEDAR 68 assessment. 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
$F_{MSYProxy}$	Equilibrium F to achieve 40% SPR	0.117
MFMT	$F_{MSYProxy}$	0.117
$F_{Current}$/MFMT	Current overfishing status	**0.786**
MSST	0.75 * $SSB_{40\%SPR}$	922
$SSB_{Current}$/MSST	Stock status based on MSST	**1.41**

[9] The full May 2025 SSC meeting summary can be read through this link: https://gulf-council-media.s3.amazonaws.com/uploads/2025/05/Gulf-Standing-SSC-Summary-May-2025-05142025.pdf

Table 1.1.4. SSC recommended OFL and ABC values from May 2025 for scamp and yellowmouth grouper, based on the results of updated projections using the SEDAR 68 (2022) assessment model and using an MSY proxy of the yield when fishing at F40%SPR. Catch limits are in lb gw.

Years	OFL	ABC
2027-2031+	233,000	183,000

To constrain harvest to the reduced catch levels and to prevent future overfishing of scamp and yellowmouth grouper, these stocks 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)[10]. Importantly, the recreational landings estimates used to develop these catch limits were derived from MRFSS and are not being changed through this amendment.

Table 1.1.5. Revised catch limits for black grouper and yellowfin grouper in the Gulf, 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 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 include the established Gulf apportionment of the black grouper ABC. There is no stock assessment for yellowfin grouper. 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 necessitates 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

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

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, shares, allocation, and flexibility measures. Those revisions 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 need to be examined to prevent overfishing.

Other SWG and Deep-water Grouper (DWG) Flexibility Measures:

Amendment 29 to the Reef Fish FMP (GMFMC 2009) established flexibility measures between the SWG and DWG complexes 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 Other SWG allocation remaining in their shareholder account or any associated vessel accounts.
- A shareholder may land warsaw grouper or speckled hind under their Other SWG allocation, so long as they have no DWG allocation remaining in their shareholder account or any associated vessel accounts.

Due to the risk of overfishing scamp and yellowmouth grouper (current landings compared to the proposed ABC), and the need to restructure the Other SWG, the Council is considering whether to establish a similar flexibility measure for the new scamp complex that allows warsaw grouper and speckled hind to be landed under Other SWG allocation when certain conditions are met. At present, scamp landings are approximately 40% larger relative to landings of yellowmouth grouper. Thus, it is expected that the scamp and yellowmouth grouper ABC would be comprised entirely of landings of those species. With the reduction in quota for SWG it is not expected that fishermen would utilize this flexibility provision measure unless they had extremely limited DWG allocation available to them, especially as the DWG quota is also expected to decrease.

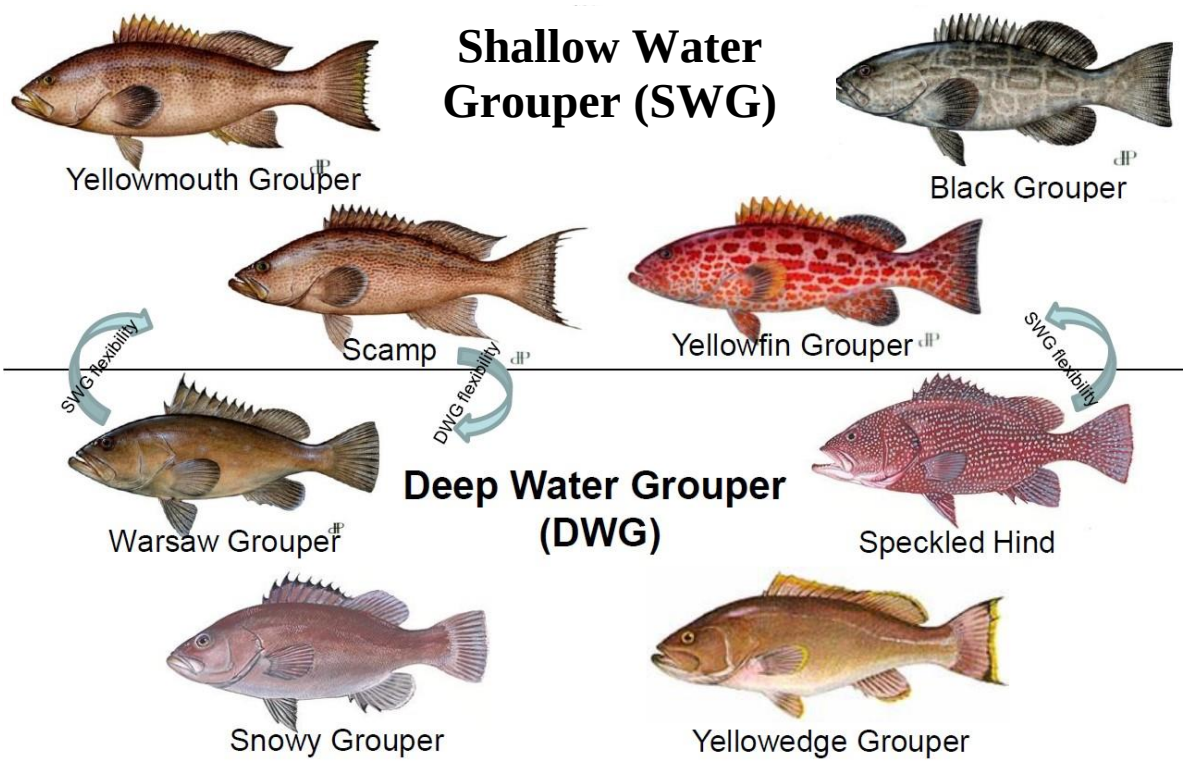

Figure 1.1.2. Depiction of the SWG and DWG flexibility measures as defined in Amendment 29 to the Reef Fish FMP.

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 within 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 Act.

1.3 History of Management

The original **Reef Fish FMP**, implemented in November 1984, was designed to rebuild declining reef fish stocks. It included prohibitions on the use of fish traps, roller trawls, and powerhead-equipped spear guns within an inshore stressed area and data reporting requirements.

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 7.48 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 IFQ accounts to 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.

A **2025 Framework Action**, including EA, RIR, and RFA and implemented in 2025, reduced catch limits for the Other SWG complex and established a fixed closed season for the recreational sector.

CHAPTER 2. MANAGEMENT ALTERNATIVES

2.1 Action 1: Modification of Gulf of America (Gulf) Other Shallow Water Grouper (SWG) Complex and Individual Fishing Quota (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 existing Other SWG complex and form two new complexes: scamp and yellowmouth grouper complex (Scamp Complex) and black grouper and yellowfin grouper complex (Black Grouper Complex). Create two new IFQ share categories: one for the Scamp Complex and one for the Black Grouper Complex. Shares would be distributed such that shareholders would 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 Other SWG complex based on the results of the SEDAR 68 stock assessment, which assessed scamp and yellowmouth grouper as a single complex. SEDAR 68 used data through 2020 and updated recreational landings information informed by the Marine Recreational Information Program's (MRIP) Fishing Effort Survey (FES). The SEDAR 68 stock assessment and its resultant catch projections were determined to be consistent with the best scientific information available by the Gulf Council's (Council) Scientific and Statistical Committee (SSC). Although the SSC found the stock to not be overfished and overfishing was not occurring in 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, low recruitment in recent years, and 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 in the southeastern U.S. (SEDAR 19 2010). Thus, the stock overfishing limit (OFL) and acceptable biological catch (ABC) include harvest in both the Gulf and South Atlantic and the ABC is apportioned between the two councils as specified in the Generic Annual Catch Limit (ACL)/Accountability Measure (AM) Amendment (GMFMC 2011). 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 at this time. The proposed combined black grouper and yellowfin grouper catch limits include the established Gulf apportionment of the black

grouper ABC. It should be noted that the last attempt at a stock assessment for southeastern U.S. black grouper was terminated due to irreconcilable data issues during the data workshop (SEDAR 48 2017). There is no stock assessment for yellowfin grouper.

Alternative 1 (No Action) 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 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 the legacy federal Marine Recreational Fisheries Statistics Survey (MRFSS). Therefore, the recreational landings are not comparable and cannot be combined within a species-combined Other SWG complex. In addition, scamp and yellowmouth grouper require a substantial reduction in the allowable harvest based on SEDAR 68 and the SSC's recommendations. Allowing the current Other SWG complex to persist as is 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 Fishery Management Plan for the Reef Fish Resources of the Gulf (Reef Fish FMP; GMFMC 2008b) are not applicable and would cease to exist.

During its August 2024 meeting, the Council was presented options for considering the redistribution of shares for the two new IFQ categories. The discussion included analyses that showed that fishermen harvesting fish in the new black grouper complex did not often also harvest fish in the new scamp complex. Therefore, allocation of shares for the new categories might be to fishermen who do not encounter the species when fishing. The Council discussed the merits of including any share redistribution approach within either the developing Amendments 59 or 60 to the Reef Fish FMP rather than Amendment 58A. Given Amendments 59 and 60 exclusively consider reorganization, modification, and review of the current Gulf IFQ program, the Council decided to remove the options for IFQ redistribution from Amendment 58A (Appendix A). However, further discussion to address potential modifications of distribution for new share categories will be included for consideration when developing Amendments 59 and 60.

Because **Alternative 1** (No Action) 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: IFQ Flexibility Measures

Alternative 1: No Action – Do not create flexibility measures for scamp, warsaw grouper, or speckled hind. These species could not be landed under an alternative allocation category. The scamp complex quota would be equal to the complex ACL established in Action 6.

Alternative 2: Create a flexibility measure for warsaw grouper and speckled hind that accounts for the new share categories in Alternative 2 of Action 1. Create a flexibility measure that allows warsaw grouper and speckled hind, designated as DWG share category species, to be landed under Scamp Complex allocation once all DWG allocation in an account has been harvested. The scamp complex quota would be 4% below the scamp complex ACL established in Action 6.

Discussion:

This action considers establishing flexibility measures similar to those in place for scamp in the Gulf Other SWG complex and for speckled hind and warsaw grouper in the DWG complex. If established, the flexibility measures could allow these species to be retained while targeting other reef fish species when an account has limited allocation in the primary category and could thereby reduce bycatch by not forcing regulatory discards. Building flexibility measures in this action would require a buffer between the commercial ACL and quota for the Scamp Complex to allow for harvest of affected species without exceeding the commercial ACL. Amendment 58B includes a 4% buffer between the commercial ACL and quotas for the DWG complex and discusses that, if flexibility measures were removed, there would be an increase in allowable harvest which would contribute to reducing regulatory discards.

Alternative 1 (No Action) would not create flexibility measures in the new Scamp Complex and would thus not allow harvest of scamp, warsaw grouper, or speckled hind under share categories aside from the complex in which they are included. Thus, once the IFQ quota under a share category has been exhausted by a fisherman, any fish captured under that share category must be discarded by regulation. This may result in increased discards in the fishery relative to current fishery operations. If selected as preferred, the 4% buffer between the commercial ACL and quota for the DWG complex would be removed, making the complex ACL equal to the complex quota. However, not applying an additional 4% buffer would allow increased harvest relative to **Alternative 2** which could result in fewer regulatory discards.

Alternative 2 would create flexibility measures in the DWG Complex that would allow harvest of warsaw grouper and speckled hind under the Scamp Complex share category after all DWG allocation under an account has been harvested. Warsaw grouper and speckled hind are often co-caught with scamp. This action is expected to reduce discards of warsaw grouper and speckled hind by allowing for harvest after an account's DWG allocation has been harvested that would otherwise by regulation require discard. Amendment 58B to the Reef Fish FMP includes a 4% buffer between the commercial ACL and quotas for the DWG complex that would be expected to prevent the DWG commercial ACL from being exceeded. Thus, **Alternative 2** may reduce fishing mortality of scamp due to the reduction in allowable harvest; however, the additional 4% buffer would make quota more scare and could also potentially result increased regulatory

discards. **Alternatives 1** and **2** are each expected to meet the goals of this amendment to end overfishing of scamp. **Alternative 2** is expected to result in lower scamp, warsaw grouper, and speckled hind mortality than **Alternative 1** due to the expected lower discards under those alternatives.

2.3 Action 3: Establish Biological Reference Points, Status Determination Criteria (SDC), Catch Limits, Sector Allocations, for the Black Grouper Complex

Alternative 1: No Action – Do not establish MSY, maximum fishing mortality threshold (MFMT), minimum stock size threshold (MSST), or optimum yield (OY) for the new black grouper complex as established in Action 1. Do not set an OFL, ABC, or ACL for the black grouper complex. Do not establish allocations for the recreational and commercial sectors in the black grouper complex.

Alternative 2: Establish the MSY proxy, MFMT, MSST, and OY as defined for the Other SWG Complex and for black grouper in Amendment 48 to the Reef Fish FMP (GMFMC 2021) and set the SDC for the black grouper complex based on the SSC recommendation of $F_{30\%SPR}$.

Biological Reference	Definitions
MSY	**yield at $F_{30\%SPR}$**
MFMT	**F_{MSY}**
MSST	**75% of B_{MSY}**
OY	**90% of MSY**

Establish catch limits for the black grouper complex using the time series for each species as recommended in the Generic ACL/AM Amendment (GMFMC 2011), with the Gulf Council's apportionment of black grouper and based on the SSC's recommendations. The black grouper complex ACL would be based on the apportionment in the Generic ACL/AM Amendment (GMFMC 2011): commercial sector is allocated 73% of the Gulf's apportionment of the black grouper ABC, and the recreational sector is allocated 27%. The commercial sector is allocated 80.1% of the yellowfin grouper ABC and the recreational sector is allocated 19.9%. Establish the black grouper complex ACL and set it 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.

Year	OFL	ABC	Stock ACL	Comm ACL	Rec ACL
2027+	**Undefined***	**310,844**	**310,844**	**227,735**	**83,109**

*The black grouper OFL is for Gulf and South Atlantic combined, while the yellowfin OFL is for the Gulf. The stock complex ABC represents the summation of the ABC for yellowfin grouper and the Gulf-apportioned ABC for black grouper. Catch limits are in gutted weight and are based in part on MRFSS data.

Discussion:

This action considers either not establishing management criteria (**Alternative 1**) or defining a number of management criteria for a new black grouper complex (if selected in Action 1). Specifically, **Alternative 2** would establish biological reference points, SDC, catch limits, and sector allocations for the Gulf black grouper complex. Rationale for the biological reference points, SDC, catch limits, and sector allocation informing **Alternative 2** is provided in the discussion below.

Biological Reference Points and SDC

Alternative 1 (No action) would not establish any biological reference points, SDC, or catch limits for the black grouper complex (black grouper and yellowfin grouper, if selected in Action 1). This would be inconsistent with the requirements of the Magnuson-Stevens Act (NS 1) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and is therefore not a viable option.

Alternative 2 would establish the required biological reference points, SDC, or catch limits for the black grouper complex. The biological reference points and SDC would be consistent with those established for the Other SWG Complex and for black grouper in Reef Fish Amendment 48 (GMFMC 2021). When developing Reef Fish Amendment 48 (GMFMC 2021), a range of proxy values for MSY and MFMT was considered for the shallow-water grouper complex. At the time, the shallow-water grouper complex did not have an established MSY proxy; therefore, the yield when fishing at 30% spawning potential ratio ($F_{30\% SPR}$) was selected for the group by the Council. A Gulf-specific stock assessment not been conducted for black grouper or yellowmouth grouper, so if a new Gulf black grouper complex is created (Action 1) then the complex will remain unassessed. Therefore, retaining the previous MSY proxy ($F_{30\% SPR}$) determination for the new black grouper complex is appropriate until a time when new scientific information or an assessment is made available to inform a value for MSY. To align with this definition of MSY, **Alternative 2** would also set the MFMT for the black grouper complex equal to the fishing mortality of F_{MSY}.

MSST is a biomass level set at or below the biomass level capable for producing MSY or the MSY proxy (B_{MSY} [or proxy]) for a stock or stock complex. It is used to determine when a stock or stock complex is overfished. If the fishing mortality can be kept below the overfishing (MFMT), the stock or stock complex biomass is unlikely to drop below the overfished level (MSST). However, the stock or stock complex biomass can fluctuate due to environmental variability, or due to management being unsuccessful in constraining fishing mortality. In such cases, there are concerns with setting MSST either too close to or too far from BMSY (or proxy).

Alternative 2 would set MSST at 75% of B_{MSY} for the black grouper complex. Porch *et al.* 2016 stated the probability that a stock will fall below 75% of B_{MSY} when it is not undergoing overfishing owing to random fluctuations in recruitment and natural mortality was low for the species examined in the study. An implication of this study result is that a stock which is identified as being below 75% of B_{MSY} likely did not arrive there by random or natural

influences. Therefore, only an MSST at 75% of B_{MSY} is being considered for the black grouper complex.

The Magnuson-Stevens Act and NS 1 guidelines state that OY should be based on MSY as reduced by relevant economic, social, or ecological factors. The NS 1 guidelines provide additional detail in considering such factors, and also state that OY should include some consideration of uncertainty. The NS 1 guidelines also state that if the estimates of MFMT and current biomass are known with a high level of certainty, and management controls can accurately limit catch, then OY could be set very close to MSY, assuming no other reductions are necessary for social, economic, or ecological factors. To the degree that such MSY estimates and management controls are lacking or unavailable, OY should be set farther from MSY.

National Marine Fisheries Service (NMFS) Southeast Fisheries Science Center (SEFSC) staff and the SSC have recommended against specifying OY as the yield at a certain F and have suggested instead it be a percentage of MSY.[11] They provided three reasons to support this rationale. One is that after an assessment is completed and approved by the SSC, SEFSC staff would need to provide two sets of yield projections; one set to iteratively search for the value of fishing mortality (F) that achieves the intended F_{MSY} proxy, and another set to find the value of F that achieves the intended F_{OY} proxy. This adds complexity to the projections. A second reason is that it is possible that the calculated long-term yield at the F_{OY} proxy is greater than the calculated long-term yield at the F_{MSY} proxy. This can occur if the assumptions made about the mix of fisheries and bycatch with recent levels of recruitment do not necessarily agree with the life history assumptions made in selecting an SPR-based MSY proxy. If this happens, it is possible that maintaining a biomass necessary to harvest MSY could lead to growth overfishing or some other factor that reduces the long-term yield to below the long-term yield derived under a higher biomass level that occurs when fishing at the lower F_{OY} proxy. The final reason given by SEFSC staff is defining OY as a percent of MSY is more intuitive and easier to understand by the public than using a percentage of the F_{MSY} proxy to define OY.

When developing Amendment 48 (GMFMC 2021), a range of values for OY were considered for the Other SWG complex. Three alternatives were considered: 85%, 90%, or 95% of MSY or MSY proxy. For all alternatives, the value for OY implicitly accounted for relevant economic, social, and ecological factors with the Council ultimately selecting the intermediate value for OY of 90%. That determination of OY would be retained for the new black grouper complex and is reflected in **Alternative 2**.

Catch Limits

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). The Council's SSC recommended reductions for the Gulf black grouper catch limits. However, this recommendation was not

[11] E-mail from Clay Porch, SEFSC to the Amendment 48, Red Drum Amendment 5 interdisciplinary plan team, dated February 21, 2020.

consistent with the fact that the stock extends into the South Atlantic. The current yellowfin grouper OFL and ABC are based on landings data from 1995-2008. Similar to **Alternative 1** (No action), the black grouper OFL, and by extension, the black grouper complex would remain undefined. **Alternative 2** would establish a black grouper complex ABC equal 310,844 lb gw, with the complex ACL equal to the ABC. The complex ABC is the summation of the ABC for yellowfin grouper and the Gulf-apportioned ABC for black grouper.

Sector allocations

Alternative 1 (No Action) would not establish sector allocations between the commercial and recreational sectors for the black grouper complex. **Alternative 2** would establish sector allocations for the black grouper complex based on the Generic ACL/AM Amendment. From the Generic ACL/AM Amendment, Gulf sector allocation of black grouper and yellowfin grouper were determined from landings during the years 2004-2008 and 2001-2004, respectively. The Gulf-specific black grouper apportionment would be allocated as 73% commercial; 27% recreational and the yellowfin grouper allocation would be 80.1% commercial and 19.9%.

2.4 Recreational Accountability Measures for the Black Grouper Complex

Alternative 1: No Action – Do not establish recreational sector accountability measures (AM).

Alternative 2: An in-season recreational fishing closure would be implemented for the black grouper complex when NMFS projects the recreational ACL (established in Action 3) is met.

Alternative 3: A post-season recreational AM would be implemented for the black grouper complex. In the year following an overage of the recreational ACL (established in Action 3), NMFS would close the recreational black grouper complex to harvest when the recreational ACL is met or is projected to be met.

Discussion:

Alternative 1 (No action) would not establish recreational sector AMs for either the scamp or the black grouper complex. **Alternative 2** would require an in-season recreational fishing closure 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, assuming appropriate timeliness of recreational data collection and analysis.

Alternative 3 would establish a post-season AM, requiring that NMFS, in the fishing year after the stock ACL was exceeded, monitors, and closes recreational harvest when the stock ACL is reached or projected to be reached. As a result, there may be no in-season closure for a single overage, providing more continuous fishing opportunity across seasons and resilience to

anomalous overages. However, **Alternative 3** would delay a response to overages and might not address stock overexploitation as promptly as **Alternative 2**. As a result, **Alternative 3** is a less conservative approach to management than **Alternative 2** but may insulate the fishery from unnecessary closures due to irregular landings.

2.5 Action 5: Establish Biological Reference Points and SDC for the Scamp Complex

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

Alternative 2: Establish the MSY proxy, MFMT, MSST, and OY for the scamp complex based on the SSC recommendations of the yield when fishing at a 40% spawning potential ratio ($F_{40\%SPR}$):

Criteria Type	Alternative 3
MSY	**yield at $F_{40\%SPR}$**
MFMT	**F_{MSY}**
MSST	**75% of B_{MSY}**
OY	**90% of MSY**

Discussion:

Alternative 1 (No action) would not establish any biological reference points, SDC, or catch limits for the scamp complex (scamp/yellowmouth grouper; if selected in Action 1). This is not consistent with the requirements of the Magnuson-Stevens Act and is therefore not a viable action.

Similar to what is being considered for the black grouper complex (Section 2.3), several biological reference points and SDC the scamp complex in this action are consistent with those values established for the Other SWG complex in Amendment 48 (GMFMC 2021). However, unlike the species within the black grouper complex, scamp and yellowmouth grouper were assessed together in SEDAR 68. As a result, the Council's Statistical Committee (SSC) revaluated the MSY proxy for the scamp complex and recommended using an MSY proxy of the yield when fishing at $F_{40\%SPR}$.
This recommendation for MSY is consistent with **Alternative 2**. To align with this definition of MSY, **Alternative 2** would also set the MFMT for the scamp complex equal to the fishing mortality at the MSY proxy of $F_{40\%SPR}$.

In **Alternative 2**, the MSST would be set at 75% of B_{MSY} for the scamp complex. The rationale for this value of MSST is outlined in the discussion of Section 2.3. Broadly, a study conducted by the SEFSC (Porch *et al*. 2016) indicates the probability that stock biomass will fall below 75% of B_{MSY} when it is not undergoing overfishing owing to random fluctuations in recruitment and natural mortality was low. Therefore, only an MSST value of 75% of B_{MSY} is being considered for the scamp complex in **Alternative 2**.

A description of OY and its function are provided in Section 2.3. When developing Amendment 48 (GMFMC 2021), a range of values for OY were considered for the Other SWG complex. Three alternatives were considered: 85%, 90%, or 95% of MSY or MSY proxy. For all alternatives, the value for OY implicitly accounted for relevant economic, social, and ecological factors with the Council ultimately selecting the intermediate value for OY of 90%. That determination of OY would be retained for the new scamp complex and is reflected in **Alternative 2**.

2.6 Action 6: Establish Catch Limits and Sector Allocations for the Scamp Complex

Note: The OFL and ABC are based on the SSC's recommendations from updated catch projections received in May 2025 using the SEDAR 68 (2022) assessment model for 2027-2031. Catch limits, in gutted weight (gw), were derived in part using MRIP-FES and would be monitored using estimates from MRIP-FES. The OFL, ABC, and ACLs are based on the F_{MSY} proxy of the yield when fishing at $F_{40\%SPR}$.

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

Alternative 2: Establish catch limits for the scamp complex. The ABC is equal to the stock ACL, which equals the combined sector ACLs. Establish sector allocations for the scamp complex as follows:

Option 2a: The commercial and recreational allocations are based on the apportionment of the stock ACL to the commercial sector as established in the Generic 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%.

Year	OFL	ABC	Stock ACL	Comm ACL	Rec ACL
2027-2031+	233,000	183,000	183,000	146,583	36,417

Option 2b: The commercial and recreational allocations are based on the proportion of average landings for 2012-2023 excluding the 2020 COVID year. The commercial sector is allocated 38.6% of the scamp and yellowmouth grouper combined ACL, and the recreational sector is allocated 61.4%.

Year	OFL	ABC	Stock ACL	Comm ACL	Rec ACL
2027-2031+	233,000	183,000	183,000	70,638	112,362

Option 2c: The commercial and recreational allocations are based on 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 commercial sector is allocated 29.7% of the scamp and yellowmouth combined ACL and the recreational sector is allocated 70.3%.

Year	OFL	ABC	Stock ACL	Comm ACL	Rec ACL
2027-2031+	233,000	183,000	183,000	54,351	128,649

Discussion:

Alternative 1 (No action) would not establish a stock ACL or sector allocations for the scamp complex. This would be inconsistent with the requirements of the Magnuson-Stevens Act (NS 1) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and is therefore not a viable option. **Options 2a-2c** of **Alternative 2** would establish a stock ACL equal to the ABC and sector allocations for the scamp complex. **Option 2a** would establish sector allocations for the scamp complex based on the allocations defined in the Generic ACL/AM Amendment. In practice, if the Council selects **Option 2a**, then it would 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 used in the Generic ACL/AM Amendment. Instead of credit for these historically higher landings being applied to the recreational sector, **Option 2a** mathematically assumes no difference between the MRFSS and MRIP-FES units. Thus, **Option 2a** would lower the allowable landings for the recreational sector relative to the status quo.

The landings used for establishing the sector allocations in both **Option 2b** and **Option 2c** are displayed in Table 2.6.1. **Option 2b** would establish sector allocations for the scamp complex based on landings for 2012-2023, excluding the 2020 COVID year. This represents a large decrease in the commercial sector allocation with an increase in the recreational sector allocation. This allocation is based on landings for all years (except 2020) since the Generic ACL/AM Amendment established the Other SWG complex, its commercial allocation for those species, and set catch limits. The year 2020 could be considered an outlier 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, **Option 2b** provides a greater 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, **Option 2b** may avoid the effects of short-term trends or changes in fishery dynamics, instead relying on the long-term catch percentages by sector. **Options 2b** and **2c** would establish commercial and 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).

Table 2.6.1. Annual commercial, recreational (MRIP-FES), and total scamp complex landings from 2012 – 2023. Sector-specific landings as a percentage are also reported for the time series. These data used are the same as in Table 1.1.2.

Year	Commercial	Recreational	Total	%Commercial	%Recreational
2012	**249,826**	**237,195**	**487,021**	**51.3**	**48.7**
2013	**243,129**	**261,809**	**504,938**	**48.2**	**51.8**
2014	**169,125**	**264,495**	**433,620**	**39.0**	**61.0**
2015	**183,154**	**342,097**	**525,251**	**34.9**	**65.1**
2016	**285,741**	**244,715**	**530,456**	**53.9**	**46.1**
2017	**162,825**	**193,630**	**356,455**	**45.7**	**54.3**
2018	**143,047**	**233,878**	**376,925**	**38.0**	**62.0**
2019	**114,072**	**411,764**	**525,836**	**21.7**	**78.3**
2020	**119,043**	**380,593**	**499,636**	**23.8**	**76.2**
2021	**129,982**	**317,851**	**447,833**	**29.0**	**71.0**
2022	**122,752**	**326,023**	**448,775**	**27.4**	**72.6**
2023	**109,137**	**211,234**	**320,371**	**34.1**	**65.9**
Alt 2. *option b* Avg. 2012-2023 (no 2020)	**173,890**	**276,790**	**450,680**	**38.6**	**61.4**
Alt 2 *option c* Avg. 2021-2023	**120,624**	**285,036**	**405,660**	**29.7**	**70.3**

2.7 Action 7: Establish Recreational Annual Catch Target (ACT) Buffers for the Scamp Complex

Alternative 1: No Action – Do not establish a recreational ACT buffered below the recreational ACL for the scamp complex.

Alternative 2: Establish a recreational ACT for the scamp complex by applying the Council's ACL/ACT Control Rule and assuming that scamp and yellowmouth grouper are considered a single stock. Use landings data from 2019 – 2023, excluding the 2020 COVID year. The ACT would be set at 14% below the recreational ACL.

Alternative 3: Establish a recreational ACT for the scamp complex by applying the Council's ACL/ACT Control Rule and using scamp as an indicator species for the complex. Use landings data from 2019 – 2023, excluding the 2020 COVID year. The ACT would be set at 18% below the recreational ACL.

Discussion:

An ACT is used to account for additional management uncertainty in a fishery. Broadly, not accounting for any additional management uncertainty, as described in **Alternative 1** (No action) could be problematic for the complex as the Council considers marked changes to management measures. The Other shallow water grouper complex is being eliminated and a new scamp complex is being established (if Alternative 2 is selected in Action1). SEDAR 68 indicated that a substantial reduction (~58%) in harvest of the scamp complex was warranted for the stability of the stock (Action 6). As a result, a fixed recreational closed season is being considered in Action 8.1 to achieve required reductions. To move rapidly and address the recommendations from SEDAR 68, a framework action was passed by the Council so that sustainable catch levels could be implemented in time for the 2026 fishing year (GMFMC 2025) while Amendment 58A (this document) could be developed. Since no recreational fixed season closure has been implemented for the scamp complex to date and given the large harvest reduction for the complex, the management uncertainty as to how fishing effort will respond is high.

Alternatives 2 and **3** would apply the Council's ACL/ACT Control Rule to calculate a buffer between the ACL and ACT, and would use landings data from 2019-2023, excluding the 2020 COVID year (Appendix B). **Alternative 2** would consider scamp and yellowmouth grouper as a single stock characterization in the ACL/ACT Control Rule and results in a 14% buffer between the ACL and ACT (Figure B1). **Alternative 3** would characterize scamp as an indicator species for the scamp complex resulting in an 18% buffer between the ACL and ACT (Figure B2). Since sector allocations for the scamp complex differ across Options 2a-2c in Alternative 2 of Action 6, the resulting recreational ACT for **Alternatives 2** and **3** in Action 7 differ based on the preferred alternative in Action 6. The resulting ACT values (lb gw) for each alternative are indicated in Table 2.7.1.

Table 2.7.1. Scamp recreational ACT values for Action 7 **Alternatives 2** and **3** calculated as a function of possible recreational ACL options presented for Alternative 2 in Action 6.

Year	Action 6, Alt. 2 Options	Rec ACL	Action 7, Alt. 2 ACT	Action 7, Alt. 3 ACT
2027+	**Option a**	**36,417**	**31,319**	**29,862**
2027+	**Option b**	**112,362**	**96,631**	**92,137**
2027+	**Option c**	**128,649**	**110,638**	**105,492**

More scientific uncertainty is assumed when an indicator species is used for a species assemblage. This results in **Alternative 3** having a larger buffer relative to **Alternative 2**. SEDAR 68 assessed Gulf scamp and yellowmouth grouper together as a single stock due to difficulties in differentiating between the species when identifying them dockside. Therefore, **Alternative 2** includes characterizing scamp and yellowmouth grouper together in the ACL/ACT Control Rule to reflect what was performed in the most recent SEDAR 68 stock assessment.

2.8 Action 8: Establish a Fixed Close Season and Recreational Sector AMs and Establish a Recreational Payback Provision for the Scamp Complex

2.8.1 Action 8.1: Establish a Fixed Closed Season and Recreational Sector AMs for the Scamp Complex

Alternative 1: No Action – Do not establish a fixed closed season for the recreational sector for the scamp complex and do not establish recreational sector AMs for the scamp complex. The scamp complex would be open to harvest by the recreational sector from January 1 through December 31 each year.

Alternative 2: Establish a fixed closed season for the recreational sector for the scamp complex. The scamp complex would be closed from January through May each year (open on June 1 until December 31). A season closure would be implemented for the scamp complex when NMFS projects the recreational ACT (established in Action 7) is met.

Alternative 3: Establish a fixed closed season for the recreational sector for the scamp complex. The scamp complex would be closed from January through June each year (open on July 1 until December 31). A season closure would be implemented for the scamp complex when NMFS projects the recreational ACT (established in Action 7) is met.

Discussion:

Fixed closed season

The Council recently (June 2025) took final action on a framework action to implement a fixed closed recreational season for the Other shallow water grouper complex (GMFC 2025). The

Council selected a fixed close season with July 1 being the start date of the fishing season. In general, the Council acknowledged the shorter season that would result relative to opening the fishery during another period of the calendar year; however, the Council was supportive of beginning the season during the high effort month of July. The rationale provided was that this would allow recreational access to the fishery when highest recreational fishing effort is observed and reduce regulatory discards of the Other shallow water grouper complex. Similarly, potential season starting dates in the summer months (June and July) are being considered for this amendment for the new scamp complex (assuming Alternative 2 in Action 1 is selected).

Alternative 1 (No action) would establish a year-round recreational fishing season with no fixed closure. Given the substantial reduction in harvest required to sustainably harvest the complex (as calculated from SEDAR 68), it is unlikely those harvest targets would be achieved without a fixed recreational season closure. Without a mechanism to reduce recreational harvest, the complex would be vulnerable to overfishing if the season was open for the entire calendar year. **Alternatives 2** and **3** would consider a recreational closed season across different portions of the calendar year. For **Alternatives 2** and **3**, the opening date for each alternative is specified and a possible in-season closure could occur depending on the scamp complex catch limits selected in Actions 6 and 7.

Scamp complex season duration analysis

Two recreational season duration analyses have been generated (Appendix C). The first incorporates the last 3 years of scamp complex recreational landings data from 2022-2024 (Table 2.8.1.1). The other only includes the years 2023 and 2024 (Table 2.8.1.2). The rationale for only including the two most recent years in the analysis is because it is likely that relatively high scamp complex landings in September and October since 2023 are a result of modifications to the gag grouper recreational fishing season. With the shortened gag season now opening in the fall months, it is likely that increased recreational effort is now occurring during this time period and is contributing to in the increased recent landings of the scamp complex relative to historical observations. To capture this confounding factor with gag management changes, a scamp complex recreational season duration analysis was conducted using an average of only the two most recent years of landings data (Table 2.8.1.2).

Discussion of scamp complex season duration analysis (3-year average)

Broadly, recreational harvest of the scamp complex varies temporally over the calendar year with relatively higher levels of harvest observed in the months of May-August (Table C1; Appendix C). The lowest level of harvest occurs in the winter months (November-April) and intermediate recreational harvest of scamp occurs in the fall (September-October [Table C1; Appendix C]). This underlying effect results in marked differences in estimated season duration for the three season starting dates considered in this action. Given the level a decrease in allowable harvest outlined in Actions 6 and 7, **Alternatives 2** and **3** both estimate a seasonal closure before the end of the calendar year regardless of start date.

Alternative 1 (No action) would start the recreational season on January 1 and no fixed close season would be established. The months of June and July have similar observed scamp

complex recreational harvest (Appendix C); therefore, estimated season duration is similar between **Alternatives 2** and **3**. Additionally, scamp complex recreational harvest in August is similar to June and July, but a marked decrease of approximately 50% occurs in September (Appendix C). As a result, there is a slightly lower maximum number of days open for **Alternative 2** (21-80 days) relative to **Alternative 3** (21-99 days).

Table 2.8.1.1. Results of a scamp complex recreational season duration analysis (using a 3-year average) to estimate the number of days the recreational season would be open relative to the possible recreational ACL and ACT (lb gw) considered in Actions 6 and 7, respectively. Estimated season duration (Days Open) are also dependent on the season start date as scamp complex harvest varies temporally throughout the calendar year. For Action 8.1, two possible starting dates with a provision to implement a season closure for the scamp complex when NMFS projects the recreational ACT implement a sea are considered: June 1 **(Alternative 2)** and July 1 **(Alternative 3)**.

Action 8.1 *Alternative 2*: Fishing Season Start Date: June 1				
Action 6 Alternative 2:	**Recreational ACL**	**Action 7, *Alternative 2* Proposed Recreational ACT**	**Projected Closure**	**Days Open**
Option a	**36,417**	**31,319**	**Jun 23**	**22**
Option b	**112,362**	**96,631**	**Aug 10**	**70**
Option c	**128,649**	**110,638**	**Aug 20**	**80**
Action 6 Alternative 2:	**Recreational ACL**	**Action 7, *Alternative 3* Proposed Recreational ACT**	**Projected Closure**	**Days Open**
Option a	**36,417**	**29,862**	**Jun 22**	**21**
Option b	**112,362**	**92,137**	**Aug 6**	**66**
Option c	**128,649**	**105,492**	**Aug 16**	**76**
Action 8.1 *Alternative 3*: Fishing Season Start Date: July 1				
Action 6 Alternative 2:	**Recreational ACL**	**Action 7, *Alternative 2* Proposed Recreational ACT**	**Projected Closure**	**Days Open**
Option a	**36,417**	**31,319**	**Jul 23**	**22**
Option b	**112,362**	**96,631**	**Sep 17**	**78**
Option c	**128,649**	**110,638**	**Oct 8**	**99**
Action 6 Alternative 2:	**Recreational ACL**	**Action 7, *Alternative 3* Proposed Recreational ACT**	**Projected Closure**	**Days Open**
Option a	**36,417**	**29,862**	**Jul 22**	**21**
Option b	**112,362**	**92,137**	**Sep 10**	**71**
Option c	**128,649**	**105,492**	**Sep 30**	**91**

Discussion of scamp complex season duration analysis (2-year average)

Alternative 1 (No action) would start the recreational season on January 1 and no fixed close season would be established. The months of June through October have similar observed scamp complex recreational harvest (Table C1; Appendix C); therefore, estimated season duration is similar between **Alternatives 2** and **3**. As a result, the estimated number range of recreational season days open for **Alternative 2** (28-105 days) is also similar to **Alternative 3** (28-110 days).

Table 2.8.1.2. Results of a scamp complex recreational season duration analysis (using a 2-year average) to estimate the number of days the recreational season would be open relative to the possible recreational ACL and ACT (lbs gw) considered in Actions 6 and 7, respectively. Estimated season duration (Days Open) are also dependent on the season start date as scamp complex harvest varies temporally throughout the calendar year. For Action 8.1, two possible starting dates with a provision to implement a season closure for the scamp complex when NMFS projects the recreational ACT implement a sea are considered: June 1 **(Alternative 2)** and July 1 **(Alternative 3)**.

Action 8.1 *Alternative 2*: Fishing Season Start Date: June 1				
Action 6 Alternative 2:	**Recreational ACL**	**Action 7, *Alternative 2* Proposed Recreational ACT**	**Projected Closure**	**Days Open**
Option a	**36,417**	**31,319**	**Jun 30**	**29**
Option b	**112,362**	**96,631**	**Aug 30**	**90**
Option c	**128,649**	**110,638**	**Sep 14**	**105**
Action 6 Alternative 2:	**Recreational ACL**	**Action 7, *Alternative 3* Proposed Recreational ACT**	**Projected Closure**	**Days Open**
Option a	**36,417**	**29,862**	**Jun 29**	**28**
Option b	**112,362**	**92,137**	**Aug 25**	**85**
Option c	**128,649**	**105,492**	**Sep 8**	**99**
Action 8.1 *Alternative 3*: Fishing Season Start Date: July 1				
Action 6 Alternative 2:	**Recreational ACL**	**Action 7, *Alternative 2* Proposed Recreational ACT**	**Projected Closure**	**Days Open**
Option a	**36,417**	**31,319**	**Jul 29**	**28**
Option b	**112,362**	**96,631**	**Oct 3**	**94**
Option c	**128,649**	**110,638**	**Oct 19**	**110**
Action 6 Alternative 2:	**Recreational ACL**	**Action 7, *Alternative 3* Proposed Recreational ACT**	**Projected Closure**	**Days Open**
Option a	**36,417**	**29,862**	**Jul 28**	**27**
Option b	**112,362**	**92,137**	**Sep 28**	**89**
Option c	**128,649**	**105,492**	**Oct 13**	**104**

Accountability measures

Alternative 1 (No action) would not establish recreational sector AMs for the scamp complex. **Alternatives 2** and **3** would close recreational fishing for the scamp complex when the recreational ACT is projected to be met. **Alternatives 2** and **3** would provide a buffer to decrease the chances of exceeding the recreational ACL by monitoring to the ACT and reduce the probability of overfishing the scamp complex. However, **Alternatives 2** and **3** can potentially result in less realized harvest by the recreational sector and a subsequently shorter recreational fishing season.

2.8.2 Action 8.2: Establish a Recreational Payback Provision for the Scamp Complex

Alternative 1: No action. Do not establish a recreational payback provision.

Alternative 2: If recreational scamp complex landings exceed the complex recreational ACL in a fishing year, NMFS would reduce the recreational ACL and ACT for the following fishing year by the amount of the ACL overage in the prior fishing year, unless the best scientific information available determines that a greater, lesser, or no overage adjustment is necessary.

Discussion:

Alternative 1 (No action) would not establish a payback provision for the scamp complex. **Alternative 2** would establish a payback provision for the recreational sector. In a year following an overharvest of the scamp complex recreational ACL and the stock is overfished, NMFS would reduce the recreational ACL and ACT. The ACL and ACT reduction would only remain in effect for one year, provided the newly adjusted ACL is not exceeded in the following year. If the ACL is not exceeded for a second time, then in subsequent years the ACL and ACT would return to the original levels. However, if the adjusted ACL is exceeded in the following year, then the ACL and ACT will be further adjusted in accordance with the alternative. Under the NS 1 guidelines, if catch exceeds the ACL for a given stock or stock complex more than once in four years, the system of ACLs and AMs should be re-evaluated, and modified, if necessary, to improve its performance and effectiveness.

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

APPENDIX A. CONSIDERED BUT REJECTED

Action 1.2: **Distribution of IFQ Program Shares to Newly Established Share Categories under the Other SWG Complex**

Alternative 1: No Action. Proportionally distribute sub-complex A and sub-complex B share categories based on existing Other SWG share percentages.

Alternative 2. Proportionally distribute sub-complex A and sub-complex B share categories based on landings histories of species within each sub-complex. Scamp and yellowmouth grouper landings would determine landings history for sub-complex A. Black grouper and yellowfin grouper landings would determine landings history for sub-complex B.

o **Option 2a:** Use landings history from 2011 – 2023
o **Option 2b:** Use landings history from 2011 – 2019, and 2021 – 2023
o **Option 2c:** Use landings history from 2016 – 2019, and 2021 – 2023

Alternative 3. Proportionally distribute sub-complex A and sub-complex B share categories, with 50% based on existing Other SWG share percentages and 50% based on landings histories of species within each sub-complex. Scamp and yellowmouth grouper landings would determine landings history for sub-complex A. Black grouper and yellowfin grouper landings would determine landings history for sub-complex B.

o **Option 3a:** Use landings history from 2011 – 2023
o **Option 3b:** Use landings history from 2011 – 2019, and 2021 – 2023
o **Option 3c:** Use landings history from 2016 – 2019, and 2021 – 2023

APPENDIX B. GULF COUNCIL ACL/ACT BUFFER CALCULATION SPREADSHEETS

As of 7/1/2025			**Note: Scamp and yellowmouth considered a single stock**		**Gulf SWG**	
ACL/ACT Buffer Spreadsheet			version 4.1 - April 2011		**Sector: Rec**	
sum of points	3				**Years: 2019, 2021-2023**	
max points	5.0		Buffer between ACL and ACT (or ABC and ACL)		Unweighted	12
Min. Buffer	**0**	**min. buffer**	User adjustable		Weighted	**14**
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.		x	0
		1	This ACL/ACT is for a stock assemblage, or an indicator species for a stock assemblage			
	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	3
	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.			

Figure B1: Calculating the ACL/ACT buffer considering scamp and yellowmouth grouper as a single stock. This results in a 14% buffer between the ACL and ACT for the scamp complex (Action 7 Alternative 2).

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 Landings Data Recreational	1	MRIP proportional standard error (PSE) <= 20		
		2	MRIP proportional standard error (PSE) > 20	x	
			Not applicable (will not be included in buffer calculation)		
			Apply this component to commercial fisheries or any fishery under an IFQ program		
	Precision of Landings Data Commercial	0	Landings from IFQ program		not applicable
		1	Landings based on dealer reporting		
		2	Landings based on other		
			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.		

Figure B2: Calculating the ACL/ACT buffer considering scamp as an indicator species. This results in a 18% buffer between the ACL and ACT for the scamp complex (Action 7 Alternative 3).

APPENDIX C. RECREATIONAL SEASON ANALYSES FOR THE SCAMP COMPLEX IN THE GULF OF AMERICA

Southeast Regional Office
LAPP/DM Branch
July 2025

The Gulf of America[112] (Gulf) shallow water grouper (SWG) complex consists of black grouper, scamp, yellowedge grouper and yellowmouth grouper. These species are currently managed as a stock complex in federal waters under the Fishery Management Plan for the Reef Fish Resources of the Gulf (Reef Fish FMP). 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 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 Reef Fish FMP that considers composition changes to the Other SWG complex, changes to catch limits, modification of the commercial Individual Fishing Quota (IFQ) program, and other management measures. This analysis provides the average recreational landings of Gulf scamp and yellowmouth grouper (scamp complex) and recreational season closures based on all management options being considered.

Recreational landings data

Gulf recreational landings for the scamp complex were obtained from the Southeast Fisheries Science Center (SEFSC) recreational ACL files (accessed May 2025; Table C1). The SEFSC recreational landings dataset includes landings from the Texas Parks and Wildlife recreational creel survey (TPWD), Louisiana Department of Wildlife and Fisheries creel survey (LA Creel), Southeast Region Headboat Survey (SRHS), and Marine Recreational Information Program (MRIP) Fishing Effort Survey (FES; Florida, Alabama and Mississippi). The MRIP FES file contains estimates from MRIP's Access Point Angler Intercept Survey (APAIS), MRIP FES (private angler effort estimates), and For-Hire Telephone Survey (FHS; for-hire effort estimates). For 2020 and 2021, imputed MRIP FES catch estimates are used to account for disruptions in the dockside sampling due to COVID. Monthly landings were estimated for MRIP FES, TPWD and LA Creel by assuming equal daily catch rates for months within a wave and then combined with SRHS, which are provided monthly. Predicted future landings for the recreational sector were estimated by averaging monthly landings in 2022-2024. The average monthly landings were then divided by the number of days in each month to provide a daily catch rate for each sector. Average recreational landings of the scamp complex are calculated to project future landing rates and are provided to compare against each of the proposed annual catch targets (ACTs; Table C2). The recreational sector will be closed if the ACT is met or is projected to be met. Predicted

[12] The Gulf of Mexico was renamed the Gulf of America pursuant to Executive Order 14172, and Secretary of the Interior Order No. 3423. All geographical references to the Gulf of America or "the Gulf" in this Framework Action refer to the same body of water known as the Gulf of Mexico in the regulations at 50 CFR part 622.

recreational closure dates are provided in Table C2 based on cumulatively summed projected recreational landings of scamp and yellowmouth grouper species.

Table C1. Monthly recreational landings (lb gw) of Gulf scamp complex from 2022-2024 along with projected future landings estimated using averaged landings from 2023-2024 (2-year average) and 2022-2024 (3-year average).

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Landings
2022	497	236	33,375	32,896	61,806	60,475	61,124	61,312	6,679	6,656	457	509	326,023
2023	64	50	773	1,150	39,672	39,076	26,502	26,305	35,680	36,903	2,542	2,504	211,221
2024	1,916	1,737	9,974	10,079	24,006	24,361	40,798	40,479	18,765	18,686	4,504	4,828	200,134
2yr Avg Projected Landings	990	893	5,374	5,615	31,839	31,718	33,650	33,392	27,223	27,795	3,523	3,666	205,678
3yr Avg Projected Landings	826	674	14,707	14,708	41,828	41,304	42,808	42,699	20,375	20,748	2,501	2,614	245,793

Source: SEFSC MRIP FES recreational ACL database May, 2025.
Notes: MRIP FES landings include scamp complex landings (scamp, yellowmouth grouper; TPWD, SRHS, LA Creel, MRIP FES).

Table C2. Projected Gulf scamp complex closure dates expected for the recreational sector with each proposed 2026 Annual Catch Limit (ACL) alternative using a 2-year average 2023-2024. Source: SEFSC MRIP FES Recreational ACL Dataset (May 2025).

Fishing Season Start Date: January 1			
Action 6 Alternative 2 Options	Recreational ACL (lb gw)	Action 7, Alternative 2 Proposed Recreational ACT (lb gw)	Projected Closure
Option A	36,417	31,319	May 18
Option B	112,362	96,631	Jul 19
Option C	128,649	110,638	Aug 1
Action 6 Alternative 2 Options	Recreational ACL (lb gw)	Action 7, Alternative 3 Proposed Recreational ACT (lb gw)	Projected Closure
Option A	36,417	29,862	May 17
Option B	112,362	92,137	Jul 15
Option C	128,649	105,492	Jul 27
Fishing Season Start Date: June 1			
Action 6 Alternative 2 Options	Recreational ACL (lb gw)	Action 7, Alternative 2 Proposed Recreational ACT (lb gw)	Projected Closure
Option A	36,417	31,319	Jun 30
Option B	112,362	96,631	Aug 30
Option C	128,649	110,638	Sep 14
Action 6 Alternative 2 Options	Recreational ACL (lb gw)	Action 7, Alternative 3 Proposed Recreational ACT (lb gw)	Projected Closure
Option A	36,417	29,862	Jun 29
Option B	112,362	92,137	Aug 25
Option C	128,649	105,492	Sep 8
Fishing Season Start Date: July 1			
Action 6 Alternative 2 Options	Recreational ACL (lb gw)	Action 7, Alternative 2 Proposed Recreational ACT (lb gw)	Projected Closure
Option A	36,417	31,319	Jul 29
Option B	112,362	96,631	Oct 3
Option C	128,649	110,638	Oct 19
Action 6 Alternative 2 Options	Recreational ACL (lb gw)	Action 7, Alternative 3 Proposed Recreational ACT (lb gw)	Projected Closure
Option A	36,417	29,862	Jul 28
Option B	112,362	92,137	Sep 28
Option C	128,649	105,492	Oct 13

Table C3. Projected Gulf scamp complex closure dates expected for the recreational sector with each proposed 2026 Annual Catch Limit (ACL) alternative using a 3-year average 2022-2024. Source: SEFSC MRIP FES Recreational ACL Dataset (May 2025).

Fishing Season Start Date: January 1			
Action 6 Alternative 2 Options	Recreational ACL (lb gw)	Action 7, Alternative 2 Proposed Recreational ACT (lb gw)	Projected Closure
Option A	36,417	31,319	May 1
Option B	112,362	96,631	June 18
Option C	128,649	110,638	Jun 28
Action 6 Alternative 2 Options	Recreational ACL (lb gw)	Action 7, Alternative 3 Proposed Recreational ACT (lb gw)	Projected Closure
Option A	36,417	29,862	Apr 28
Option B	112,362	92,137	Jun 15
Option C	128,649	105,492	Jun 24
Fishing Season Start Date: June 1			
Action 6 Alternative 2 Options	Recreational ACL (lb gw)	Action 7, Alternative 2 Proposed Recreational ACT (lb gw)	Projected Closure
Option A	36,417	31,319	Jun 23
Option B	112,362	96,631	Aug 10
Option C	128,649	110,638	Aug 20
Action 6 Alternative 2 Options	Recreational ACL (lb gw)	Action 7, Alternative 3 Proposed Recreational ACT (lb gw)	Projected Closure
Option A	36,417	29,862	Jun 22
Option B	112,362	92,137	Aug 6
Option C	128,649	105,492	Aug 16
Fishing Season Start Date: July 1			
Action 6 Alternative 2 Options	Recreational ACL (lb gw)	Action 7, Alternative 2 Proposed Recreational ACT (lb gw)	Projected Closure
Option A	36,417	31,319	Jul 23
Option B	112,362	96,631	Sep 17
Option C	128,649	110,638	Oct 8
Action 6 Alternative 2 Options	Recreational ACL (lb gw)	Action 7, Alternative 3 Proposed Recreational ACT (lb gw)	Projected Closure
Option A	36,417	29,862	Jul 22
Option B	112,362	92,137	Sep 10
Option C	128,649	105,492	Sep 30

The reliability of these results is dependent upon the accuracy of the underlying data and input assumptions. The analysis intends to create a realistic baseline as a foundation for comparisons, under the assumption that projected future landings will accurately reflect actual future landings. These closure dates are our best estimate, but uncertainty still exists as economic conditions, weather events, changes in catch-per-unit effort, fisher response to management regulations, and a variety of other factors may cause departures from any assumption.