

# **Red Snapper Commercial Quota Retention for 2016**



**Framework Action to the Fishery Management Plan for  
the Reef Fish Resources of the Gulf of Mexico including  
Environmental Assessment, Regulatory Impact Review, and  
Regulatory Flexibility Act Analysis**

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# COVER SHEET

## Withhold a Portion of the Commercial Red Snapper Quota for 2016

Framework Action to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico including Environmental Assessment (EA), Regulatory Impact Review (RIR), and Regulatory Flexibility Act Analysis (RFAA)

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### Type of Action

Administrative       Legislative

Draft                       Final

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## ABBREVIATIONS USED IN THIS DOCUMENT

ABC	allowable biological catch
ACL	annual catch limit
ALS	accumulated landings system
AM	accountability measure
Council	Gulf of Mexico Fishery Management Council
EA	Environmental Assessment
EEZ	exclusive economic zone
EFH	essential fish habitat
E.O.	Executive Order
$F_{level}$	instantaneous fishing mortality corresponding to a given level
FMP	fishery management plan
FTE	Full-time Equivalent
GMFMC	Gulf of Mexico Fishery Management Council
Gulf	Gulf of Mexico
gw	gutted weight
IFQ	individual fishing quota
LAPP	limited access privilege program
lq	local quotient
Magnuson-Stevens Act	Magnuson-Stevens Fishery Conservation and Management Act
mp	million pounds
MRFSS	Marine Recreational Fisheries Statistics Survey
MRIP	Marine Recreational Information Program
MSY	maximum sustainable yield
NAICS	North American Industry Classification System
NMFS	NOAA's National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
OFL	overfishing limit
P*	acceptable probability of overfishing
RFA	Regulatory Flexibility Act
RFAA	Regulatory Flexibility Act analysis
RIR	regulatory impact review
Secretary	Secretary of Commerce
SEDAR	Southeast Data, Assessment, and Review
SEFSC	Southeast Fisheries Science Center
SERO	Southeast Regional Office
SSC	Scientific Statistical Committee
SPR	spawning potential ratio
SRHS	Southeast Region Headboat Survey
TAC	total allowable catch
ww	whole weight

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# CHAPTER 1. INTRODUCTION

## 1.1 Background

The Gulf of Mexico Fishery Management Council (Council) is considering modifying the commercial and recreational sector allocations for red snapper in Amendment 28 (GMFMC 2015). The Council is expected to take final action on Amendment 28 in the fall of 2015 and in anticipation of that decision the Council has decided to set aside a portion of the red snapper commercial quota for the 2016 fishing year based on the shift in allocation that is selected in Amendment 28. The purpose of this framework action is to retain a portion of the red snapper commercial Individual Fishing Quota (IFQ) for the 2016 fishing year. If Amendment 28 is not approved at the August Council Meeting this action will not be necessary.

Amendment 28 and its Environmental Impact Statement analyzed the impacts of a reasonable range of alternatives that would change the current commercial and recreational red snapper allocation of 51:49 percent, respectively. The purpose of Amendment 28 is to reallocate the red snapper harvest consistent with the 2015 red snapper assessment update to ensure the allowable catch and recovery benefits are fairly and equitably allocated between the commercial and recreational sectors to achieve optimum yield. The current Preferred Alternative 8 would result in a 51.5 percent recreational and 48.5 percent commercial allocation.

## 1.2 Purpose and Need

The purpose of this action is to retain a percentage (xx %) of the commercial quota for the 2016 fishing year in anticipation of the implementation of Amendment 28. The underlying need for this action is based on the Preferred Alternative selected in Amendment 28. The need expressed in Amendment 28 is to facilitate timely implementation of sector allocations based on the best scientific information available and which use the most appropriate allocation method to determine sector allocations, while achieving optimum yield, particularly with respect to food production and recreational opportunities, and rebuilding the red snapper stock.

This action is driven by the Magnuson-Stevens Act, which requires NMFS and the regional fishery management councils to prevent overfishing while achieving, on a continuing basis, the optimum yield from federally managed fish stocks, to take into account the importance of fishery resources to fishing communities and provide for sustained participation of such communities, and to rebuild stocks that have been determined to be overfished.

## 1.3 History of Management

A complete history of management for the FMP is available on the Council's website: [http://www.gulfcouncil.org/fishery\\_management\\_plans/reef\\_fish\\_management.php](http://www.gulfcouncil.org/fishery_management_plans/reef_fish_management.php) and a history of red snapper management through 2006 is presented in Hood et al. (2007). The final rule for the Reef Fish FMP (with its associated environmental impact statement [EIS]) (GMFMC 1981)



was effective November 8, 1984, and defined the Reef Fish fishery management unit to include red snapper and other important reef fish.

On April 22, 2015, NMFS published the final rule [80 FR 22422] to implement Amendment 40 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico submitted by the Council. The rule established two components within the recreational sector that fishes for red snapper. The two components are the federal for-hire operators and the private angling component. The rule also established sub-quotas and annual catch targets using Amendment 40's allocation of 42.3 percent to the federal for-hire component and 57.7 percent to the private angling component. This allocation is based upon a historical time series of landings (1986-2013) combined with a most recent time series (2006-2013). The component seasons will start June 1 and end when the individual component's ACT is projected to be caught. A twenty percent buffer will be applied to the recreational quota to obtain the ACT, which is then allocated between the two components. In addition, a sunset provision was selected by the Council that will end after three years unless the Council takes additional action. The final rule became effective on May 22, 2015.

Currently, the commercial sector fishing for red snapper is regulated by a 13-inch total length (TL) minimum size limit and managed under an individual fishing quota program. Recreational fishing for red snapper is managed with a 16-inch TL minimum size limit, 2-fish bag limit, and a season beginning on June 1 and ending when the recreational quota is projected to be caught. Other reef fish fishery management measures that affect red snapper fishing include permit requirements for the commercial and for-hire sectors as well as season-area closures.

## CHAPTER 2. MANAGEMENT ALTERNATIVES

### Action 1 – Retain a Portion of the Commercial Red Snapper Quota for 2016

**Alternative 1:** No Action - Distribute a 100% of the 2016 red snapper commercial quota to red snapper Individual Fishing Quota (IFQ) account shareholders on January 1, 2016.

**Alternative 2:** Before the distribution of the 2016 red snapper commercial quota to red snapper IFQ account shareholders, **withhold up to 34.7 % of the red snapper commercial quota**. The exact amount to be retained for later distribution will be determined by the percentage of the red snapper commercial quota that would be reallocated to the recreational sector under Reef Fish Amendment 28.

**Discussion:**

The Council is currently evaluating the allocation of the red snapper quota between the recreational and commercial sectors and is considering reallocation alternatives in Amendment 28 to the Reef Fish Fishery Management Plan (Reef Fish Amendment 28 – Red Snapper Allocation). For 2016, recreational and commercial quotas that would result from the reallocation alternatives in Amendment 28 are provided in Table 2.1.

**Table 2.1:** 2016 commercial and recreational red snapper quotas for the reallocation alternatives under consideration in Reef Fish Amendment 28. Quotas are expressed in million pounds whole weight (mp ww)

Alternatives in Amendment 28	2016 Red Snapper Quota		
	Total	Commercial	Recreational
Alternative 1 No Action	13.960	7.120	6.840
Alternative 2	13.960	6.701	7.259
Alternative 3	13.960	6.422	7.538
Alternative 4	13.960	5.724	8.236
Alternative 5	13.960	5.861	8.099
Alternative 6	13.960	4.651	9.309
Alternative 7	13.960	6.090	7.870
Preferred Alternative 8	13.960	6.768	7.192
Alternative 9	13.960	5.933	8.027

Source: Reef Fish Amendment 28

The Council has indicated that it will take final action and possibly submit Reef Fish Amendment 28 to the Secretary of Commerce for approval and implementation during its August 2015 meeting in New Orleans, LA. Based on its expected timelines for review and implementation, Reef Fish Amendment 28, if approved by the Secretary, is expected to be implemented after January 1, 2016. The commercial red snapper fishery is managed under an individual fishing program (IFQ) which distributes annual IFQ allocations to shareholders on January 1 of each year. Therefore, quota reallocations that would decrease the commercial red snapper quota (and increase the recreational quota by the same amount) would either have to be implemented before the first of the year or be delayed by a year. By withholding a portion of the commercial quota during the distribution of annual allocations to IFQ shareholders, this framework action would allow adjustments (reductions) to the 2016 commercial quota after the first of the year, in accordance with the expected timeline for the implementation of Amendment 28.

**Alternative 1** – no action would not retain portions of the 2016 commercial red snapper quota. Therefore, **Alternative 1** would not allow decreases in the red snapper commercial quota after the January 1, 2016 distribution of annual IFQ allocations to shareholders. Under **Alternative 1**, the Council would not be able to decrease the commercial red snapper allocation in 2016 and would delay reallocation until 2017.

**Alternative 2** would allow the Council to implement a decrease in the commercial red snapper quota after January 1, 2016 by only distributing the exact portion of the 2016 annual IFQ allocations selected as preferred in Amendment 28, to shareholders. **Alternative 2** proposes to retain a portion of the 2016 commercial red snapper quota to accommodate any decrease in the 2016 commercial quota that would result from the implementation of Amendment 28. Commercial red snapper quotas for 2016 expected to result from reallocation alternatives considered in Amendment 28 and differences between the quotas and the status quo commercial quota, i.e., without reallocation, are provided in Table 2.2.

Although the Council's current preferred alternative in Amendment 28 (Preferred Alternative 8) would decrease the 2016 commercial red snapper quota by 0.352 mp or 4.9% of the 2016 commercial quota under status quo (no reallocation), Alternative 6 in Amendment 28 could potentially decrease the 2016 red snapper commercial quota by as much as 2.469 mp (or 34.7% of the status quo commercial quota). To maintain the Council's ability to select any one of the reallocation alternatives considered in Amendment 28, **Alternative 2** in this framework action proposes to retain up to the maximum amount of red snapper that could potentially be reallocated from the commercial to the recreational sector. The exact amount of red snapper to be withheld from distribution to IFQ shareholders will be known as soon as the Council takes final action on Amendment 28. The amount withheld would be added to the 2016 recreational red snapper quota once the Secretary approves Amendment 28 for implementation. The amount of red snapper withheld would be returned to IFQ shareholders if the Council chooses not to pursue, or the Secretary disapproves Amendment 28.

**Table 2.2:** 2016 Commercial red snapper quotas and differences between the status quo and the commercial quotas for reallocation alternatives under consideration in Reef Fish Amendment 28. Quotas are expressed in million pounds whole weight (mp ww); Differences are expressed in mp ww and in percent of the status quo (no action) quota.

Alternative in Amendment 28	Commercial Quota in 2016	Difference	
		Pounds	Percent
<b>Alternative 1 No Action</b>	<b>7.120</b>	----	----
Alternative 2	6.701	0.419	5.9%
Alternative 3	6.422	0.698	9.8%
Alternative 4	5.724	1.396	19.6%
Alternative 5	5.861	1.259	17.7%
Alternative 6	4.651	2.469	34.7%
Alternative 7	6.090	1.030	14.5%
Preferred Alternative 8	6.768	0.352	4.9%
Alternative 9	5.933	1.187	16.7%

Source: Data from Amendment 28