The South Atlantic Fishery Management Council's

South Atlantic Update

Published for fishermen and others interested in marine resource conservation issues **Summer 2009**

New Regulations for Snapper Grouper Complex Species Now in Effect

Changes to bag limits, commercial quotas and new seasonal closures target overfishing

New regulations became effective on July 29, 2009 to end overfishing of gag grouper and vermilion snapper. These measures, implemented through Amendment 16 to the Snapper Grouper Fishery Management Plan affect both recreational and commercial fishermen and include:

- Beginning 2010, a January through April spawning season closure that prohibits recreational and commercial harvest of shallow water species including gag, black grouper, red grouper, scamp, rock hind, red hind, coney, graysby, yellowfin grouper, yellowmouth grouper, and tiger grouper.
- A November through March prohibition on recreational harvest of vermilion snapper;
- Modifications to the commercial quota for vermilion snapper and implementation of a commercial quota for gag;
- Reductions in the recreational bag limits for vermilion snapper, gag, black grouper, and the grouper aggregate;
- A requirement for the use of dehooking tools by both commercial and recreational fishermen when necessary.

These provisions apply to fishermen with a federal commercial or for-hire (charter/headboat) permit for the South Atlantic snapper grouper fishery *regardless of whether the fish are harvested in state or federal waters*. Captain and crew on for-hire vessels are prohibited from retaining vermilion snapper or any species in the grouper aggregate.

The 2009 commercial quota for gag began with the fishing year, January 1, 2009. Once the commercial quota for gag is met, *all shallow water grouper will be closed to commercial harvest*. Updated quota information is available from NOAA Fisheries' Southeast Regional Office online at: http://sero.nmfs.noaa.gov or call 727/824-5305.

Regulations	NEW as of July 29, 2009 (Amendment 16)
Recreational	
Grouper aggregate* bag limit	3 fish
Gag/black grouper bag limit within aggregate*	1 gag *or* black grouper
Vermilion snapper bag limit	5 fish
Shallow-water grouper** closed season	January - April
Vemilion snapper closed season	November - March
Commercial	
Shallow-water grouper** closed season	January-April (all shallow-water grouper**)
Gag quota	352,940 lbs. gutted weight
Vermilion snapper quota	315,523 lbs. gutted weight (January-June); 302,523 lbs. gutted weight (July - December)

* **Grouper aggregate includes**: All shallow water grouper *plus* misty grouper, yellowedge grouper, blueline tilefish, and sand tilefish. Snowy grouper and golden tilefish are also in the grouper aggregate with a maximum of 1 fish per person/day, for each species. Also included, speckled hind and warsaw, with 1 per vessel per trip, with no sale.

****Shallow water grouper:** Gag, black grouper, red grouper, scamp, red hind, rock hind, coney, graysby, yellowfin grouper, yellowmouth grouper, and tiger grouper.



September 14 - 18, 2009 Council Meeting
Charleston, SC
Informal Question & Answer Session
Wednesday, September 16 at 5:30 PM

Open Public Comment Session
Thursday, September 17 at 2:00 PM
See page 11 for details

Inside This Issue:

Council Member Appointments 2
In The News 3
Catch Shares Task Force 3
Red Snapper & Proposed Area Closures 4
Ending Overfishing 7
Research Update - Oculina Bank 8
Spawning Observed in MPA 9
September 2009 Meeting Agenda 11
Calendar 12

The South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405; Telephone: (843) 571-4366 or Toll Free 866/SAFMC-10; FAX: (843) 769-4520; E-mail: safmc@safmc.net

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

Robert K. Mahood
Executive Director

Gregg T. Waugh
Deputy Director

VOTING MEMBERS

Designated State Officials

Brian Cheuvront
Morehead City, NC
(252) 726-7021

Mark Robson
Tallahassee, FL
(850) 487-0554

Susan Shipman
Brunswick, GA
(912) 264-7218

Robert Boyles
Charleston, SC
(843) 953-9304

Appointed Obligatory Members

Ben Hartig
Hobe Sound, FL
(772) 546-1542

Rita Merritt
Wrightsville Beach, NC
(910) 256-3197

Duane Harris, Chairman
St. Simons Island, GA
(912) 638-9430

Tom Swatzel
Murrells Inlet, SC
843/357-1673

Appointed At-Large Members

George J. Geiger
Sebastian, FL
(561) 388-3183

Charlie Phillips
Townsend, GA
(912) 832-3149

David Cupka, Vice-Chair
Charleston, SC
(843) 795-8591

Benjamin M. Currin
Raleigh, NC
(919) 881-0049

NMFS Regional Administrator

Roy Crabtree
St. Petersburg, FL
(727) 824-5301

Non-Voting Members

ASMFC
Washington, DC
(202) 289-6400

U. S. Fish & Wildlife
Atlanta, GA
(404) 331-3588

U. S. Coast Guard
Miami, FL
(305) 415-6778

State Department
Washington, DC
(202) 647-2883

Editor's Note

The South Atlantic Update is published by the South Atlantic Fishery Management Council. Its purpose is to report developments in fisheries management that would be of interest to its readers. Please credit the Council when reprinting articles used in this newsletter. Anyone wishing to submit information or articles pertaining to fishing or fisheries management, or letters to the editor on a pertinent issue, is invited and encouraged to do so. Submissions may be mailed to Kim Iverson, Editor, *South Atlantic Update*, 4055 Faber Place Dr., Suite 201, N. Charleston, SC 29405, or may be sent via the internet; Email address: kim.iverson@safmc.net.

A publication of the South Atlantic Fishery Management Council Pursuant to National Oceanic and Atmospheric Administration Award No. NA05NMF4410004.

New Council Member Appointments Announced

Two new members appointed to the South Atlantic Council, two members reappointed

In June, the Commerce Department announced the appointment of 30 new and returning members to the eight regional fishery management councils. Council members represent diverse interests - commercial and recreational fisheries, environmental concerns, and academia. The Secretary of Commerce selects council members from a list of nominees provided by the governors of fishing states to fill obligatory and at-large seats. Obligatory seats are state-specific, while at-large seats can be filled by a person from any of the states in the region. Council members serve three-year terms and may be reappointed to serve up to three consecutive terms.



Ben Hartig

Two new members have been appointed to serve on the South Atlantic Fishery Management Council. **Ben Hartig**, of Hobe Sound, Florida will serve as Florida's obligatory representative. A commercial fisherman for more than 30 years, Ben is no stranger to the Council process. He served two terms on the South Atlantic Council from 1993 to 1999, serving as Chairman for 2 years during that time. Before his reappointment, he served as Chairman of the Council's King and Spanish Mackerel Advisory Panel. "It is an honor to be reappointed to serve on the Council," said Hartig. "Even though the new Magnuson-Stevens reauthorization has significantly changed the Council's role, I think I can still add substantially to the process.



Charlie Phillips

After serving several years as a member of the Council's Snapper Grouper Advisory Panel, **Charlie Phillips**, of Townsend, Georgia has been appointed to an at-large seat on the Council. As the owner of Phillips Seafood and Sapelo Sea Farms, Charlie has extensive experience with the commercial shrimping, snapper grouper, and mackerel fisheries. He also served on the Council's LAPP Committee to explore options for the use of catch shares in the snapper grouper fishery.

Two members of the Council have been reappointed to serve additional terms. **Council Chairman Duane Harris** of St. Simon's Island, Georgia has been appointed to serve a second term in his role as an obligatory member for the state of Georgia. Chairman Harris has extensive experience in fisheries management, having retired as Director of GA DNR's Coastal Resources Division. **Benjamin "Mac" Currin,** of Raleigh, NC has been appointed to serve a third term as an at-large member of the Council. Currently the Chairman of the Council's Snapper Grouper Committee, Mac brings many years of experience in dealing with fisheries issues, having been an environmental policy analyst before starting Sport Fishing Adventures in Raleigh.

In the News:

Q&A Now Available for Overfishing Guidelines, Including ACLs

Earlier this year, in its revised National Standard 1 Guidelines, NOAA Fisheries published final guidance that is designed to help end overfishing and rebuild federally managed marine fish stocks.

The guidance outlines a system of annual catch limits and accountability measures to prevent annual catch limits from being exceeded, and to address such a situation quickly if it does occur. It also includes provisions on accounting for scientific and management uncertainty. Annual catch limits are required in fishing year 2010 for U.S. commercial and recreational fisheries subject to overfishing, and in fishing year 2011 for all other fisheries.

NOAA Fisheries Service has developed a set of questions and answers that discuss some common questions that have arisen on the guidelines. For more information, visit: http://www.nmfs.noaa.gov/msa2007/catchlimits.htm.



Deepwater Coral Research Cruises Underway
Follow Daily Logs as Scientists Explore Areas Proposed for Protection



photo: Steve Ross, et.al

A squat lobster rests in *Lophelia* coral

More than 1,000 feet below the ocean's surface, scientists inside a manned submersible collect samples from deep sea coral areas never before seen by humans. Once back onboard ship, a team of scientists sort through the samples in order to better understand these diverse coral communities, sometimes discovering new species.

In September, the Council is scheduled to approve Comprehensive Ecosystem-Based Amendment 1 to help protect more than 23,000 square miles of these deepwater coral areas off the South Atlantic coast. By designating areas as Deepwater Coral Habitat Areas of Particular Concern (CHAPCs), damaging fishing gear and future exploitation of these areas will be restricted.

Through a series of four research cruises planned between now and December, scientists will uncover new information that will help with future management efforts. Follow these cruises with daily logs, photos, and video available through the homepage of the Council's Web site at www.safmc.net.

We'll have more information about the proposed CHAPCs in the next issue of the *SA Update.*



The R/V *Seward Johnson* 45 miles off the coast of Cape Canaveral during the first of 4 research cruises.

Council Member George Geiger Appointed to National Catch Shares Task Force

In June, NOAA Administrator Dr. Jane Lubchenco appointed members to a new Catch Share Task Force, to assist NOAA and the regional fishery management councils as they consider and implement catch-share management programs. Monica Medina, senior advisor to the NOAA administrator, will lead the task force. "Transitioning to catch shares is a priority for NOAA," said Medina. "This task force will engage stakeholders to help ensure that the regional fishery councils and NOAA implement catch shares whenever appropriate."

The term "catch share" is a generic term used to describe a fishery management program that exclusively allocates a specific portion of the total fishery catch to individuals, cooperatives, communities, or other entities including sectors. The term encompasses more specific programs defined in legislation such as Limited Access Privilege Programs (LAPPs) and Individual Fishing Quotas (ITQs).

The task force includes a geographically diverse mix of people with specific expertise in catch share programs, science, and fisheries management, including representatives from each of the eight regional fishery management councils. Council member George Geiger, from Sebastian, Florida, was chosen to represent the South Atlantic Fishery Management Council. Mr. Geiger served as former chair of the Council.

"The Task Force is advising NOAA Fisheries on the development of a catch share policy with a set of guiding principles, things the councils may consider if they choose to opt for a catch share program in a fishery," explained Mr. Geiger. It is important to understand that catch shares will not end overfishing or overfishing status in stocks," said Geiger. "I predict and hope the resulting catch share policy will not be directive or prescriptive in nature. It is going to be a policy and not a rule."

One option that Mr. Geiger supports in development of the policy is the concept of resource rent. "As long as there is open access, there should be some resource rent associated with the taking of natural resources," said Geiger. "This rent would be directly associated with the conservation benefit." He referred to cattle ranchers who pay rent to graze cattle on public lands, water rights, and other land use programs as examples. "This has never been discussed, but it is something that can be considered. We should consider all of the options at this point in the process."



Catch shares are currently being considered to limit participation in the commercial golden tilefish fishery.

There will be a public comment session after policy is developed, with a timeline yet to be determined, explained Geiger. Additional information about the Catch Share Task Force, including summaries from three recent public briefings with stakeholders is available on the Catch Shares Task Force Web site at: http://www.nmfs.noaa.gov/sfa/domes_fish/catchshare/index.htm.

Long-term Measures Necessary to End Overfishing and Rebuild Stocks

Area closures under consideration to address red snapper overfishing

A proposed closure of the red snapper fishery has been a contentious issue since the 2008 stock assessment found the South Atlantic stock overfished and undergoing overfishing. As fishery managers began to look at long-term management measures to end overfishing for red snapper and nine other species in the snapper grouper management complex through Amendments 17A and 17B to the Snapper Grouper Fishery Management Plan, it has become increasingly obvious that simply closing the fishery will not be sufficient to end overfishing for red snapper.

Additional measures, including management alternatives for closing large areas to fishing for all snapper grouper species where red snapper catches are highest, are being considered.

The Council began development of Amendment 17 in 2008 to implement long-term management measures for the 10 species listed in the annual Report to Congress as undergoing overfishing. The reauthorized Magnuson-Stevens Act requires that regional fishery management councils implement long-term measures to end overfishing and rebuild overfished stocks by 2010. This includes the establishment of Annual Catch Limits (ACLs) and Accountability Measures (AMs) to help ensure the ACLs are not exceeded.



Photo: Gregg Swanson

A closure of the red snapper fishery will not be adequate to end overfishing. Because the red snapper stock is part of a multi-species snapper grouper fishery, the Council is considering closing areas to all snapper grouper fishing where high landings of red snapper occur. An update to the red snapper stock assessment is planned for 2010.

These ACLs (in pounds or numbers of fish), set by the councils, cannot exceed the recommendations of the councils' Scientific and Statistical Committees. Examples of AMs include corrective measures if overages occur and implementation of an in-season monitoring program.

The Council continued to review management alternatives in Amendment 17 during its June meeting in Stuart, Florida. Because of the magnitude of the management alternatives associated with ending overfishing for red snapper, the Council decided to divide Amendment 17 into separate amendments. Red snapper management measures will be addressed in what is now Amendment 17A, and Amendment 17B will include measures to address the remaining nine species: golden tilefish, snowy grouper, speckled hind, warsaw grouper, black grouper, black sea bass, gag, red grouper, and vermilion snapper. The amendments will remain on similar timelines for development.

Closures for Areas with High Red Snapper Landings

Despite size limits and bag limits implemented in 1992, overfishing has been occurring for red snapper since 1970 at about 8 times the sustainable limit. Current regulations allow for a recreational bag limit of 2 fish per person per day and require a 20" total length size limit for both commercial and recreational fishermen.

The 2008 red snapper stock assessment, conducted through the Southeast Data, Assessment and Review (SEDAR) process, indicates that the total mortality of red snapper must be reduced 85% in order to end overfishing. The total mortality includes both the fish that are landed and the estimated number of fish that die when released. The majority of red snapper landings are from the recreational fishery.

Between 2000 and 2006, recreational fishermen accounted for approximately 72% of the total landings for red snapper. Release mortality rates for red snapper are estimated at 40% for the recreational fishery and 90% for the commercial fishery (due to deeper waters fished and some handling practices).

Average annual landings of Red Snapper in the South Atlantic 2005 – 2007

- Commercial Average = 100,551 lbs. (gw)
- Recreational Average (for-hire and private anglers) = 283,247 lbs. (gw)

- **Commercial Landings 2001 - 2007** for Georgia and North Florida = 745,393 lbs. or **71%** of commercial landings
- **Headboat Landings 2001 - 2007** for Georgia and North Florida = 245,164 lbs. or **64%** of total headboat landings
- **Recreational landings** (MRIP) for **Florida 2001- 2007** = 1,833,457 lbs. or **88%** of total recreational landings

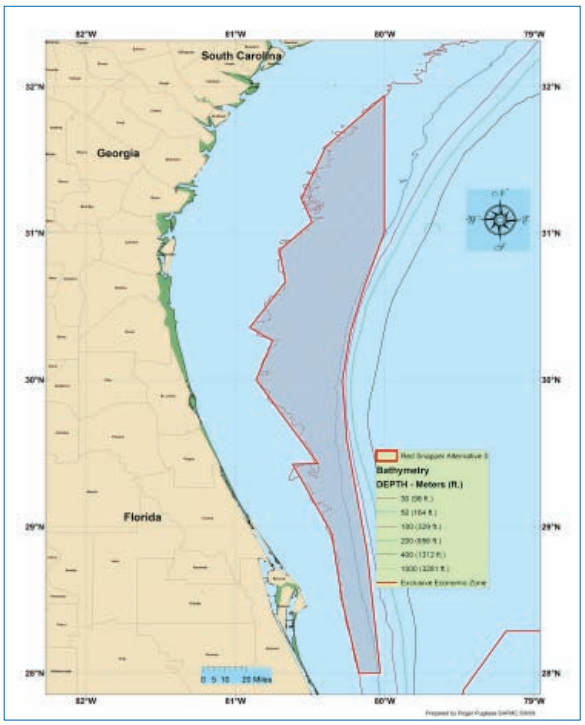


To address the release mortality, the Council is considering management alternatives that would close large areas to all snapper grouper fishing where red snapper catches are the highest. The alternatives are based on reported landings of red snapper, primarily off the coast of Georgia and north/central east coast of Florida.

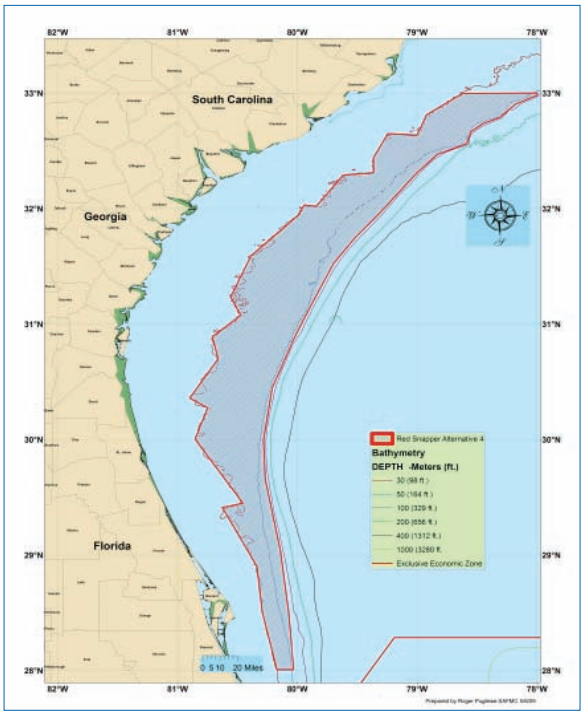
Because the red snapper stock is part of the multi-species snapper grouper fishery, discard mortality of red snapper will continue to occur as fishermen pursue other species in the fishery that occupy the same habitat at the same time. For example, red snapper co-occur with vermilion snapper, tomtate, scup, red porgy, white grunt, black sea bass, red grouper, scamp, and others. The closure alternatives target areas where red snapper are most prevalent in order to reduce encounters with red snapper and thereby limit discard losses.

Because of the selectivity of gear and lack of red snapper release mortality associated with the fishery, the commercial black sea bass pot fishery, it is being proposed that fishing for

(Continued page 6)



Closed Area Alternative 3



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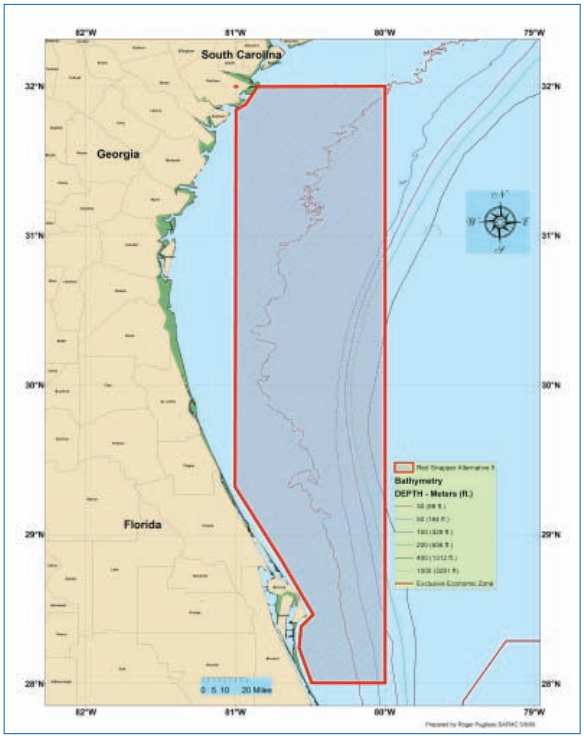

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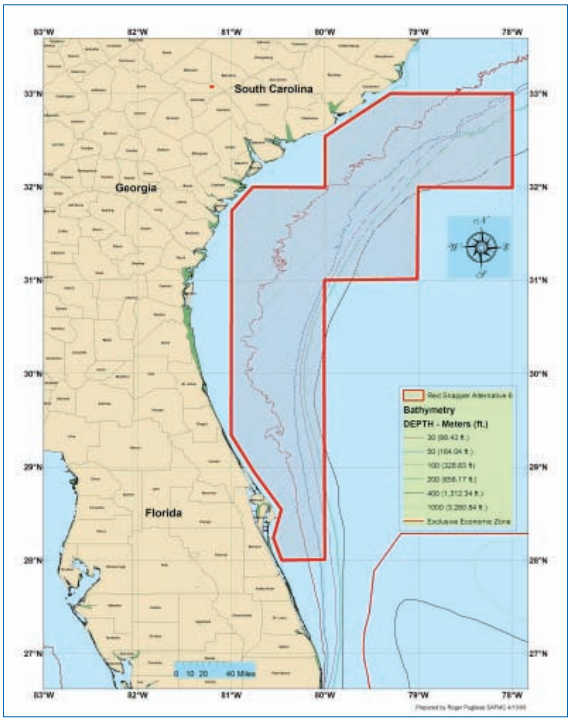


Closed Area Alternative 6

Alternatives for Snapper Grouper Area Closures

In *addition* to a year-round closure of the red snapper fishery, four alternatives for area closures are currently under consideration in Amendment 17A to end overfishing of red snapper. The alternatives target areas where red snapper landings are highest and are based on logbook reporting grids. **Fishing for all species in the snapper grouper management complex (with a proposed exception for black sea bass pots, spearfishing and fishing for golden tilefish) would be prohibited within the closed area.**

Alternatives 3 and 4 follow depth contours ranging from 98 feet (30 meters) out to 240 feet (73 meters), while Alternatives 5 and 6 follow logbook grid lines. Because of the mixed species nature of the snapper grouper fishery, the Council is considering area closures to reduce release mortality associated with the red snapper fishery and end overfishing. The Council has not chosen a preferred alternative at this time. Recommendations from the Council's Snapper Grouper Advisory Panel and Law Enforcement Advisory Panel will be considered as the Council continues to review alternatives to end overfishing during its September 14 - 18, 2009 meeting in Charleston, SC.



Update - Interim Rule for Red Snapper Closure

At the request of the Council, the National Marine Fisheries Service (NOAA Fisheries) is currently considering an interim rule to close the red snapper fishery to both commercial and recreational fishermen for up to one year. NOAA Fisheries held a 30-day open comment period that ended August 5, 2009. If approved, the closure is likely to begin in October of this year.

A red snapper closure begins to address overfishing, but it is not enough to end overfishing as mandated in the reauthorized Magnuson-Stevens Act.

The 2008 red snapper stock assessment, conducted through the Southeast Data, Assessment and Review (SEDAR) stock assessment program, determined the stock is overfished and undergoing overfishing at 8 times the sustainable level. Long-term measures, including area closures for all snapper grouper species, are being considered in Amendment 17A.

Long-term Measures (*Continued from page 4)*

golden tilefish, and spearfishing not be excluded in the closed areas.

Four area closure alternatives are currently being considered in Amendment 17A. Alternatives 3 and 4 follow a contour depth of 30 meters (98 feet) for the western boundary, and extend eastward to 73 meters (240 feet). The boundaries for Alternatives 5 and 6 are based on the grid pattern associated with the logbook reporting program, with each grid measuring approximately 60 X 60 miles. The amendment also includes alternatives for transit provisions.

The Council recognizes that some shifting of fishing effort, for both the recreational and commercial fisheries, can be expected following implementation of area closures. Because of the nature of the red snapper fishery, it is anticipated the majority of the shift in fishing effort would be to shallower waters and should result in reduced discard mortality, since release mortality is directly associated with depths from which fish are taken.

Thus, various scenarios for shifts in fishing effort are being incorporated into Amendment 17A, including a substantial reduction (from 90% to 40%) in commercial discard mortality, a moderate reduction (from 90% to 65%) in commercial discard mortality, and a relatively small reduction (from 40% to 30%) in recreational discard mortality.

Various scenarios for redistribution of fishing effort will also be considered in the socio-economic impact analysis for the closed areas. The Council is also considering impacts to the red snapper fishery associated with management measures implemented in Amendment 13C and Amendment 16. The Council reviewed the four current alternatives for the closed areas to meet the requirement to end overfishing for red snapper, but did not choose a preferred alternative in June.

The Council's Snapper Grouper Advisory Panel and Law Enforcement Advisory Panel reviewed the management measures in Amendment 17A during meetings held in August. The AP recommendations will be considered by the Council as it continues to review Amendment 17A during its September meeting.

Schedule for Amendment 17A

The Council is currently scheduled to approve the document for public hearings in September. If the Public Hearing Document is approved, a series of public hearings is tentatively scheduled for the first two weeks in November. If approval of the Public Hearing Document for Amendment 17A is delayed until the Council's December 2009 meeting in Atlantic Beach, North Carolina, public hearings will be held in late January/early February 2010.

Monitoring red snapper



MARMAP sampling trap

With large area closures to all snapper grouper fishing under consideration, the Council has included alternatives in Amendment 17A for monitoring the red snapper stock. Accurate monitoring is necessary in determining changes to the stock status and thus the configuration and length of time that area closures will be necessary. Monitoring alternatives include establishing a fishery-dependent red snapper research fishery involving for-hire vessels (charter and headboat). Participating vessels may be authorized to harvest and land fish in the closed areas, based on research objectives. Trip limits and number of trips per month would depend on the number of selected vessels, available quota, and research objectives. In place since the 1970s, the current Southeast Region Headboat Survey has produced catch-per-unit-effort (CPUE) data used in most of the SEDAR stock assessments. Data is collected through self-reporting via logbooks and dockside intercepts.

Another monitoring alternative involves an expansion of the Marine Resources Monitoring, Assessment, and Prediction (MARMAP) fishery-independent data collection program. Administered through the SC Department of Natural Resources, the cooperative fisheries project conducts reef fish assessments from North Carolina to northern Florida. An expansion of the current MARMAP program would include increasing the range of the sampling area from Cape Hatteras, NC to St. Lucie Inlet in Florida, increasing the types of gear used in sampling (including trap-deployed cameras), and an overall increase in the number of samples taken through the program. An expansion would require additional funding and support from the NOAA Fisheries Service.

A detailed report on the alternatives for implementation of a red snapper monitoring program is included in Appendix L of Amendment 17A. The report points to the need to expand any monitoring program to include all species in the snapper grouper management complex, not just red snapper.

After reviewing the monitoring alternatives in June, the Council's Scientific and Statistical Committee supported the expanded fishery-independent program, and continuation of the Southeast Region Headboat Survey. The Council will continue to review the options for a monitoring program in September.

Setting Limits to Address Overfishing

In addition to red snapper, ACLs and AMs must be set by 2010 for nine other species

By 2010, fisheries subject to overfishing must have Annual Catch Limits (in pounds or numbers of fish) specified at levels that prevent overfishing and do not exceed the limits specified by the Council's Scientific and Statistical Committee. This mandate is included as part of the reauthorized Magnuson-Stevens Act.

Accountability Measures (AMs) must also be established to ensure accountability. AMs are management controls to make sure that Annual Catch Limits (ACLs) are not exceeded, such as corrective measures if overages occur and implementation of an in-season monitoring program. By 2011, ACLs and AMs must be established for all fisheries, except those with annual life cycles such as shrimp.

While Amendment 17A addresses overfishing and sets ACLs and AMs for red snapper, the Council is developing Amendment 17B to specify alternatives for setting ACLs and AMs for the other 9 species currently listed as undergoing overfishing. The nine species are: golden tilefish, snowy grouper, speckled hind, warsaw grouper, black grouper, black sea bass, gag, red grouper, and vermilion snapper.



Photo: Bull Island Angler's Club

A deepwater closure is proposed for South Atlantic federal waters seaward of 240 feet for deepwater species (snowy grouper, blueline tilefish, yellowedge grouper, warsaw grouper, speckled hind, misty grouper, queen snapper, and silk snapper).

Deepwater Species

Speckled Hind and Warsaw Grouper

Undergoing overfishing/Overfished status unknown

Currently, fishermen are allowed to keep 1 fish per vessel per trip and sale is prohibited for these two species. The Council's Scientific and Statistical Committee (SSC) has recommended an Acceptable Biological Catch (ABC) of zero based on a pre-SEDAR stock assessment. The ABC recommendation refers to landings only. The draft amendment will include management alternatives based on the SSC's recommendation.

Golden Tilefish

Undergoing overfishing/not overfished

Golden tilefish have historically been primarily targeted by commercial fishermen. Management measures implemented in 2006 through Amendment 13C, including reductions in the commercial quota, are designed to end overfishing. Because golden tilefish are a relatively rare species for recreational anglers to target, estimates of recreational catch are extremely variable and it will be difficult to monitor a recreational ACL.

The Council's preferred alternative would let the current commercial quota (321,003 lbs. gutted weight) serve as the ACL for both the commercial and recreational sectors. The amendment contains alternatives for setting an ACL (specified in numbers of fish) specifically for the recreational fishery dependent upon the alternatives chosen for allocation between commercial and recreational sectors. Current alternatives for allocations range from 97% commercial and 3% recreational, to an alternative for a 50/50 split between sectors.

Snowy Grouper

Undergoing Overfishing and Overfished

Management measures implemented in 2006 through Amendment 13C are projected to end overfishing of snowy grouper and rebuild stocks, primarily through regulations affecting the commercial fishery that have reduced annual quotas and implemented strict trip limits. The current preferred alternative in Amendment 17B includes a commercial ACL (82,900 lbs. gw) based on the TAC and interim allocations established in Amendment 13C.

A recreational ACL for snowy grouper has been set at 523 fish, making it very difficult to monitor. The Council's preferred alternative would set a daily bag limit of 1 snowy grouper *per vessel* and implement AMs for the recreational fishery (as outlined below).

Deepwater Closure Proposed

The Council is proposing a deepwater closure as a way to address the SSC's recommendation of an ABC of zero for speckled hind and warsaw grouper; a recreational ACL of 523 fish for snowy grouper; a release mortality of 100% for deepwater fish in a multi-species fishery; and the limited ability to monitor recreational catches of deepwater species. The deepwater closure would prohibit fishing for deepwater species (snowy grouper, blueline tilefish, yellowedge grouper, warsaw grouper, speckled hind, misty grouper, queen snapper, and silk snapper) seaward of 240 feet (40 fathoms).

Because of the low bycatch associated with the golden tilefish fishery, the golden tilefish fishery would be excluded in the deepwater closure (for both commercial and recreational fishermen). A similar exclusion is being considered for blueline tilefish once a bycatch analysis has been completed.

Non-Deepwater Species

Gag, black grouper, red grouper, vermilion snapper and black sea bass

All undergoing overfishing/ black grouper, red grouper, and vermilion – overfished status is unknown/ black sea bass overfished

Designating the current quotas and seasonal closures implemented through Snapper Grouper Amendments 13C, 15A, and 16 as ACLs and AMs would fulfill the ACL requirements of the reauthorized Magnuson-Stevens Act for black sea bass, gag, and vermilion snapper.

Aggregate ACL Alternatives for Gag, Black Grouper, and Red Grouper

Amendment 16 established a commercial ACL for gag of 353,940 lbs. gutted weight (gw) and a commercial AM to prohibit commercial harvest of all shallow water grouper once the ACL is met. A recreational ACL of 340,060 lbs. (gw) was also established in Amendment 16. Recreational AMs were not established.

(Continued page 10)

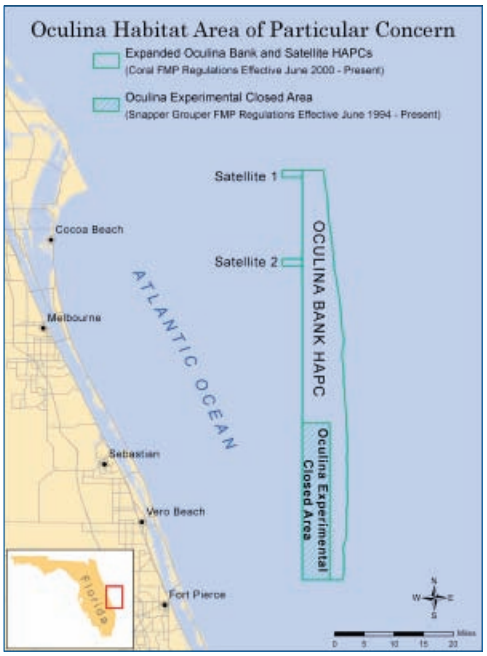
Science Profile

by Stacy Harter
NOAA Fisheries Service

Research Aids in Measuring Effectiveness of the First Protected Area Designated in the South Atlantic

Like shallow tropical coral reefs, deep-sea coral habitats support important ecosystem functions, serving as hot-spots for biodiversity and important fish habitat. Like their shallow-water counterparts, deep-sea coral ecosystems are impacted by human activities. As harvests have declined in shallow waters, fishing pressure has moved further offshore, thus raising interest for deep-sea coral ecosystem protection. Management strategies have transitioned from a single species perspective to a more balanced ecosystem-based approach, where the preservation of essential fish habitat is linked with protection of fishery resources. This has led to an increase in the use of marine protected areas (MPAs) as a resourceful management tool.

The Oculina Bank is the first area established to protect habitat in federal waters off of the east coast of the U.S. Located approximately 23 miles offshore of eastern Florida, in waters ranging in depth from180 to 400 feet, the area is named for the series of high relief reefs constructed by the ivory tree coral, *Oculina varicosa*. Intact, live *Oculina* coral supports a diverse and dense assemblage of invertebrates and fishes, and it may serve as spawning grounds for a number of economically important or threatened reef fish species. These deep-water reefs are unique in that they are present in large concentrations in this area.



Oculina Bank HAPC and Experimental Closed Area

A portion of the Oculina Bank known as the Oculina Habitat Area of Particular Concern (OHAPC) first received protection in 1984. This was primarily in response to the impact the rock shrimp trawling industry was having on the coral habitat. The OHAPC prohibits bottom-fishing gear such as trawls, dredges, longlines, traps, and anchors in order to protect the fragile coral. Within the OHAPC, the Oculina Experimental Closed Area (OECA) was designated in 1994 in response to the rapidly diminishing grouper populations. The closure excludes all bottom fishing, including fishing with hook-and-line gear, in order to assess the use of an MPA to recover over-fished reef fish populations, especially grouper.

Effectiveness of the Oculina Protected Area

The Oculina Bank is not an easy environment to study. The area is rugged, deep (beyond normal scuba diving depths), and currents are hazardous as the reefs are swept by the Gulf Stream. The most effective approach for characterizing the coral habitat and fish populations is broad area mapping using acoustic survey technologies. This approach is complemented with targeted exploration using visual technology such as remotely operated vehicles (ROVs) or submersibles.

Scientists with National Marine Fisheries Services' Southeast Fisheries Center, NOAA's Undersea Research Center and Harbor Branch Oceanographic Institute initiated such a study in order to assess fish populations and habitat on the Oculina Bank. The data obtained during their study will aid management efforts that currently include a re-evaluation of the effectiveness of the OECA in 2014. Using an ROV equipped with a video camera and still camera, the team of scientists compared fish assemblage composition, diversity, and grouper densities inside and outside managed areas. Even though the composition of fish assemblages was not different, fish diversity and grouper densities were higher inside the protected area compared to outside.

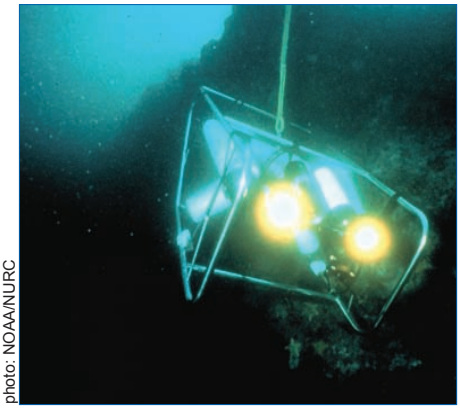


photo: NOAA/NURC

Remotely Operated Vehicle (ROV)

Also, a higher percentage of live coral was found in the Experimental Closed Area suggesting the restriction of fishing activity may have aided in conserving the remaining Oculina coral reefs. Other notable visuals from the ROV transects include the first observations of black sea bass and juvenile specked hind in the area since the 1980s. Black sea bass once dominated these reefs and most were large, mature individuals. Recently observed fish have been small juveniles, ranging in length from 4 to 8 inches, suggesting that initial stages of recovery for this species may be underway.

Even though the composition of fish assemblages was not different, fish diversity and grouper densities were higher inside the protected area compared to outside.

While an ecosystem approach to management has become widely accepted and MPAs have become a primary tool to manage deep-sea coral ecosystems, evidence demonstrating MPA effectiveness takes a long time to acquire and develop. The studies of the Oculina protected area, however, reveal several positive effects of the closure, including higher grouper densities observed on the more structurally complex habitats, and an increase in biodiversity and the percentage of intact coral. Furthermore, Oculina coral within the protected area provides spawning habitat for gag and scamp and serves as shelter for juvenile speckled hind and a host of invertebrate species. These factors suggest the initial effectiveness of the MPA for restoring reef fish and their habitat.

(Continued next page)

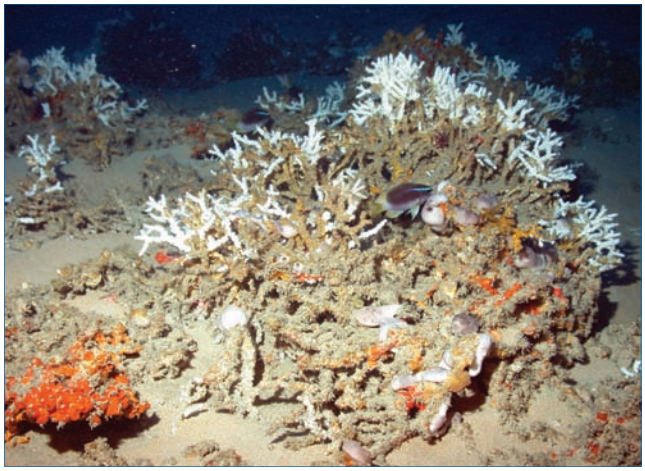


photo: John Reed FAU/HBOI

In 1994, as a result of Council action, a 92-square mile area in the southern end of the Oculina Bank coral reefs was designated an Experimental Closed Area and prohibited fishing for snapper grouper species. The closure was extended indefinitely in 2004. New research indicates the restrictions are working to help protect coral areas and associated fish species.

The Role of Coral as Essential Fish Habitat

Essential fish habitat is defined as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. With the reauthorization of the Magnuson-Stevens Fishery Management and Conservation Act, the National Marine Fisheries Service has been tasked with conserving and examining deep-sea coral ecosystems.

A current topic of discussion regarding deepwater corals is whether they serve as essential habitat for some fish species or whether any type of 3-dimensional structure (e.g., rock ledges) is sufficient. While it is well known that deep coral habitat supports high diversity and densities of fish species, it is unclear whether fish are attracted to live coral or simply the structure made by corals.

The recent study of Oculina protected area addressed this question by comparing fish assemblages, densities, and diversity among several structure-forming habitat types, including coral. Like many other studies, scientists found no difference in the composition of fish assemblages or diversity among hard bottom reef habitat types. Grouper densities were higher on the more structurally complex habitats, but this was not exclusive to coral. Therefore, they concluded that *O. varicosa* is functionally equivalent to the other hard-bottom habitats on the Oculina Bank.

Although this study demonstrated that *Oculina* coral serves a similar role for fishes as other hardbottom habitats, it is still an important habitat and a major contributor to deep-sea habitat complexity and structure. Significant numbers of gag and scamp aggregate on and use Oculina as spawning habitat, and young speckled hind use the coral as their nursery habitat. Intact coral is not only valuable for fish, but invertebrates such as shrimp, crabs, and sea stars as well. As long as the coral is standing (live or dead), open spaces within the branches support dense and diverse communities of associated invertebrates.

Protection for deep-sea corals remains crucial; however, conservation efforts should take into account the intrinsic value of corals including their slow growth rate, high sensitivity to disturbance, and the potentially long time horizon needed before these unique and fragile ecosystems show signs of recovery.

Biologists See Spawning Fish in Marine Protected Area

Biologists recently witnessed an extraordinary sight while conducting an underwater study of mutton snapper in the Florida Keys.

For the first time in Florida waters, scientists with the Florida Fish and Wildlife Conservation Commission's (FWC) Fish and Wildlife Research Institute, the National Oceanic and Atmospheric Administration and the University of South Florida observed this species spawning in a Marine Protected Area in the Florida Keys. The site was established, in part, to protect spawning schools of snapper and grouper in the Tortugas Ecological Reserve.

Mutton snapper is an important species to both recreational and commercial fisheries. When fish group together in large numbers to spawn, they are more vulnerable to fishing pressure. Allowing the fish to spawn without angler pressure will help sustain the fishery. The data collected from this study will help biologists understand the effectiveness of creating no-take Marine Protected Areas to protect a variety of sea life, including fish and coral reefs.

Biologists spotted the large school of spawning snapper while working on an acoustic tagging project. The purpose of this research is to obtain information regarding the movement, spawning and migratory habits of snappers and groupers. They conducted surgeries underwater at depths of up to 120 feet to implant acoustic tags inside the fish. Conducting the tagging at this ground-breaking depth causes less stress to the fish than bringing them to the surface by conventional hook-and-line methods to complete the surgeries.

"It is clear to everyone involved in research at Riley's Hump that the mutton snapper spawning aggregation has been steadily increasing in numbers each year," said Don DeMaria, Chairman of the Council's Snapper Grouper Advisory Panel and participant in the survey. "Riley's Hump is a success story that may be applied to other snapper grouper species."

Biologists will continue to receive data from the tagged fish for the next few years. This information will help them learn more about the movement, spawning and migratory habits of these fish.

For more information on FWRI's marine fisheries research, visit http://research.MyFWC.com.

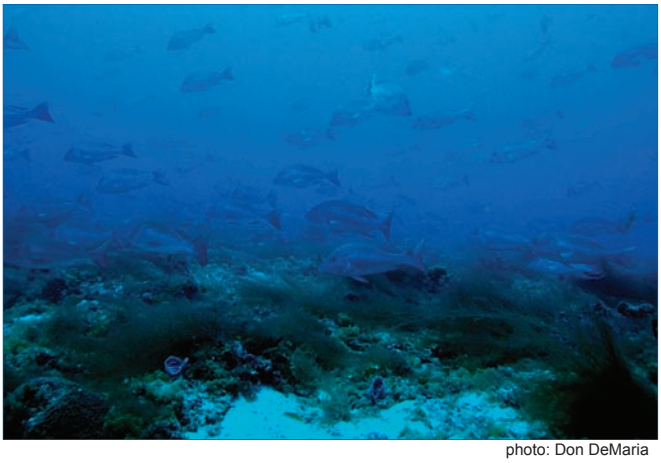


photo: Don DeMaria

Scientists recently observed schools of spawning mutton snapper during a tagging project in the Tortugas Ecological Reserve. This is the first time such behavior has been documented in Florida waters. The site was established, in part, to protect spawning schools of snapper and grouper.

Ending Overfishing *(Continued from page 7)*

Table: Current commercial and recreational ACLs for black sea bass, gag, vermilion snapper (lbs. in gutted weight)

Species	Commercial ACL	Recreational ACL
Black Sea Bass	309,000 lbs.	409,000 lbs.
Gag*	353,940 lbs.	340,060 lbs.
Black Grouper	None	None
Red Grouper	None	None
Vermilion Snapper	315,523 lbs. (Jan - June) and 302,523 lbs. (July - Dec)	307,315 lbs.

*ACLs (commercial and recreational) established in Amendment 16

The preferred alternative in Amendment 17B would retain the current gag ACLs for both commercial and recreational fisheries. In addition, a *combined* ACL for gag, black grouper, and red grouper of 662,403 lbs. (gw) would be set for the commercial fishery and 648,663 lbs. (gw) for the recreational sector. When either the gag or the combined gag, black grouper and red grouper commercial ACL is met, the commercial possession of all shallow water groupers would be prohibited. The Council will evaluate alternatives relative to the recreational fishery during its September meeting.

Current ACL for Gag	Proposed Combined ACL gag, black grouper and red grouper
Commercial = 353,940 lbs.	Aggregate = 662,403 lbs commercial
Recreational = 340,060 lbs.	Aggregate = 648,6663 lbs recreational

(Pounds in gutted weight)

For red grouper and black grouper, draft Amendment 17B includes values for commercial and recreational ACLs based on the expected catch that will result from management measures implemented in July 2009 through Amendment 16. This includes reductions in bag limits and the four-month (January through April) spawning season closure for shallow water grouper. The commercial and recreational ACLs for black grouper are 86,886 lbs. (gw) and 31,863 lbs. (gw), respectively. The commercial and recreational ACLs for red grouper are 221,577 lbs. (gw) and 276,740 lbs. (gw), respectively.

Stock assessments are currently being conducted for black grouper and red grouper through the SEDAR stock assessment process. The assessments will be completed in 2010. However, the Council must continue to move forward with the development of Amendment 17B with current values for both species in order to meet deadlines established by the reauthorized Magnuson-Stevens Act.

Vermilion Snapper

Overfishing, Overfished Status Unknown

Amendment 16, implemented July 29, 2009, established a commercial ACL of 315,523 lbs. gutted weight (Jan-June) and 302,523 lbs. gutted weight (July-Dec) and a recreational ACL of 307,315 lbs. gutted weight. The amendment also specifies interim allocations of 68% commercial and 32% recreational and reduces the commercial quota, recreational bag limit and established a recreational closed season (see page 1).



Photo: Gregg Swanson

Annual Catch Limits and Accountability Measures will determine future regulations for both commercial and recreational fishermen.

Black Sea Bass

Overfishing and Overfished

Based on values established in Amendment 13C (2006), a commercial ACL of 309,000 lbs. (gw) and a recreational ACL of 409,000 lbs. (gw) are included in Amendment 17B.

Accountability Measures

AMs for the commercial fishery will monitor the ACL through the quota monitoring system and close the commercial fishery once the quota is projected to be met.

Under the Council's current preferred alternative, recreational AMs for gag, black grouper, red grouper, vermilion snapper and black sea bass, would use a range of landings to determine overages of ACLs. In the first year (2010), only the 2010 landings would be used to determine if an overage had occurred. For 2011, use the average landings of 2010 and 2011. For 2012 and beyond, a three-year running average would be used. Recreational landings data can be highly variable, particularly for species infrequently encountered. Therefore, using average landings for comparison with the ACL can buffer peaks in the recreational landings that may be a function of sampling rather than a true estimation of actual harvest.

For stocks identified as *overfished*, the Council's preferred alternative for AMs for the recreational sector would close the fishery if the ACL is projected to be met. For the other species, if the ACL is exceeded, the overage would be subtracted the following year.

Framework Adjustments

Amendment 17B contains alternatives designed to make it easier to adjust ACLs, AMs and actions necessary to avoid exceeding ACLs such as bag limits, vessel limits, closed seasons and closed areas by modifying the current framework procedure used to make such changes.

Schedule for Amendment 17A

Similar to the schedule for Amendment 17A addressing red snapper, Amendment 17B is may be approved for public hearings in September and a series of public hearings is tentatively scheduled for the first two weeks in November. If approval of the Public Hearing Document for Amendment 17B is delayed until the Council's December 2009 meeting in Atlantic Beach, North Carolina, public hearings will be held in late January/early February 2010.

Mark Your Calendar

Wednesday, September 16 at 5:30 PM
Informal *Q&A* Session

Join NMFS Regional Administrator Dr. Roy Crabtree and Council Chairman Duane Harris to discuss current fisheries issues.

Thursday, September 17 at 2:00 PM
Open Public Comment

Interested persons will be provided the opportunity to present oral or written statements regarding matters on the Council agenda. (Time limits may apply based on the number of individuals wishing to comment.)

JOIN US LIVE! WATCH THE COUNCIL MEETING ***LIVE*** FROM CHARLESTON, SC. FOR MORE INFORMATION, INCLUDING THE DIRECT LINK FOR LIVE VIDEO FEED, GO TO WWW.SAFMC.NET.

SAFMC Meeting Dates and Locations 2009 Schedule

March 2-6, 2009
Jekyll Island Club Hotel
371 Riverview Drive
Jekyll Island, GA 31527
Phone: 1/800-535-9547

June 8-12, 2009
Hutchinson Island Marriott
555 NE Ocean Blvd.
Stuart, Florida 34996
Phone: 1/772-225-3700

September 14-18, 2009
Charleston Marriott Hotel
170 Lockwood Boulevard
Charleston, SC 29403
Phone: 1/800-968-3569

Dec 6-11, 2009
Sheraton Atlantic Beach
2717 W. Fort Macon Rd.
Atlantic Beach, NC 28512
Phone: 1/800/624-8875

Acronyms

ABC - Allowable Biological Catch

ACCSP - Atlantic Coast Cooperative Statistics Program

ACL - Annual Catch Limit

AM - Accountability Measure

ACT - Annual Catch Target

AP - Advisory Panel

ASMFC - Atlantic States Marine Fisheries Commission

BRD - Bycatch Reduction Device

EEZ - Exclusive Economic Zone

EFH - Essential Fish Habitat

EFH/HAPC - Essential Fish Habitat/ Habitat Area of Particular Concern

FMP - Fishery Management Plan

HMS - Highly Migratory Species

ITQ - Individual Transferable Quota

LAPP - Limited Access Privilege Program

MSY - Maximum Sustainable Yield

MRFSS - Marine Recreational Fishing Statistics Survey

NMFS - National Marine Fisheries Service

OY - Optimum Yield

SEDAR - Southeast Data, Assessment, and Review (stock assessment process)

SSC - Scientific & Statistical Committee

SFA - Sustainable Fisheries Act

TAC - Total Allowable Catch

VMS - Vessel Monitoring System

South Atlantic Fishery Management Council Meeting



September 14-18, 2009

Charleston Marriott Hotel
170 Lockwood Boulevard
Charleston, SC
Phone: 843/723-3000

For a detailed agenda contact the Council office toll free at 1-866 SAFMC-10 or 843/571-4366. The agenda will also be available on the Council's web site www.safmc.net

PRELIMINARY MEETING AGENDA

Monday	**1:30 - 4:00**	**LAPP Committee Meeting**
	4:00 - 5:00	**Spiny Lobster Committee Meeting**
Tuesday	**8:30 - 10:30**	**Mackerel Committee Meeting**
	10:30 - 12:00	**Jt. Exec/Finance Committee Meeting**
	1:30 - 3:00	**Law Enforcement Committee Meeting**
	3:00 - 5:00	**Snapper Grouper Committee Meeting**
Wednesday	**8:00 - 5:00**	**Snapper Grouper Committee Meeting**
	5:30 PM	***Informal Public Q&A Session***
Thursday	**8:30 - 10:00**	**Jt. Ecosystem-Based Management and Habitat Committee Meeting**
	10:00 - 11:00	**Golden Crab Committee Meeting**
	11:00 - 12:00	**Dolphin Wahoo Committee Meeting**
	2:00 PM	***Open Public Comment***
	4:00 PM	***Public Comment on Ecosystem-Based Amendment 1 (deepwater coral protection)***
	1:30 - 6:00	**Council Session**
Friday	**8:30 - 12:00**	**Council Session**

Mark your calendar...

2009

August 30 - Sept. 3	***American Fisheries Society 139th Annual Meeting*** Nashville, TN www.fisheries.org
October 5 - 9	***SEDAR 19 Red Grouper and Black Grouper Assessment Workshop*** St. Petersburg, FL www.sefsc.noaa.gov/sedar
October 13 - 15	***Mid-Atlantic Fishery Management Council Meeting*** Ocean City, MD www.mafmc.org
October 19 - 22	***Gulf of Mexico Fishery Management Council Meeting*** Corpus Christi, TX www.gulfcouncil.org
November 2 - 5	***Atlantic States Marine Fisheries Commission Meeting*** Newport, RI www.asmfc.org

South Atlantic Fishery Management Council Meeting
September 14 - 18, 2009
Charleston, SC

NOTE: **Maps for proposed area closures to end overfishing of red snapper included in this issue** - See page 4 for details

U.S. DEPARTMENT OF COMMERCE
National Oceanic And Atmospheric Administration

South Atlantic
Fishery Management Council
4055 Faber Place Drive, Suite 201
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