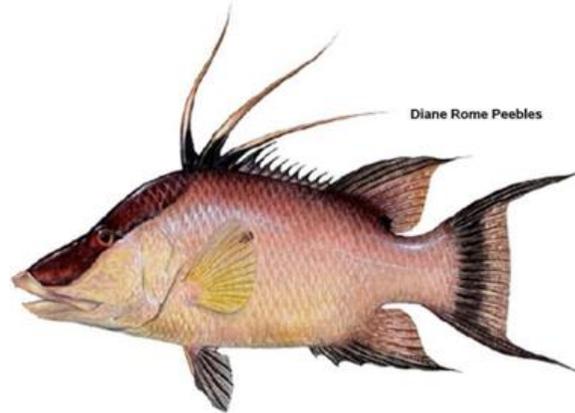


Gulf of Mexico Reef Fish Amendment 43

Frequently Asked Questions

November 2016



What is being proposed in Amendment 43 and the proposed rule?

- Revise the hogfish fishery management unit in the Gulf of Mexico (Gulf) federal waters (West Florida population) to north of a line extending due west from 25°09' North latitude off the west coast of Florida (Figure 1);
- Set West Florida population status determination criteria;
- Set the West Florida population annual catch limit at 219,000 pounds whole weight (ww) for 2017 and 2018 and 159,300 pounds ww for 2019 and following years;
- Increase the West Florida population minimum size limit from 12 to 14 inches fork length; and
- Remove the powerhead exception for harvest of hogfish in the Gulf stressed area (Figure 2).

Definitions

Annual Catch Limit is the amount of fish that can be harvested from the population each year.

Powerhead means any device with an explosive charge, usually attached to a speargun, spear, pole, or stick, that fires a projectile upon contact. means any device with an explosive charge, usually attached to a speargun, spear, pole, or stick, that fires a projectile upon contact.

Why do the regulations need to be changed?

- The most recent hogfish population assessment divided the hogfish population into three populations based upon genetic analysis.
- The three populations and their population conditions are:
 - The West Florida population, which includes most of the Gulf of Mexico except for the Florida Keys, is not overfished or undergoing overfishing;

- The Florida Keys/East Florida population, which includes the Florida Keys and the east coast of Florida, is overfished (the population size is too low) and experiencing overfishing (too many fish are being caught); and
- The population status of the Georgia-North Carolina population is unknown.
- Because the Florida Keys/East Florida population is overfished and undergoing overfishing, a rebuilding plan is needed and overfishing needs to end immediately.
- The Gulf of Mexico Fishery Management Council (Gulf Council) is recommending the South Atlantic Fishery Management Council (South Atlantic Council) take the lead in rebuilding the Florida Keys/East Florida population because only a small portion of the Florida Keys/East Florida population extends into the Gulf Council's jurisdiction in south Florida (Figure 1).
- The Gulf and South Atlantic Councils need to create a boundary between the West Florida and Florida Keys/East Florida populations.
- The Gulf Council needs to revise hogfish regulations in the Gulf for the newly defined West Florida population.

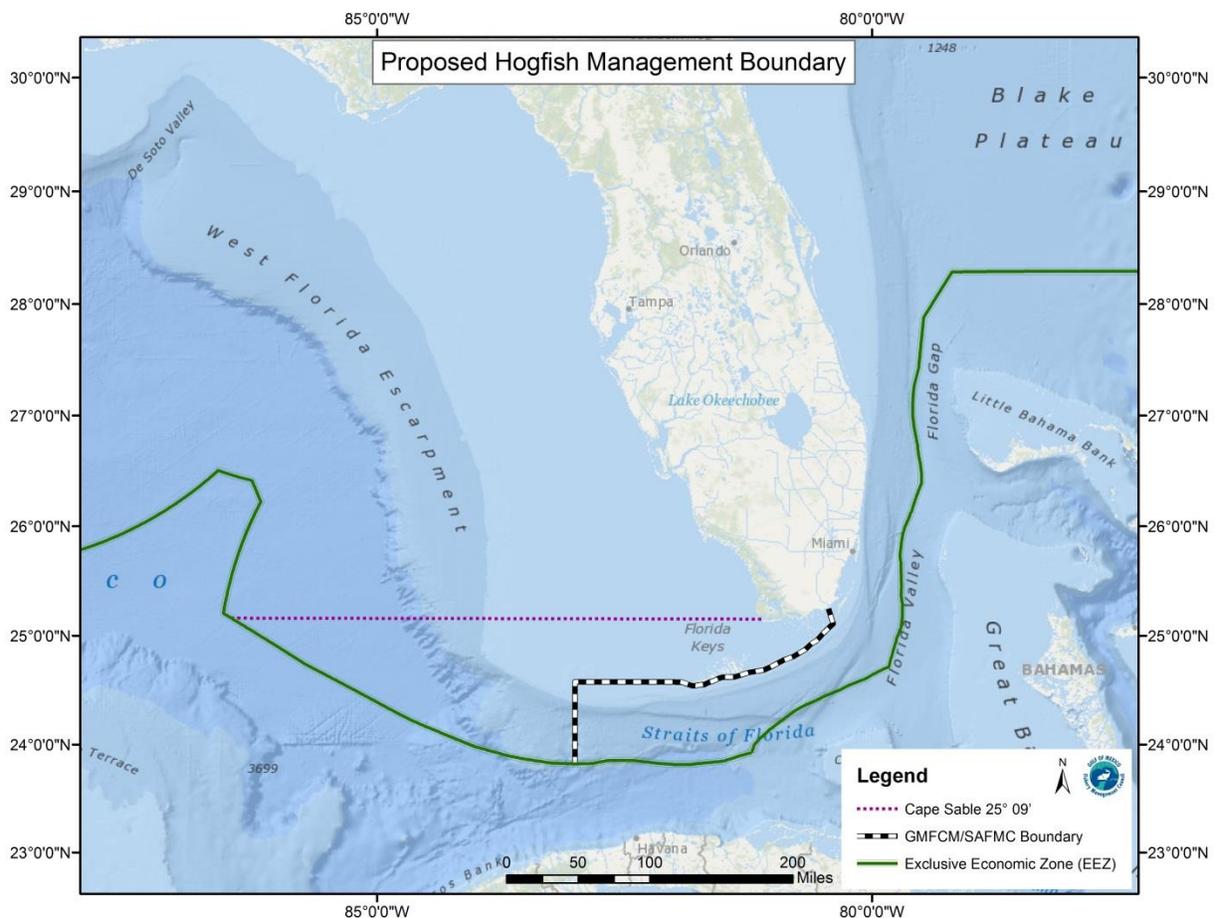


Figure 1. Proposed management boundaries between the West Florida and Florida Keys/East Florida hogfish populations. The red dotted line represents the boundary line extending due west from 25°09' North latitude selected by the Gulf and South Atlantic Fishery Management Councils. The black and white dashed line is the current boundary for hogfish between the two fishery management councils.

What is South Atlantic Council going to do for the overfished Florida Keys/East Florida population?

- The South Atlantic Council has proposed a rebuilding plan for the Florida Keys/East Florida population in Amendment 37 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region.
- Regulations for the Florida Keys/East Florida population developed by the South Atlantic Council would apply south of 25°09' North latitude off the west coast of Florida.
- Table 1 shows the proposed regulations for the West Florida and Florida Keys/East Florida populations.

Table 1. Proposed regulations for the West Florida and Florida Keys/East Florida populations.

Regulation	West Florida	Florida Keys/East Florida
Minimum size limit	14 inches fork length	16 inches fork length
Bag limit	No change - 5 fish per person per day	1 fish per person per day
Commercial trip limit	None	25 pounds whole weight
Fishing season	Closures only if annual catch limit met or exceeded	Open May-October

Why are the annual catch limits being changed?

- The Gulf Council’s Scientific and Statistical Committee recommended acceptable biological catches based on future harvest forecasts from the population assessment.
- The proposed 2017 and 2018 annual catch limits are an average of the 2016-2018 harvest forecasts.
- The lower annual catch limit proposed for 2019 and beyond is based on long-term forecasts of the harvest.
- Florida intends to conduct a new population assessment prior to 2019 to re-evaluate harvest forecasts.

Why does the minimum size limit need to be increased?

- The Gulf Council is concerned that the annual catch limit may be exceeded in the future, as happened in 2013.
- Exceeding the annual catch limit could lead to season closures.
- The increased minimum size limit of 14 inches fork length is expected to reduce the harvest rate, which will decrease the chance of a closure of the harvest of hogfish.
- Increasing the minimum size limit has an added benefit of allowing hogfish to grow larger and have additional reproductive opportunities before being at risk of being caught by the fishery.

Why is the powerhead exemption being removed for hogfish?

- Hogfish is the only reef fish species in the reef fish fishery management unit that can be harvested in the Reef Fish Stressed Area (Figure 2) with a powerhead.
- The Reef Fish Stressed Area prohibits the use of some fishing gear such as powerheads to protect reef fish populations from overharvest.
- The hogfish exemption is a regulatory holdover from when hogfish were considered a species in the reef fish fishery, but not in the fishery management unit.
- By removing the powerhead exemption for hogfish, hogfish would be subject to the same stressed-area regulations as other species in the reef fish fishery.

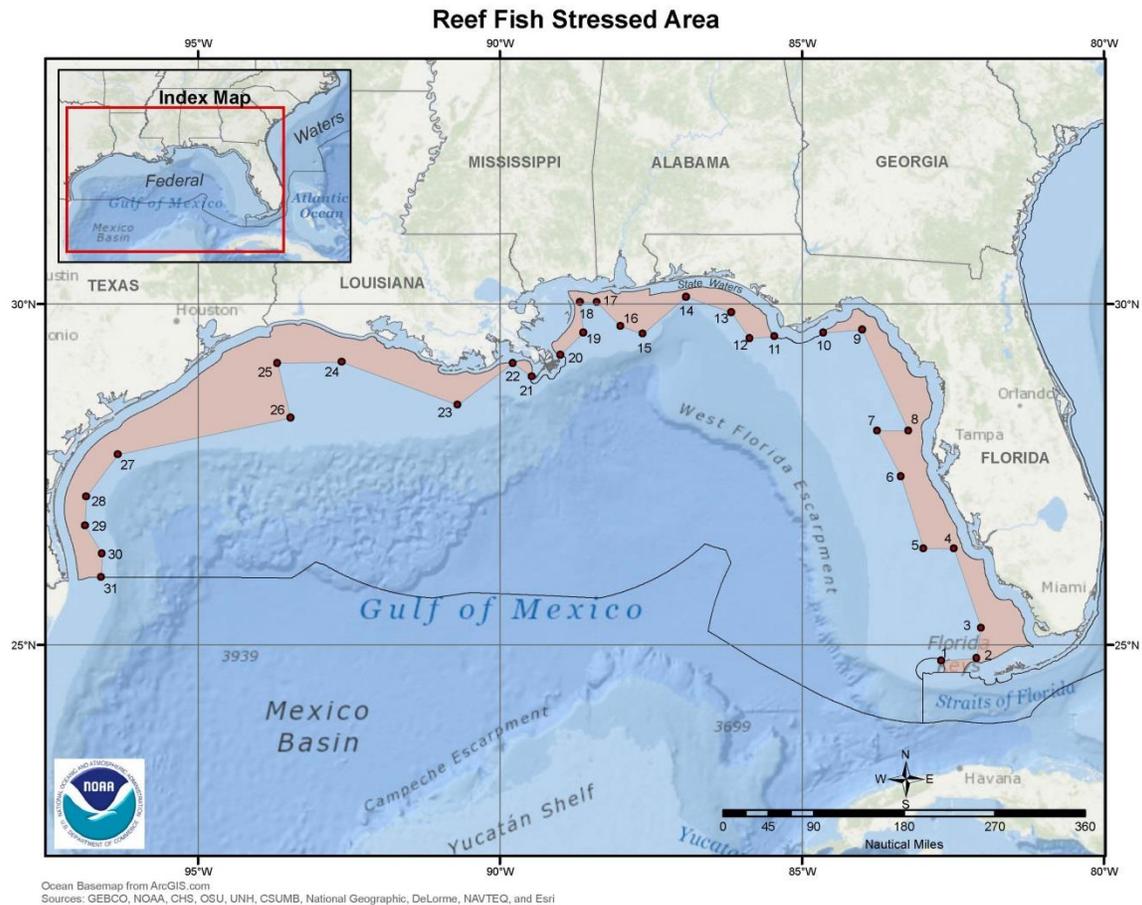


Figure 2. The Gulf of Mexico Reef Fish Stressed Area.

What regulations do I follow if I'm fishing the Florida Keys/East Florida hogfish population, but I'm in Gulf waters?

- Fishermen would be subject to the hogfish minimum size limits, bag limits, trip limits, and fishing seasons developed by the South Atlantic Council when fishing in Gulf federal waters south of 25°09' North latitude.
- Operators of commercial and charter/headboat vessels harvesting hogfish in Gulf federal waters south of 25°09' North latitude would still be required to have a Gulf reef fish permit.

- For more information on regulations for the Florida Keys/East Florida population being developed by the South Atlantic Council, see http://sero.nmfs.noaa.gov/sustainable_fisheries/s_atl/sg/2015/am37/index.html.

How can I comment on the rule/amendment?

- There will be two open comment periods.
- Comments on Amendment 43 must be received no later than **January 3, 2017**.
- The proposed rule will have a 30-day comment period after it publishes.
- All comments specifically directed to Amendment 43 and the proposed rule will be addressed in the final rule.
- You may submit comments on Amendment 43 or the proposed rule after it publishes, identified by NOAA-NMFS-2016-0126, by any of the following methods:
 - Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2016-0126>, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.
 - Mail: Submit written comments to Peter Hood, NOAA Fisheries, Southeast Regional Office, Sustainable Fisheries Division, 263 13th Avenue South, St. Petersburg, Florida 33701-5505.

Links to additional information on hogfish management and rulemaking

- You may obtain electronic copies of Amendment 43 and the proposed rule from the NOAA Fisheries Web site: http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_fisheries/reef_fish/2016/am43/index.html or the e-Rulemaking Portal: www.regulations.gov.
- Information on the South Atlantic Council’s Snapper-Grouper Amendment 37 and rulemaking can be found at: http://sero.nmfs.noaa.gov/sustainable_fisheries/s_atl/sg/2015/am37/index.html.