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Amendment 4 to the Puerto Rico Fishery Management Plan (FMP): Reclassification of Rainbow Runner as a Pelagic Species

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Background



- New species under the Puerto Rico FMP (2022), where it was included under the Reef Fish component along with other jack species.
- Managed with a commercial and a recreational annual catch limit (ACL), a reef fish-specific accountability measure (AM), and an aggregate reef fish recreational bag limit.
- Regulations applicable to reef fish, such as the Bajo de Sico seasonal (October 1 - March 31, each year) fishing prohibition, currently apply to rainbow runner.



Background



- Rainbow runner is not listed on the Puerto Rico Commercial Catch Report (CCR) form.
- For a fisherman to report landings of rainbow runner on the CCR form, they either include them within the broader listed category of jacks or write in rainbow runner and its landings on the form.
- There is a similar issue with E-Reporting. Fishermen who land rainbow runner have to search for rainbow runner in the list of other species in the app or include its landings under the broader category of jacks.
- Consequently, it is expected that reported commercial landings of rainbow runner do not represent all catch of the species, and that reported commercial landings of jacks include catch of rainbow runner as well as other jack species.



Objective



To ensure that rainbow runner is managed in accordance with its life history characteristics and fishing patterns, which are consistent with Council-management of pelagic species.

Action

Reclassify rainbow runner (*Elagatis bipinnulata*) from the Puerto Rico Reef Fish group to the Puerto Rico Pelagic Fish group through **Amendment 4 to the Puerto Rico FMP**.

Outcome

- Regulations that apply to Reef Fish such as the *recreational bag limit*, the *Bajo de Sico seasonal area closure*, and the *Reef Fish-specific AM* would not apply to the species any longer.
- Specific regulations that apply to Pelagic Fish would be applicable to rainbow runner:
 - Annual Catch Target equal to 90% of the current ACL for the species
 - Pelagic Fish-specific AM



Outcomes



(1) Establish an ACT for Rainbow Runner

Pelagic species under the Puerto Rico FMP are managed with an ACT set at 90% of the ACL for each sector. Establishing an ACT in addition to an ACL is a precautionary management measure to address uncertainty in the management of pelagic species.

Reference Point	Commercial	Recreational	Total
ACL	913 lbs	8,091 lbs	9,004 lbs
Proposed ACT	822 lbs	7,282 lbs	8,104 lbs

All values are in pounds whole weight

(2) Apply Pelagic AM to Rainbow Runner

The AM for pelagic fish compares the sector-specific ACT to available sector-specific landings. If landings for one sector are not available, then the ACT for the sector with available landings is the applicable ACT for the stock. If the AM is triggered, then NMFS in consultation with the Council will determine appropriate corrective action.

- If the exceedance is the result of enhanced and improved data collection and monitoring NMFS and the Council may determine that no corrective action is needed.
- If corrective action is needed, NMFS could apply management measures, such as a closure or trip limit, which would help protect the long-term sustainability of the resource.



3) The Bajo de Sico Seasonal Area Closure Restrictions for Reef Fish Harvest Would Not Apply to Rainbow Runner

Commercial and recreational fishermen could legally fish for rainbow runner in the Bajo de Sico management area during the seasonal area closure, as is the case with other pelagic species and non-managed species.

The proposed action is not expected to change how rainbow runner is currently fished, and the landings would continue to be constrained by the applicable ACL and corresponding ACT.

4) Remove Rainbow Runner from the Reef Fish Recreational Bag Limit

Removing the species from any protection afforded by the aggregate bag limit could result in an increased rate of catch of the species by the recreational sector, though they would still be constrained to the recreational ACL (8,091 lbs ww). Although in the absence of recreational landings, the commercial ACT and ACL would be applicable for the species.

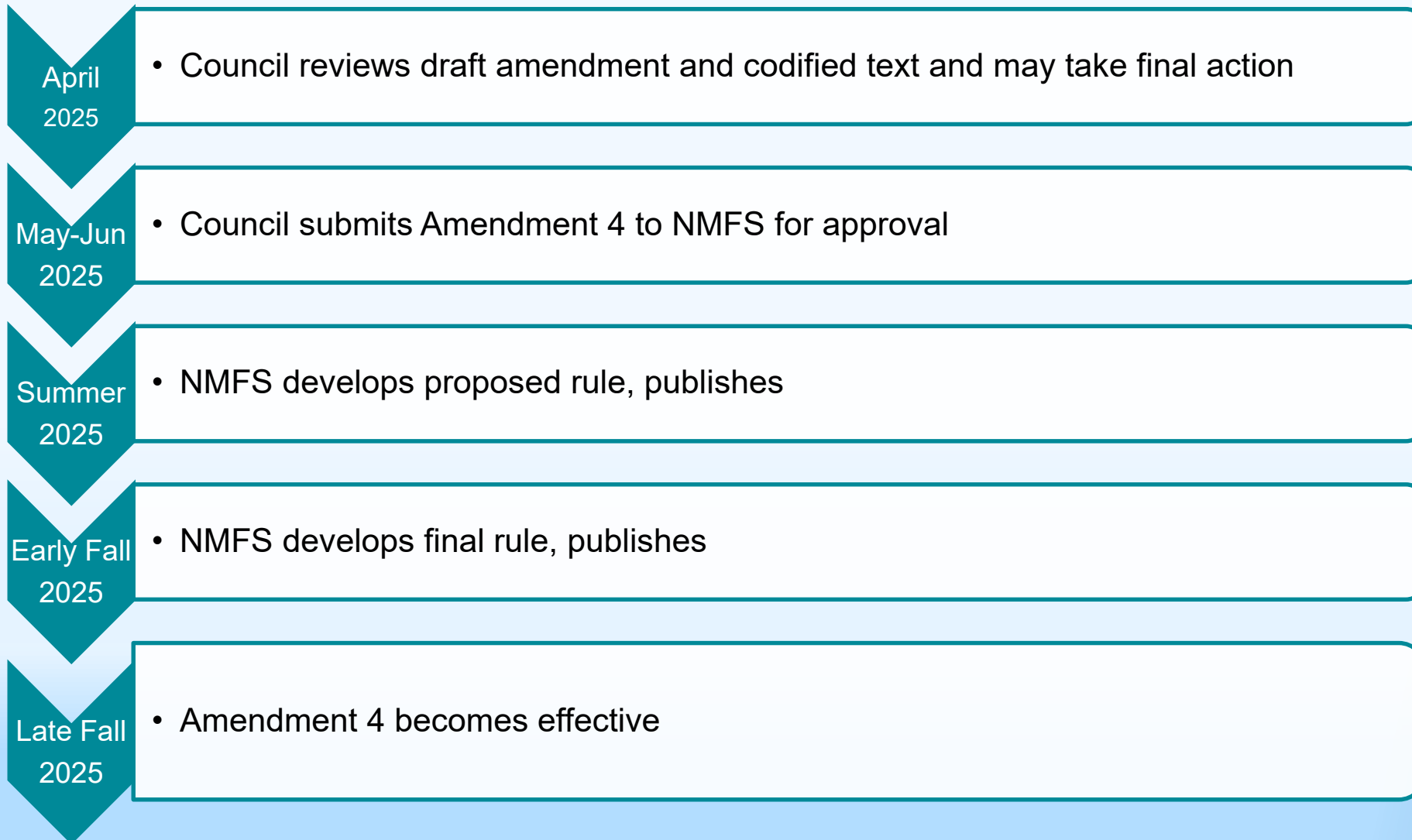
- It is expected that if rainbow runner is removed from the recreational bag limit, that recreational fishermen would catch a similar amount of rainbow runner as they did before the species was federally managed (i.e., less than one fish per day).

Summary:

- Removing reef-fish specific management restrictions for the species by reclassifying it as a pelagic fish is not expected to result in an increase in fishing effort based on the analyses and discussion in the Amendment 4.
 - Rainbow runner behaves as a pelagic species and has been historically targeted as a pelagic species with both commercial and recreational catches being infrequent and variable, and this is not expected to change.
- Landings would continue to be constrained by the applicable ACL and corresponding ACT. If the AM is triggered, then NMFS in consultation with the Council will determine appropriate corrective action. A fishing season reduction could result, but it is not the applied action like it is for the Reef Fish AM.
- The Council could revisit the ACL and ACT for the rainbow runner to address any future changes in effort (e.g., changes in market demand, changes in reporting*).

*Including the rainbow runner as a direct entry in both the CCR form and in the e-reporting app could enhance the information available for revisiting the ACLs for the species.

Action Items and Next Steps



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Additional Slides from December 2024 CFMC Regular Meeting



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Action Timeline



Meeting	Action
CFMC Meeting April 2023	- Puerto Rico District Advisory Panel (DAP) requested reclassification from a Reef Fish species to a Pelagic Fish species, based on life history characteristics and fishing methods for the species. - Scientific and Statistical Committee (SSC) was tasked to review information and make a recommendation to the Council.
SSC Meeting May 2023	SSC reviewed background information and determined a reclassification to a Pelagic Fish was warranted.
CFMC Meeting August 2023	- SSC recommended the Council reclassify the rainbow runner as a pelagic species under the Puerto Rico FMP. - Council asked staff to develop an amendment to reclassify the species.
CFMC Meeting December 2023	- Southeast Regional Office staff presented a summary of management changes for reclassification to a pelagic species. - Council/DAP discussed concerns with the current commercial and recreational ACLs for rainbow runner: some high commercial landings; potential for exceeding ACLs and triggering AMs; is there a need to revisit ACLs?



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Action Timeline Continued



Meeting	Action
SSC Meeting March/April 2024	• SSC discussed the concerns from Council/DAP members, but did not have specific recommendations that could be immediately addressed. Their recommendations were for future action, such as revisiting ACLs for several stocks, including the rainbow runner. • SSC requested to have only one (recreational and commercial) ACL for Rainbow Runner. • Council could recommend that Rainbow Runner be added to the commercial catch report form. • Need data collection for recreational fisheries.
CFMC Meeting April 2024	• No additional motion/guidance from Council on modifying the current purpose for the Rainbow Runner amendment (reclassifying from a Reef Fish to Pelagic Fish species). • Move forward with Amendment 4 to the Puerto Rico FMP with Categorical Exclusion (CE).

* The CFMC August meeting was cancelled. Review/discussion of document moved to Dec 2024 CFMC Meeting. Consideration for final action will be postponed until the April 2025 CFMC Meeting.



Analysis



Reclassifying the rainbow runner as a pelagic fish removes the AM for a fishing season reduction, which is designed to protect against future overages of the stock.

- No reductions in the length of a rainbow runner fishing season to date.
 - In 2024, when the most recent commercial landings of rainbow runner (1,177 lbs ww in 2022) were compared to the commercial ACL (Reef Fish AM), the ACL was exceeded by 264 lbs ww.
 - No AM implemented, no reduction in fishing season because NMFS determined that the commercial ACL was exceeded because of enhanced and improved data collection and monitoring, rather than by an increased in landings.
- Comparing the 2022 landings to the proposed ACT (pelagic fish AM) would result in an overage of 355 lbs ww from the proposed ACT.
 - Under the pelagic fish AM, if NMFS estimates that landings have exceeded the applicable ACT, NMFS, in consultation with the Council, will determine appropriate corrective action.
 - At that time, no corrective action may be needed, if the exceedance is the result of enhanced and improved data collection and monitoring.
 - If corrective action is appropriate, NMFS could apply management measures, such as a closure or trip limit, which would help protect the long-term sustainability of the resource.



The Bajo de Sico Seasonal Area Closure Restrictions for Reef Fish Harvest Do Not Apply to Pelagic Fish

Commercial and recreational fishermen could legally fish for rainbow runner in the Bajo de Sico management area during the seasonal area closure, as is the case with other pelagic species and non-managed species.

The proposed action is not expected to change how rainbow runner is currently fished, and the landings would continue to be constrained by the applicable ACL and corresponding ACT.

- Because there is no recreational data collection/monitoring, the commercial ACL is the applicable ACL.
- Commercial fishing for rainbow runner occurs in the water column with techniques and gear used to fish for pelagic species. Rainbow runner is usually not directly targeted, but is caught as bycatch when targeting other pelagic species, which are allowed to be harvested during the Bajo de Sico seasonal area closure. Commercial fishing effort for rainbow runner is not expected to increase during the seasonal closure period.
- It is expected that recreational fishermen would catch a similar amount of rainbow runner as they did before the species was federally managed (i.e., less than one fish per day).

Analysis



Removal of the Rainbow Runner from the Reef Fish Recreational Bag Limit

- Removing the species from any protection afforded by the aggregate bag limit could result in an increased rate of catch of the species by the recreational sector, though they would still be constrained to the recreational ACL (8,091 lbs ww). Although in the absence of rec landings, the commercial ACT and ACL would be applicable.
- It is expected that if rainbow runner is removed from the recreational bag limit that recreational fishermen would catch a similar amount of rainbow runner as they did before the species was federally managed (i.e., less than one fish per day).

