

From: "J. Kent" <streamlinecharters@hotmail.com>

Date: December 4, 2016 at 4:54:41 PM EST

To: "ryan.rindone@gulfcouncil.org" <ryan.rindone@gulfcouncil.org>

Subject: Proposed daily limit increase and amendment 29

Ryan,

My name is J. Kent and I'm a commercial kingfisher out of key west Florida. I'm sorry I did not attend the meeting on Thursday to state my opposition of the extended daily limit, I was late getting back to the dock after a day of king fishing and was gutting and selling my fish. I think that the daily limit as it stands currently allows fisherman ample financial gain while allowing the season to extend enough months to allow everyone willing to look and find the fish opportunity enough to make money. If the daily limit were to increase the annual quota would be hit rapidly and in turn saturate the market even more than it currently does driving the prices down and hurting everyone involved during the highly concentrated bites.

As for Amendment 29 involving the allocation sharing, I support the amendment.

Thank you for your time.

J. Kent

305.240.3916

Sent from my iPad



Dear Council Members,

August 8, 2016

1. On behalf of the American Sportfishing Association I appreciate the opportunity to provide comments on Amendment 29 in reference to allocation of Gulf king mackerel. As currently proposed we cannot support this amendment either in the currently published form or in the IPT revised format. Any conditional transfer of recreational allocation that penalizes the recreational fishing sector for exceeding its remaining allocation is not a fair way to approach accountability measures under this management concept. We would like to see an Action 2 Alternative that includes something like the following: **If the conditional recreational ACL is exceeded and the stock ACL is exceeded but the recreational ACL of 68% is not exceeded by the recreational sector then post-season adjustments to harvest shall be within the commercial sector. And if the conditional recreational ACL is exceeded and the stock ACL is exceeded and the recreational ACL of 68% is exceeded by the recreational sector then post season adjustments to recreational harvest shall only be that amount above their 68% allocation.**

General Comments and thoughts:

1. We make our comments in good faith while being greatly disappointed that as of July 15, 2016 members of the Commercial Sector are suing NOAA on red snapper Amendment 28 that reallocated a very small percentage to the recreational sector due to the fact that the sampling protocol had provided erroneous recreational landings data upon which allocations were determined. It is very difficult to work with a commercial sector that appears to have no thoughts or interest in reciprocity.
2. We do not oppose the concept of conditional transfers of allocation between sectors but it needs to be fair and equitable over time. This amendment needs to be very carefully vetted and thought out and not put on a fast track as is seemingly happening. This conditional transfer is clearly a form of intersector trading and should be discussed with the full consideration of the future of intersector trading in the Gulf.
3. Amendment 26 increases the bag limit to 3 fish recreationally and the effects have not been proven. This requires the most conservative of conditional transfers as it will take several seasons to understand a 3 fish bag limit impact.
4. Under no circumstances should the recreational sector be held accountable for going over their conditional allocation. If the recreational sector goes over its conditional allocation, it reflects a failure in the Council to properly provide a conservative approach to the conditional allocation. We cannot support any amendment that results in the recreational sector being held accountable for any overage less than its current 68% allocation. We believe this should hold true for all conditional transfers. We have provided possible language for this concern
5. The recreational sector landings can fluctuate greatly based on a number of factors. For example, there was a 57% increase in landing between 2013/14 and 2014/15 and in fact reflected a 22% increase in % of ACL landed. Recent "surprise" recreational landings for Amberjack in the Gulf and for Cobia in the Atlantic demonstrate the unpredictability of recreational landing under current fisheries management settings and the lack of ability to use

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past landings to predict the future. With so many Gulf fisheries management issues affecting the recreational fishermen and a poor ability of the Council to predict the recreational fishing behavior as a result of multiple influences it is imperative that the Council take the most conservative effort in initiating a conditional transfer of allocation.

6. We disagree with the Need for Action Statement that states “The need.....is to achieve optimum yieldthereby increasing social and economic benefits.....”. NOAA’s definition of OY includes the following “1. The harvest level for a species that achieves the greatest overall benefits, including economic, social, and biological considerations.” There is no analysis for king mackerel that describes the recreational interests built into OY and in fact from a recreational perspective it is quite possible that a lower OY actually produces greater social and economic benefits. There is a difference in how the commercial sector and recreational sector fish. We believe that the Council does not really recognize those differences nor has staff or SSC attempted to factor in those differences. For Gulf king mackerel and virtually all species, the commercial sector attempts to fish its entire allocation and from this has risen the general assumption that Optimum Yield (OY) is basically a requirement to harvest those fish and OY should be as close to MSY as possible. The recreational sector typically fishes by encounter and does not make it a fishing goal to catch its allocation for any given species. This can help explain the difference between recreational harvests of king mackerel vs. red snapper. There is poor data collection and analysis that would provide definitive accounts of the recreational interests, fishing behavior, and needs relative to species they fish and thus SSC analyses, OY, and fish harvested are all designed around a commercial fishing approach. A completely different OY may be warranted if considered for the recreational sector. We offer this discussion because it is a different way to look at commercial and recreational management relative to OY and this is an area that the Council and SSC need to improve its expertise and analyses. We believe that MSA provides adequate latitude to manage for OY for the recreational fishers and in fact requires it.
7. Related to OY is the concern that if conditional transfers of allocation are to be based on the “commercial OY” the recreational community will be faced with a one way street of providing conditional transfers to the commercial sector because their goal is to fish OY and their respective allocation. We realize this is a tough concept to grasp and we request that the Council ask NOAA and Council staff to elaborate on this for the Council deliberations.

Specific Comments

2. Action 1 Alternative 2. Alternative 2 (both original and IPT version) is currently arbitrary in its application and probably will have to be too complicated to actually develop a final preferred alternative. We would like to see rationale developed for the % transfers that explains why that % is proposed and how it justified within the context of exceeding total ACL and recreational ACL and including the general comments #3 and #5 above. Current discussions in the amendment relative to using historic landings to predict that there is little chance of the conditional recreational ACLs being exceeded is a dangerous assumption. Also we find the IPT version of this action to be too confusing by using stock allocation in Xa-Xd and recreational allocation in the ACL minimum thresholds. The council should consider using Options 2a-2d with options Xe-Xg for the IPT version. We have concern over using 2 year old data to affect a transfer due to the fact that significant changes in fishing can occur on a year to year basis and at a minimum the limitations of using 2 year old landings data needs to be better explained.



3. We agree with IPT that Alternative 3 needs to be eliminated. As per discussion in General comments #6 and #7,
4. Alternative 4. We think this alternative should be presented in much more detail. While it may put some burden on the SSC it provides an important check on the transfer amount and the SSC could consider our concerns raised for Action 1 Alternative 2.
5. Action 2. We cannot support any of the proposed accountability measures including the IPT recommendations. We would like to see an Alternative that includes something like the following: **If the conditional recreational ACL is exceeded and the stock ACL is exceeded but the recreational ACL of 68% is not exceeded by the recreational sector then post-season adjustments to harvest shall be within the commercial sector. And if the conditional recreational ACL is exceeded and the stock ACL is exceeded and the recreational ACL of 68% is exceeded by the recreational sector then post season adjustments to recreational harvest shall only be that amount above the 68% allocation.**

Again, we consider Mackerel Amendment 29 to be a big step in Gulf fisheries management. We urge the Council to be very deliberate and conservative in approach.

Kenneth Haddad
American Sportfishing Association.

Florida Keys Commercial Fishermen's Association

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May 31, 2016

Mr. Kevin Anson, Chair & Council Members
Gulf of Mexico Fishery Management Council
2203 N. Lois Avenue, Suite 1100
Tampa, Florida 33607

Re: Projected King Mackerel Quotas in the Gulf of Mexico

Dear Mr. Anson & Council Members,

The projected quotas for the harvest of king mackerel in the Gulf of Mexico show a steady decline over the next 4 years by as much as 4 MP. The primary reason for the decline in quotas is attributed to the decline in new recruitment or the converse thereof in which there are simply too many old fish comprising the current population. Now, for the first time that I am aware of, *underfishing* is as detrimental to setting harvest levels as *overfishing*.

The SSC has evidently changed their approach and has determined that fish allocated for harvest and left uncaught no longer provide an additional buffer and must be factored into future harvest levels. We find it rather incredulous that more than 30 years ago we were penalized for overfishing and now, after a very successful stock rebuilding plan, industry will be penalized for not harvesting enough.

Underutilization of any stock is evidently as detrimental as overutilization from a management standpoint and in this instance prevents us from ever achieving OY. As a result, we would like the Gulf Council to take immediate action on two very important points:

- 1- Request the SSC examine the validity of the models used to come to such conclusions and recalculate the quota projections for the same time period through the 2017/20 seasons.
- 2- The Council take appropriate action to manage harvest effort by addressing allocation/reallocation or 'loaning' as the appropriate tool. The Bosarge Plan, as presented by Council Vice-Chair LeAnn Bosarge, holds great promise with some slight modifications.

As originally proposed, the Bosarge Plan would reallocate/loan fish from one sector to another based on an annual review. Adjustments would be made in percentages of 5-10-15, up to a maximum of 20% yearly. Similarly, sector caps would be agreed upon in percentage increments of 75-80-85-90%. Hitting any of these pre-selected triggers would revert to status quo. The inherent problem of finishing in such a fashion is it brings us right back to our initial problem.

Instead, we are suggesting that once caps are reached, they trigger reallocation back to the 'loaning' sector in percentage increments of 5-10-15-20%. Since each fishery would be examined annually based on landings, there

would be ample opportunity to make the necessary adjustments without causing significant, negative impacts to participants in either sector.

This type of scenario represents a modern day approach to fisheries management. The SSCs have determined what can be sustainably harvested, therefore, it is incumbent on the Councils to implement appropriate measures for that to happen. The concept is simplistic and manageable and offers a high level of flexibility making it ideal for application not only to the king mackerel fishery but also to other species managed by all 8 RFMCs.

Mr. Anson and Council members, please give this approach every consideration in managing Gulf of Mexico king mackerel stocks and other species.

Sincerely,

s/ Bill Kelly

Capt. Bill Kelly
Executive Director

C: Ms. Leann Bosarge
Dr. Pam Dana
Mr. John Sanchez
Mr. Doug Gregory

