



October 29, 2012

Chairman Doug Boyd
Gulf of Mexico Fishery Management Council
2203 N. Lois Avenue, Suite 1100
Tampa, FL 33607

RE: Modifications to Federally-Permitted For-Hire Reporting Requirements Scoping Document

Dear Chairman Boyd:

Ocean Conservancy¹ appreciates this opportunity to provide comments to the scoping document for the **Modifications to Federally-Permitted For-Hire Reporting Requirements**. We are encouraged to see the Gulf of Mexico Fishery Management Council (GMFMC) and the National Marine Fisheries Service (NMFS) pursuing changes to reporting methodology and requirements for the for-hire fishery. We appreciate the Council's effort to elicit public comment to ensure the appropriate issues relating to for-hire reporting are identified and addressed early in the scoping process. A key step in increasing recreational fishery timeliness is through electronic reporting, on a schedule mirroring manager's needs. The proposed modifications start this process.

We ask the Council to review the Actions and Options of this scoping document and modify it accordingly so it is as robust and inclusive as possible. The Council should additionally recognize the need for validation and funding of the modifications to reporting in additional Actions.

SUMMARY OF RECOMMENDATIONS

- Combine options in Action 1 to cover all federally managed species
- Require vessels to report electronically
- Require vessels to report daily
- Encourage reporting compliance by linking reporting performance to fishing opportunity
- Add discussion on data validation and integration and calibration with existing programs

Action 1: What Fishery Management Plans Would Be Included?

We encourage the Council to create and select an option combining the fishery management plans for coastal migratory pelagics (and those species in the fishery but not in the management

¹ Ocean Conservancy, a non-profit organization with over 120,000 members, educates and empowers citizens to take action on behalf of the ocean. From the Arctic to the Gulf of Mexico to the halls of Congress, Ocean Conservancy brings people together to find solutions for our water planet. Informed by science, our work guides policy and engages people in protecting the ocean and its wildlife for future generations.

unit), reef fish and red drum. Reporting requirements should be inclusive to provide the best scientific information available for current and future fishery needs. Limiting the FMPs included in this Action does not provide the best data possible.

Action 2: Modify Data Reporting Requirements for For-Hire Vessels

Options 2 and 3 should be combined as the preferred reporting method. The combined Option should change the ambiguous data submission clause of ‘in the specified format’ to ‘electronic reporting’. Electronic reporting provides both timely and inseason data, items essential for current management needs.

Additional consideration needs to be placed on Actions 2 and 3. While not directly stated, electronic reporting will place a cost burden on for-hire vessels. A wide range of reporting units (iPad, laptop computer, etc.) should be allowed to provide flexibility to the owner/operators. However, the data entry program (e.g., iSnapper) must be of a single origin to limit any problems with data integration into the Marine Recreational Information Program (MRIP) or the Southeast Regional Headboat Survey (SEHBS) databases.

Action 3: Modify Frequency and Data Reporting Methods

The Council should select daily reporting using electronic reporting as the mechanism, selected Options 2 and 3 in Action 2. This will provide nearly real time data to fishery managers and reduce reporting bias. The current headboat reporting is not timely and extending this method to all for-hire vessels would not increase reporting frequency or change the status quo.

Action 4: Requirements to Maintain a Permit

Option 2 is the minimum accountability measure the Council should consider. Option 1 allows non-compliance to occur until a vessel’s permit is renewed. A change whereby vessels must report or not be allowed to fish will encourage timely data submission and compliance with these requirements. These data are essential to management and reporting requirements must include penalties for non-compliance.

CONCEPTS FOR FURTHER DISCUSSION

Methods to validate the data

The proposed modifications will change the way for-hire fishery data is provided to managers. We request NMFS and the Council fully examine the validation measures necessary for electronic data programs to be successful, and build the electronic data reporting requirements proposed in this management action accordingly.

Insuring data conforms to MRIP and SEHBS survey needs

The Council should request NMFS SEFSC analyze and recommend alterations to the proposed changes such that they integrate seamlessly with MRIP and SEHBS. These programs have established and peer reviewed methodologies with historical data sets. Creation of a new data collection method cannot exclude these sampling programs and must work in concert with them. Ignoring the sampling methodologies and data streams used in these programs could delay implementation of this scoping document’s proposed changes.

Funding mechanisms

NMFS and the Council should discuss and plan for validation of these data in detail in order for this reporting platform to adequately and accurately inform management. Validation is an absolute necessity if this methodology is to provide highly accurate and timely data to managers; however, validation of 1,300 plus permitted charter vessels in the Gulf could prove costly. The Council should request NMFS SEFSC provide detailed information on how existing sampling programs—MRIP and SEHBS—can be used as validation tools and build the reporting program elements proposed in this amendment accordingly. Utilizing the existing program may reduce costs of validating the electronic data.

Calibration of electronic reporting to MRIP/SEHBS

The Council should acknowledge a period of comparison and calibration between electronic data reporting and the existing survey's results must occur to ensure electronic reporting provides the same quality data as is collected by MRIP and SEHBS. The amendment should provide a thorough discussion of this process and the estimated timeline for completion and transition to a new for-hire reporting system.

As always, we thank the Council for the opportunity to provide comments and look forward to working with the Council and NMFS in the future to ensure health and sustainable fisheries in the Gulf of Mexico.

Sincerely,

A handwritten signature in black ink, appearing to read 'Todd Phillips', written in a cursive style.

Todd Phillips
Fishery Monitoring Specialist
Ocean Conservancy
106 E 6th Street, Suite 400
Austin, TX 78701

October 26, 2012

Mr. Doug Boyd, Chair
Gulf of Mexico Fishery Management Council
2203 N. Lois Ave.
Tampa, FL 33607

Dear Mr. Boyd:

Environmental Defense Fund is writing to provide comments and recommendations on two important issues: (1) the 5-year review of the red snapper individual fishing quota (IFQ) program; and (2) potential to improve recreational fisheries using electronic monitoring on for-hire vessels.

***5-Year Review.** The red snapper IFQ program is achieving its conservation and economic goals, and we recommend that it be maintained and continued into the future.*

The Magnuson-Stevens Act (MSA) and the Reef Fish Fishery Management Plan (FMP) require a 5-year review of the red snapper IFQ plan. The MSA indicates that such IFQ programs should be reviewed to determine if they meet their established goals.¹ The reef fish FMP established specific goals to ensure the plan helps rebuild the stock, reduces overcapacity in the commercial fleet, eliminates derby fishing where fishermen raced to fish during short seasons, promotes safety at sea, lengthens fishing seasons, and stabilizes red snapper markets.²

There is significant evidence that IFQ management is meeting these goals. The Council's red snapper 5-year review advisory panel composed of commercial fishermen, recreational anglers, for-hire operators, academics, and a NGO representative reported in July 2011 that the IFQ program has reduced excess capacity, stabilized markets, improved monitoring and enforcement, reduced red snapper discards, and increased safety at sea.³ The Council's Socioeconomic SSC recently reviewed analysis confirming that fishing capacity is gradually being reduced and, with many regulatory constraints now removed, fishermen's flexibility to plan their operations and businesses is leading to increased value of catch.⁴

¹ Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. § 1801 *et seq.*

² Gulf of Mexico Fishery Management Council (2006). Final Amendment 26 to the Gulf of Mexico Reef Fish Management Plan to Establish a Red Snapper Individual Fishing Quota Program.

³ Gulf of Mexico Fishery Management Council (2011). Report: Ad Hoc Red Snapper IFQ 5-Year Review Advisory Panel. July 12-13, 2011.

⁴ Solis, D., del Corral, J., and J. Agar (2012). Evaluating the impact of individual fishing quotas (IFQs) on the technical efficiency and composition of the U.S. Gulf of Mexico red snapper fishery: Preliminary draft report.

The most recent (2011) NMFS red snapper IFQ Annual Report also concludes that the program is benefiting the fishery.⁵ The commercial fishery is harvesting slightly under its quota each year while discarding has been reduced. For the first time in decades, commercial overfishing for red snapper has ended and the annual catch limit is steadily increasing as the stock improves. The report also highlights improvements in economic performance – a rise and stabilization of ex-vessel prices and strong share prices under IFQs, reflecting the industry’s confidence and expectation for long-run economic and biological improvements. Economic benefits of IFQ management come from two key sources: ex-vessel price gains and stability from eliminating seasonal closures and corresponding supply gluts, and fleet cost savings from removing restrictive management controls and promoting share trading.⁶ Profitable fisheries benefit coastal communities and the nation, promoting stable jobs across a variety of industries, and the wealth generated from secure quota ownership delivers powerful incentive to invest in environmental stewardship.

We have two recommendations for the near-term. First, the minimum commercial size limit should be eliminated since it contributes to discarding without providing a biological benefit. Second, red snapper IFQ share and allocation transferability to the general public should be limited for now and revisited when comprehensive reef fish IFQ management is operating. Currently, red snapper IFQ trading is open to the public, grouper and tilefish IFQ trading is restricted within the fishery until 2015, and several reef fish are still under derby management. Differing trading rules in a multispecies fishery can create important problems. Red snapper share and allocation prices could increase relative to other species’ IFQ shares, especially if some shares are unused, increasing costs which can constrain trading and entry of new participants. This introduces an important risk that red snapper discards may increase if fishermen cannot obtain shares or allocation to cover their catch. Appropriate analyses and coordination with management of other reef fish is essential prior to opening transferability to the public. However, we do support exploring transferability with the red snapper recreational fishery as soon as a system of management, monitoring, and enforcement comparable with the commercial IFQ program is operational.

We also recommend that the Council prioritize expanding commercial IFQ management to encompass all reef fish in the management unit and improving at-sea monitoring. These steps are needed to prevent effort shift and overfishing for species that remain under derbies. Given that speculation for landings history can exacerbate derby fishing, the Council should act quickly. Building on the success of red snapper, grouper, and tilefish IFQ management, comprehensive reef fish IFQ management will expand flexibility, profitability, and sustainability across the reef fish fishery.

For-hire electronic monitoring. *We support electronic reporting for federally permitted for-hire vessels.*

Persistent large overharvests in the Gulf’s recreational fisheries threaten fish populations, reduce access for anglers, and jeopardize the viability of recreational and commercial fishing businesses. A major overhaul of recreational fisheries management is needed. As a step in that direction, we

⁵ NMFS Southeast Regional Office (2012). Gulf of Mexico 2011 Red Snapper Individual Fishing Quota Annual Report.

⁶ Weninger, Q. and J.A. Waters (2003). Economic benefits of management reform in the northern Gulf of Mexico reef fish fishery. *Journal of Environmental Economics and Management* 46: 207-230.

Mr. Doug Boyd, Chair

October 26, 2012

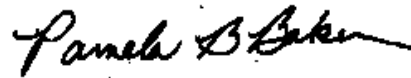
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support the Council's August 2012 motion to develop a plan amendment to explore electronic reporting for federally permitted for-hire vessels. Electronic reporting can be designed to improve the timeliness and accuracy of catch and effort data needed to help improve stock assessments, set catch limits, and manage seasons. To ensure effective catch accounting and transparent monitoring, we recommend the plan include options for at-sea reporting and a hail-in requirement. We encourage the Council and NMFS to work with industry and other stakeholders to develop options for verifiable and enforceable real-time reporting, built with flexibility and supported by the for-hire industry.

Sincerely,

A handwritten signature in blue ink that reads "B. Daniel Willard".

Daniel Willard, Ph.D.
Economist, Gulf and Southeast Oceans Program

A handwritten signature in black ink that reads "Pamela Baker".

Pamela Baker
Director, Gulf of Mexico Region