

From: gary.wilson18201@yahoo.com <gary.wilson18201@yahoo.com>  
Sent: Saturday, October 17, 2015 11:02 AM  
To: Webinars  
Subject: Am. 39 red snapper

Growing up in St. Petersburg born in 1952 I have seen many changes . We never even had to venture into the gulf to catch fish. Tampa bay provided all our needs, but with all the growth there has to be limits put on our fish catches. Since red snapper are caught most by boats able to make a safe run to the areas which they hold I would suggest that if closures are done that weather would be brought into the mix. A set of a 5 day opening or 10 day is fine but if it can not be fished due to bad weather conditions then allow more days on an emergency basis. This is why I would like to see the limits and closures overseen by the states. When local it can be to the benefit of their region as it effects such a large amount of their economy. When things are on a national basis it does not fine tune to all the states accordingly.

Bring the states more into the mix of rulings.


Thank you,  
Gary Wilson  
Sent from my iPad

 Reply all |   Delete Junk |  ...



## public comment

FC Fish-On Charters <catchem@fishoncharters.net>  
To: Gulf Council; 

 Reply all | 

Tue 10/20/2015 9:16 AM

Inbox (Gulf Council)

My name is Kenny Bellais I am the captain on charter boat FISH ON CAT out of Biloxi,MS. I support amendment 39 action 2 alternative 2



## FW: Public comment - SA meeting

EM Emily Muehlstein

To: Charlene Ponce; ↵

Reply all | ↵

Thu 10/22/2015 5:46 PM

Inbox

Can you add this to public comment for 39 please?

On 10/20/15, 6:07 PM, "Jesse Allen" <ventura12003@yahoo.com> wrote:

>Hi Emily - hope you're well. I wanted to give my public comment in  
>regards to the proposed Amendment 39. As a recreational fisherman, I am  
>against this proposal that would send management of species such as gulf  
>red snapper (among many other reef fish) in federal waters to the gulf  
>states and not the Gulf Fisheries Management Council. I do not believe  
>that the individual states have the experience not the restraint to  
>effectively manage fisheries and ecosystems as complex as the gulf's  
>offshore reef fishery. My fear is that short term economic gains will  
>outweigh long term sustainability and both the fishery and those that  
>rely on the fishery for their livelihood will ultimately suffer.

>  
>Thanks in advance for passing this comment on.

>  
>Sincerely,  
>Jesse Allen  
>210-416-0708

>  
>Sent from my iPhone

10/22/2015

I am a retired charter boat captain and very much opposed to the way our federal fisheries managers are handling our red snapper resource. This, a resource that belongs to everyone not just the chosen few that has been gifted a allocation of red snapper for their personal monetary gain. These fish belong every tax paying citizen of this great country that our veterans fought for the freedom to be treated fairly, evenly, and justly and this is not fair, even, or just. I am a disabled Viet Nam veteran and this goes against everything we fought for, or was told we were fighting for. While my red snapper season eroded to only 10 days this year the charter for hire was given 44 days. How do you justify that? As a private recreational angler we are told that we are not accountable for our catches, well then give me a means to be accountable. Everything as of now is only an estimated guess for both private recreational and charter for hire as I was told at the meeting. At the meeting in League City, TX I was told that Gulf Council did not have the resources to enact an accountability plan it would be up to the State of Texas to do this. Would that not be regional management? It would be very simple to sell a recreational permit with a report form attached to be submitted to NMFS, Gulf Council, and or TPWD. This could be mandatory or face a fine or unable to get a permit the following year until the report of catch is filed and it would pay for itself. How do I explain to my grand children why I can't take them red snapper fishing in my boat because my government has gifted our fish to the chosen few charter for hire operators (approx. 1250 charter for hire permits throughout the gulf fishery)? This leaves me only one alternative and that is to leave my boat parked and either buy red snapper or charter a boat to go red snapper fishing. Please protect this valuable resource for our children so they may be able to enjoy it before the entire fishery is completely privatized and we are left with only stories of how it used to be.

PLEASE SUPPORT AMMENDMENT 39 ACTION 2 ALTERNATIVE 4

Thanks,

Capt. Don Tyer

8115 Lost Lane

Dickinson, TX 77539

(281)910-4069



October 2, 2015

Mr. Kevin Anson, Chair  
Gulf of Mexico Fishery Management Council  
2203 North Lois Ave.  
Tampa, FL 33607

Dear Mr. Anson:

Thank you for the opportunity to comment on Gulf of Mexico fisheries. While the Council has many issues to discuss this week, our comments focus on Reef Fish Amendment 39.

We have tentatively supported regional management over the past two years, but only conditionally: our support is premised on a vision of regional management as a vehicle to provide private anglers with improved management flexibility and accountability to catch quotas. By tailoring Amendment 39 to private anglers and incorporating management tools like harvest tags and/or angler-management organizations (AMOs), the Council can offer significant improvements to red snapper fishing seasons and conservation.

In contrast, we believe that the most effective management for the charter for-hire and headboat sub-sectors acknowledges their different needs and can be developed through Reef Fish Amendments 41 and 42. As the Council discussed at the August 2015 meeting, it is clear that unless Amendment 39 is tailored for private anglers only, it and Amendments 41 and 42 are mutually exclusive.<sup>1</sup>

Therefore, we strongly recommend that the Council dedicate regional management in Amendment 39 to the private angling component by **selecting Alternative 2 in Action 2 as the preferred alternative**.

We also recommend that the Council improve the plan by allowing states the flexibility to manage using tools like harvest tags and AMOs. Not only would these tools provide states with a way to extend red snapper fishing seasons regardless of their individual state allocation, they would also more effectively monitor fishery performance. Improved performance could reduce uncertainty buffers, allowing states to provide even more fishing opportunities for anglers.

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<sup>1</sup> Gulf of Mexico Fishery Management Council (2015). 255<sup>th</sup> Meeting, Full Council Session. August 12-13, 2015.

Mr. Kevin Anson, Chair  
October 2, 2015  
Page 2 of 2

We ask that the Council refine Amendment 39 so that it can provide these benefits for anglers while granting for-hire operators the opportunity to continue pursuing allocation-based management through Amendments 41 and 42.

Thank you for considering our comments and recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Jones". The signature is fluid and cursive, with the first name "Robert" being the most prominent.

Robert E. Jones  
Director, Gulf of Mexico Oceans Program

# Sector separation

Michael Mixon <prestonmm@icloud.com>

Wed 10/7/2015 3:06 PM

To: Charlene Ponce <charlene.ponce@gulfcouncil.org>;

Hello

I am a charter permit holder and boat owner. I also own a reef fish permit and commercial boat. Regional manager is not a good idea. Please do not change sector separation let us fish our days we are not allowed to fish state waters don't punish us

Capt. Preston Mixon

To: Gulf Council members and Mississippi DMR  
 From: Mississippi Federal CFH Reef Fish Permit Holders  
 Re: Reef Fish Amendment 39 (red snapper regional management)

As federally permitted charter for-hire permit holders operating in Mississippi, we want to continue to be managed by the Gulf of Mexico Fishery Management Council for recreational red snapper fishing. The federal council system may not be perfect, but it offers us the ability to develop fair business plans for our businesses and best ensures continued access to a sustainable resource for these reasons:

- We are business owners who need the flexibility to offer our customers fishing trips when it works best with the weather and tourist seasons.
- The Gulf Council is developing and moving forward with meaningful new programs for the charter-for-hire and headboat operators. Those plans would provide flexibility and allow our customers to catch red snapper throughout the year while staying within catch limits.
- The Gulf Council is working on collecting our data electronically and improving monitoring. This proposal to develop electronic reporting of the charter fleet will work better under the federal umbrella than through differing state programs with inconsistent components.

When the Gulf Council votes on Amendment 39, we ask you to select Alternative 2 in Action 2 and keep us under federal management.

Sincerely,

Name	Signature	Permit #	Business Name
1) CLARENCE R SEYMOUR	<i>CR Seymour</i>	RCG-114	CHARTER BOAT "SYL"
2) HENRY BARANOVICH	<i>Henry Baranovich</i>	RCG-82	CHARTER BOAT MISSISSIPPI
3) TOM BECKER	<i>Thomas Becker</i>	RCG-40	CHARTER BOAT - SKIPPER
4) GARY GENO	<i>Gary Geno</i>	RCG-368	CHARTER BOAT - QUICKSILVER
5) RON HARMON	<i>R. Harmon</i>	RCG 1509	ON STRIKE
6) MICHAEL S. DROOK	<i>Michael Drook</i>	RCG-935	STRICTLY BUSINESS / MS DORSEY
7) BRAND BECKER	<i>Brand Becker</i>	RCG-40	SKIPPER CHARTERS
8) JIMMIE HIGDON	<i>Jimmie Higdon</i>	RCG-326	SHEARWATER CHARTERS
9) [Signature]	<i>[Signature]</i>	RCG-1411	MS JAW
10) MIKE FOTO	<i>Mike Foto</i>	RCG-238	FISH FINDER CHARTERS
11) GREG HEBERT II	<i>Greg Hebert II</i>	RCG-286	ANDBLACK CHARTERS LLC
12) GREG HEBERT II	<i>Greg Hebert II</i>	HRCG-1358	RECESS
13) JEFF S. LeBlanc	<i>Jeff S. LeBlanc</i>	RCG-239	CHARTER BOAT LINGUISTIC
14) KENNETH BENNIS	<i>KG Bennis</i>	RCG 965	FISH ON CHARTERS
15) JERRY McCLURE	<i>Jerry McClure</i>	CHG-793	Biloxi Blue Water Charters



NAME	SIGNATURE	PERMIT #	BUSINESS NAME
16) Stephen Kuljis	S. Kuljis	RCG1232	Jig A Low Charters
7) LES OSBORNE	[Signature]	RCG-1084	FISHA-Fraction Charters
8) Robert McDaniel	Robert McDaniel	RCG-867	Whipasaqpa Charters
9) John DeFavril	John DeFavril	RCG-1117	BoJohia Charters
10) Timmy Holley	Timmy Holley	RCG-1184	Prime Time Charter
-1) George H. PELAEZ JR.	George H. Pelaez Jr.	RCG-178	JOKA'S WILD CHARTER
12) Zach Lewis	Zach Lewis	RCG-806	Contagions
13) Bill DesJardis	Bill DesJardis	RCG-996	Happy Endings
24) CHARLES E. GRAHAM	Charles E. Graham	RCG-933	I'M ALONE CHARTERS, INC
15) Roy Holliman	Roy Holliman	RCG1005	ISLAND BREEZE CHARTERS
26) JAY Trochesset	Jay Trochesset	RCG-363	SILVER DOLLAR CHARTER
17) [Signature]	[Signature]	RCG-1028	MIS CONDUCTO
8) Robert M Williams Jr	Robert M. Williams Jr	HRCG-1269	Three SwisT
19) James McClellan	[Signature]	RCG-368	HAPPY HOOKER INC.
20) Barry K Deshamp	Barry K Deshamp	RCG-RCG-1060	T-Bell Charter
21) Jim Young	Jim Young	RCG-1024	Keester Dolphin II
22) CRAIG GUST	Craig Gust	RCG-609	High Times Too
13)			
4)			
35)			
16)			
17)			
38)			

Sheet1

Vessel ID	Vessel Name	Permit
1044163	PURE PLEASURE II	RCG-101
1075426	HAPPY HOOKER	RCG-368
1091155	MIS CONDUCT IV	RCG-1028
1149201	JOKAS WILD	RCG-178
1192496	KEESLER DOLPHIN II	RCG-1024
✓1221678	ON STRIKE	RCG-1509
1223193	SILVER DOLLAR III	RCG-363
1228762	OBSESSION	RCG-1477
1251879	LONG STRAW	RCG-1216
1255889	INNOVATOR	RCG-330
1259596	CONTAGIOUS	RCG-806
268023	QUICKSILVER	RCG-1467
548724	ISLAND BREEZE	RCG-1005
572965	MS DARSEY	RCG-935
590113	PRIME TYME	RCG-1184
592161	SYL	RCG-1141
598455	IM ALONE	RCG-933
634646	SHEARWATER	RCG-376
635763	MISS HOSPITALITY	RCG-82
664459	AMBERJACK	RCG-286
669403	FISH FINDER	RCG-238
679216	FISHA-TRACTOR	RCG-1084
690785	THREE SONS IV	RCG-12
906031	CHERECE IV	RCG-1653
909020	MISS LAUREN	RCG-1411
911301	SKIPPER	RCG-40
985404	HIGH TIMES TOO	RCG-609
AL0054RC	MISS CARLI	RCG-1088
MI0648BS	TWIN VEE .	RCG-248
MI0736BP	JIG-A-LOW	RCG-1232
MI4554BK	FISH ON CAT	RCG-965
MI4883BA	BOJOHLA	RCG-1117
MI4915AW	UNNAMED	RCG-997
MI6351AZ	9 BALL	RCG-1060
MI6707BR	WHIPSANAPA	RCG-867
MI7555BU	HAPPY ENDINGS	RCG-996
MI7857BV	LINGCUISINE	RCG-239
MI9884BN	BIG WAVE	RCG-38

Historical Captains Reef Fish Permit

946080	BOWD UP	HRCG-1616
MI0559AH	RECESS	HRCG-1358
MI2526BF	THREE SON V	HRCG-1269



October 7 2015

Dear Chairman Anson and Gulf Council members:

We, the Charter Fisherman's Association, thanks the Gulf Council for joining our fishermen in Galveston and hope everyone has enjoyed their time in the great state of Texas. We appreciate many of you joining us at the Fishermen's Social with the Lighthouse Charity Team as well.

Our organization represents federally permitted charter captains and their customers across the Gulf of Mexico as well as across the country. We are the largest organization of federally permitted vessels in the region and have the following recommendations for the Council's consideration:

#### Amendment 39

The federally permitted charter fleet has made it abundantly clear that **we want to be excluded from Amendment 39 and see it proceed as a vehicle specifically for private anglers**. So Action 2, Alternative 2 is the only path we support moving forward.

Considering the issues between jurisdiction of state and federal waters, there's a law enforcement hurdle. By adding in season closures for federal or state waters it only further complicates the amendment when federally permitted charterboats are included. By removing the CFH fleet, the amendment, Amendment 39 becomes a much simpler and more feasible Amendment. The charter industry has reached out across state lines to develop a Gulf-wide vision for management that would give us more business stability, flexibility for our customers, and accountability for the resource – to lump us into a state based management scheme would make this progress impossible.

#### Amendments 41 and Amendment 42

We look forward to working with the council in January with the feedback from scoping meetings over the next few weeks to continue developing those Amendments respectfully with the council.

#### Gag Grouper

We would like to see Gag Grouper season go to a June 1 opening and 24 inch size limit

#### Gray Triggerfish

Based on on the water professional experience, triggerfish are very abundant and that really conflicts with the current model. We request a new benchmark assessment for gray triggerfish be

a priority. This would allow for an overhaul of the current model to take into account sargassum coverage, year to year recruitment trends and allow for more accurate forecasting when setting the parameters fishermen will be fishing under.

#### Electronic Logbooks

This tool is a critically important part of providing data for managers and developing more accountable management measures. If properly implemented, and paired with proper management it should lead to reduced management uncertainty and to harvest of fish that are currently held back in the buffer. We are ready to move forward with ELB development and ask the council and NOAA to accelerate this improvement for the federally permitted charter fleet.

Sincerely,



Shane Cantrell, Executive Director  
Charter Fisherman's Association  
512-639-9188  
[shane.Cantrell@iCloud.com](mailto:shane.Cantrell@iCloud.com)



October 2, 2015

Mr. Kevin Anson, Chairman  
Gulf of Mexico Fishery Management Council  
2205 North Lois Avenue  
Suite 1100  
Tampa, Florida 33607

**RE: Red Snapper Regional Management, For-Hire Electronic Reporting, Gag Management and Gray Triggerfish Rebuilding**

Dear Chairman Anson,

On behalf of The Pew Charitable Trusts (Pew), please accept these comments on management and accountability of key fisheries in the Gulf of Mexico. It's important to maintain the conservation and legal requirements of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) while providing sufficient access to fishing and the ability to operate stable businesses. At the October 2015 meeting, the Council has the opportunity to create management systems suitable to the needs of the red snapper recreational fishery while promoting conservation of the resource. Additionally, important decisions are needed to complete the for-hire electronic reporting requirements and monitoring program. Lastly, it is imperative that the Council set the stage for recovery of gag and gray triggerfish – two of the most important and popular species in the Gulf of Mexico. The main points on these specific issues are summarized below, followed by additional details.

Recreational Management and Accountability

- In Amendment 39, we urge adoption of Alternative 2 in Action 2 to apply the regional management plan to the private recreational component only. Removing the federally permitted for-hire vessels from the plan fosters conservation and maximizes flexibility for each component by providing a means to design tailored management plans that build in data needs and strong accountability measures.
- We encourage moving forward on the electronic reporting amendment for the for-hire fleet, in conjunction with Amendments 41 and 42. However, some key issues remain to be addressed on the electronic logbook amendment, which we detail below.

Sustainability and Recovery of Popular and Important Species

- For final action on gag management, we support **increasing the recreational size limit to 24 inches** (Alternative 2 in Action 1) and **extending the recreational fishing season through December** (Preferred Alternative 2 in Action 3). Additionally, we support **initiating a framework action to evaluate the effect of increasing the commercial minimum size limit for gag**.

- The new gray triggerfish benchmark assessment indicates the population is still severely overfished, and won't meet the 2017 rebuilding target. The Council should **initiate a new rebuilding plan with conservative catch levels** as soon as possible.

## **Red Snapper Recreational Management and Accountability**

Management of the red snapper recreational fishery is once again at a crossroads. The Council is developing programs specific to the for-hire fishery while simultaneously finalizing a regional management plan that also includes the for-hire vessels. The best means to design management to benefit both components of the recreational fishery and the resource is to adopt regional management (Amendment 39) for the private recreational fishery and to continue developing Amendments 41 and 42 for the for-hire component. Implementing strategies for the separate components of the recreational fishery has the potential to effectively maintain catch within sustainable limits for each component; better align fishing opportunities to the needs of each sector; reduce the 20% accountability buffer for each facet; and ultimately, keep the red snapper rebuilding plan on track.

The Council's proposed electronic logbook (ELB) program for the Gulf's for-hire fleet will complement Amendments 41 and 42, which are aimed at providing maximum flexibility and also accountability for the for-hire fleet. Similarly, data collection programs under development at the state level should support regional management of the private recreational fishery. Amendment 39 offers more flexible management for the private recreational fishery, while maintaining accountability by ensuring the conservation requirements of the MSA remain in place and taking advantage of these state-based data collection programs. Therefore, to best promote conservation, accountability, and flexibility for both recreational components of the red snapper fishery, we **strongly urge the Council to remove the federal for-hire vessels from the regional management plan by adopting Alternative 2 in Action 2 of Amendment 39 as the preferred alternative**. Also, working with the industry participants, we **encourage the Council to continue developing Amendments 41 and 42 in conjunction with the ELB amendment**.

## **Implementing Electronic Logbooks for the For-Hire Fishery**

We are pleased with the progress made to date on developing an electronic reporting and monitoring program for federally permitted for-hire vessels in the Gulf of Mexico. Based on our observations and communications, industry leaders and participants strongly support ELB. We support the Council's preferred actions in the electronic reporting amendment on trip level reporting and using "NMFS-approved electronic devices" to track fishing effort and location. To achieve implementation in 2017, the Council must address several key issues.

At the August 2015 meeting, the Council approved a motion that addressed many of these issues and asked the technical subcommittee for details of the program. Hopefully, this process is well under way. However, to facilitate moving this amendment forward, the Council should discuss and resolve the issues listed below at the October meeting:

- 1. Specify how data at the trip level for charter and headboats is to be used to determine whether catch estimates for federally managed species should be produced daily, weekly, or within some other time frame.**
- 2. Specify what “NMFS approved hardware and software” will be allowed and used in the ELB program.**
- 3. Specify what “NMFS approved electronic devices” are to be allowed and used in the ELB program.**
- 4. Determine what agency or entity will be the lead on designing and implementing the program and the intended use of the data.**
- 5. After resolving the above issues, develop detailed cost estimates and resource needs for implementing the ELB program in the Gulf.**
- 6. Determine potential available funding sources according to program needs.**

Addressing these issues should be instructive for development of the ELB program and beneficial to the technical subcommittee as they develop the data protocols and standards reference document. These are also questions that are likely to be asked by the fishermen who would be subject to any new requirements.

While developing the ELB amendment, it's important to recall the importance and benefits of an electronic monitoring and reporting program. A well-designed ELB program coupled with management strategies such as those under development in Amendments 41 and 42 can provide maximum flexibility and accountability. It can also improve data used for catch monitoring and stock assessments for all federally managed species caught by the federal for-hire fleet, not just red snapper. Specifically, the data obtained through the ELB program offers many benefits that will:

- Improve catch monitoring, which should also reduce the uncertainty regarding retained and discarded catch in stock assessments.
- Allow for responsive in-season management.
- Lead to stability in the for-hire fleet in conjunction with properly designed management plans.
- Increase user confidence in the data and management.

A successfully designed program requires balancing the tradeoffs of data needs with associated costs and constraints. Additionally, industry support and compliance is crucial for a successful

program. Therefore, it is imperative that the details of the program be addressed and documented as soon as possible and that the Council sends a strong message to the for-hire industry by showing full support for development and expedient adoption of the ELB amendment.

## **Designing Gag Management for Full Recovery**

The 2014 gag stock assessment (SEDAR 33)<sup>1</sup> indicated the population is no longer overfished nor undergoing overfishing. However, more recent data analyzed by the Southeast Fisheries Science Center and reviewed by the Council in June indicates that the population and fishery indicators are trending downward.<sup>2</sup> These trends are consistent with fishermen testimony that the assessment was overly optimistic. In fact, both the commercial and recreational fisheries have not been catching their quotas in recent years, an indication that the population may be in trouble. For these reasons, the Council opted to maintain catch limits at current levels rather than increasing them, an action we support.

With an assessment update scheduled to be available in early 2017, it is likely that the outcome will not be as favorable, given the current indicator trajectories. This in turn could lead to future restrictions. Management measures should be focused on maintaining fishery stability and population sustainability. Substantially increasing the length of the recreational fishing season now may jeopardize the health of the population at a time when there is high uncertainty about the condition of the population. Current catch monitoring programs do not allow rapid management action should the quotas be met or exceeded during the season, which could be exacerbated by substantially extending the recreational fishing season. Thus, we do not believe that alternatives 3 or 4, which would remove the January through June gag seasonal closure, are prudent options at this time.

However, increasing the size limit improves the spawning potential by allowing a higher percentage of larger females to reproduce before they enter the fishery without a significant increase in discard mortality. Therefore, **we support finalizing the gag Framework Action with the Council's current preferred alternatives, which would increase the recreational minimum size limit to 24 inches, and include a modest extension of the end date for the recreational season from December 3 to December 31, when catch rates are low.** Together, these two actions should provide a biological boost for the population while providing some additional fishing opportunity. This is particularly true for anglers in South Florida where gag are more accessible during this time of year. In addition, **we also support initiating a framework action to evaluate increasing the commercial minimum size limit to 24 inches as recommended by the Reef Fish Advisory Panel.**

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<sup>1</sup> SEDAR 33. 2014. Gulf of Mexico Gag Stock Assessment Report. SEDAR, North Charleston SC. 609 pp. Available online at: [http://www.sefsc.noaa.gov/sedar/Sedar\\_Workshops.jsp?WorkshopNum=33](http://www.sefsc.noaa.gov/sedar/Sedar_Workshops.jsp?WorkshopNum=33).

<sup>2</sup> Tab 6, May 2015 SSC meeting briefing book Updated indices of abundance for gag grouper in the Gulf of Mexico. NOAA Fisheries, May 4, 2015.



## Gray Triggerfish Rebuilding

The newly completed standard assessment for gray triggerfish (SEDAR 43)<sup>3</sup> indicates that the population is still severely overfished with no sign of recovery. Hence, the rebuilding target of 2017 will not be met. As suggested by the Scientific and Statistical Committee (SSC)<sup>4</sup>, the Council should initiate a new rebuilding plan as soon as possible designed to provide biological improvement for the population. Unfortunately, catch level projections produced by the assessment are unreliably high and were rejected by the SSC. In fact, current catch levels haven't allowed full recovery of the population. Thus, new catch levels should be more conservative than current levels, and should be coupled with management measures such as properly timed closed seasons that take the biological needs of the species into account.

Thank you for considering these comments. We look forward to continuing to work with the Council and stakeholders on these and other important issues.

Sincerely,



Chad W. Hanson  
Officer, U.S. Oceans, Southeast  
The Pew Charitable Trusts

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<sup>3</sup> Tab 6, SSC September 2015 Briefing Book. SEDAR 43, Standard Stock Assessment Report for Gulf of Mexico Gray Triggerfish. August 2015. SEDAR, North Charleston, SC.

<sup>4</sup> Tab B - 4, October 2015 Gulf Council Briefing Book. Standing and Special Reef Fish SSC Meeting Summary. Tampa, Florida. September 1-2, 2015.



October 4, 2015

Kevin Anson, Chairman  
Gulf of Mexico Fishery Management Council  
2203 North Lois Ave, Suite 1100  
Tampa, FL 33607

Dear Chairman Anson,

On behalf of the Gulf of Mexico Reef Fish Shareholders' Alliance (Shareholders' Alliance), please accept the following comments on the following issues to be discussed at the Gulf of Mexico Fishery Management Council (Gulf Council) meeting in Galveston, Texas this week.

Amendment 39 (Regional Management)

- **We continue to strongly support Action 2 Alternative 2 - regional management for private anglers.** This alternative is endorsed by a vast majority of the charter/for-hire sector, and is also supported by the Reef Fish Advisory Panel (AP). The charter/for-hire fleet wants to remain under federal management and the protections it affords their businesses.

Gray Triggerfish

- **We support the Reef Fish AP's overwhelming recommendation to untable Amendment 33 and consider gray triggerfish in the document.** Commercial management of gray triggerfish isn't working – biomass and spawning potential are at or near all-time-lows while commercial discarding continues to rise and commercial quota overages have occurred in two of the last three years. Untabling Amendment 33 will give the industry and the Gulf Council the chance to discuss whether an individual fishing quota (IFQ) could effectively solve some of these problems and help rebuild this fishery.

Joint Amendment to Require Electronic Reporting for Charter Vessels and Headboats

- **We support the AP's overwhelming recommendation to proceed with the charter/headboat electronic reporting document separately from the South Atlantic.** Splitting this document will allow the Gulf Council to move forward more quickly and effectively to implement this positive program and acknowledges the preference the Gulf fleet has for trip-level reporting (as opposed to the South Atlantic's preference for weekly reporting).

*Stewardship Through Leadership*

[www.shareholdersalliance.org](http://www.shareholdersalliance.org)

## Gag

- **We support the AP's recommendation to increase the recreational gag size limit to 24 inches** in order to help promote conservation of this species.
- **We also support the AP's unanimous recommendation to adjust of the recreational season to include a winter season (January 1-31)** in order to maximize economic opportunities for the charter boats reliant on gag grouper, while continuing to manage this species under federal ACL/ACT requirements.
- **Furthermore, we support the AP's unanimous recommendation to increase the commercial gag size limit to 24 inches if the recreational gag size limit is increased to 24 inches.** This will create parity between the sectors and will help promote conservation of this species.

## Hogfish

- **We support the AP's recommendations that define the hogfish management unit, identify maximum sustainable yield proxy and (a conservative) minimum stock size threshold and initiate a plan amendment for hogfish management.** We also support the AP's recommendations to create a recreational/commercial split of the hogfish allocation and to increase the minimum size limit from 12 inches to 14 inches. These measures are necessary to improve hogfish management and conservation.

## Coral Habitat Areas of Particular Concern (HAPC)

- **We support the AP's unanimous recommendations to develop a working group where scientists and fishermen collaborate to identify new and existing coral areas in need of protection.** A working partnership like this will help ensure that HAPCs maximize the most critical habitat protections while engaging fishermen to operate their gear in an accountable manner that causes the least amount of habitat damage. We believe that responsible, low-impact commercial fishing can continue to coexist with habitat protection – the two ideas are not mutually exclusive.

## Reef Fish Amendment 41 and 42

- **We support moving forward with Amendment 41 and 42 to develop charter/for-hire and headboat red snapper and reef fish management plans.** Doing so will afford these groups the opportunity to develop accountable management plans that work for their businesses and promote sustainable harvesting.

## Ad Hoc Private Angler Advisory Panel AP

- **We support the immediate development and implementation of this AP, including a charge, membership, roles and responsibilities, and a timeline for meetings.** The chance for private anglers to come together to discuss fishery solutions is long overdue. Please stop stalling.

## Recalibration

- **We support the AP's overwhelming recommendations to improve the use of recalibration in fishery management.**
- First, we support the AP's request to have the Science Center run additional red snapper recalibration projections using a range of assumptions that we believe are reasonable, including

1) that recreational selectivity will change over time (rather than remain constant) and 2) that recreational discard mortality is higher than 10%. We believe these assumptions are just as plausible as the ones used by the Science Center and should be evaluated.

- Second, we support the AP's request that all future Gulf Council decisions that involve recalibration use a more comprehensive analysis than the one recently used in red snapper, which was determined to be a "*preliminary, interim approach*" that "*may not be defensible from a scientific point of view.*" Further, the recalibration approach chosen was the simplest of three approaches that were evaluated by the working group, which concluded "*We recommend that investigation continue on the remaining two methods. It is possible that one of them will be determined to be better at some future date.*" All we are asking is that in the future, the full suite of approaches be evaluated and reviewed by the Science and Statistical Committee before being used for management purposes.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "Eric Brazer, Jr." with a stylized flourish at the end.

Eric Brazer, Deputy Director  
Gulf of Mexico Reef Fish Shareholders' Alliance



June 2, 2015

Mr. Kevin Anson, Chairman  
Gulf of Mexico Fishery Management Council  
2205 North Lois Avenue  
Suite 1100  
Tampa, Florida 33607

**RE: Red Snapper Regional Management and Rebuilding Goal; Gag Management; Deep Sea Corals**

Dear Chairman Anson,

On behalf of The Pew Charitable Trusts (Pew), please accept these comments on red snapper regional management (Amendment 39), red snapper spawning potential ratio (SPR), gag catch limits, and deep-sea corals. Decisions at the June 2015 meeting will be critical to increasing private recreational fishing opportunities for red snapper by advancing a regional management approach, sustaining the gag and red snapper populations, and examining options to protect fragile deep-sea corals. Below is a summary of the main points of our comments.

Amendment 39 (Regional Management)

- We urge adoption of Alternative 2 in Action 2 of Amendment 39, which removes federally permitted for-hire operators from regional management. This alternative allows the Gulf state agencies to tailor management to better meet the needs of their individual anglers and state-licensed guide boats, while allowing the Gulf Council to continue to develop a charter-for-hire management plan.

Red Snapper SPR

- We recommend maintaining the maximum sustainable yield (MSY) proxy (*i.e.*, rebuilding target) for red snapper at 26% SPR, per the unanimous recommendation by the Council's Science and Statistical Committee (SSC) at its May 2015 meeting.

Gag Catch Limits

- We recommend setting catch limits at the status quo levels (Alternative 1 in Action 1 of the Gag Options Paper), rather than increasing them at this time, in light of significant uncertainty in the assessment, record low recruitment in the past four years, fishermen testimony stating concerns about the population's status, and low estimated overall gag abundance in recent years.

## Deep-sea Corals

- We recommend that the Council accept the recommendation from its Coral SSC/AP to start an amendment to designate Coral Habitat Areas of Particular Concern for areas identified by the Council's Deep-Sea Corals Working Group.

Below, we discuss each of these comments in more detail.

## **Amendment 39 – Regional Management**

Amendment 39 offers an opportunity to provide more flexible management for the private recreational fishery. We **recommend adoption of Alternative 2 in Action 2** of the Amendment 39 Draft Public Hearing Document as the preferred alternative.

The Council is moving forward with new programs for the charter for hire and headboat industries. The ad-hoc charter for-hire and headboat advisory panels, which met recently, recommended several reasonable options to better manage those two segments of the red snapper fishery, which we encourage the Council to incorporate into Amendments 41 and 42. The next step is to create a plan for private anglers. Amendment 39 allows states to move forward with development and implementation of new management strategies tailored to private anglers' needs, and to incorporate data-collection programs for private anglers that are under development by Gulf state agencies. Implementing strategies that target the separate components of the red snapper recreational fishery has the potential to more effectively maintain the recreational catch within sustainable limits for each sector; increase fishing opportunities; and importantly, keep the red snapper rebuilding plan on track.

## **Red Snapper Rebuilding Goal**

There is no scientific basis for decreasing the red snapper SPR as indicated, and **we recommend maintaining the current rebuilding target of 26% SPR**. At its May 2015 meeting, the SSC unanimously recommended maintaining the current SPR target for rebuilding the population and managing the fishery. The SSC reviewed analysis of SPR targets for the rebuilding timeline, stock status, and catch levels and concluded there was no biological rationale for making a change. However, decreasing the SPR to a less conservative level (*e.g.*, 20% SPR) could diminish the likelihood of rebuilding red snapper to sustainable levels in the eastern Gulf, where the most fishing effort occurs and recruitment is the lowest. The estimated SPR level in the eastern Gulf is currently 11%, while the SPR in the western Gulf is 19% (16% overall).<sup>1</sup> The SPR in the east is projected to drop to 7% SPR by 2032 due to significantly higher fishing pressure coupled with significantly lower recruitment levels. Thus, lowering the SPR is a risky

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<sup>1</sup> Tab 4, May 2015 SSC briefing book. Effect of Alternative MSY Proxies on the Projected Overfishing Limits and Biological Catches for the Red Snapper Fishery in the U.S. Gulf of Mexico. Southeast Fisheries Science Center, May 5, 2015.

approach that reduces the red snapper population's spawning potential and capacity over the long term, especially in the eastern Gulf. It is worth noting that the discrepancy in regional population conditions would likely be further exacerbated if the proposed shift in allocation toward the recreational fishery (via Amendment 28) is approved.<sup>2</sup> However, regardless of the outcome of that amendment, we strongly believe that the science is clear - the best approach is to maintain *status quo* on the red snapper SPR target.

## Gag Catch Limits

The most recent gag stock assessment (SEDAR 33)<sup>3</sup> indicates the population is no longer overfished nor undergoing overfishing. While that positive outcome is welcome news, we remain concerned that this determination is uncertain and that any increase in the gag ACL risks a return to an overfished condition. **We recommend that the Council maintain the current catch level by selecting Alternative 1 in Action 1 of the Gag Options Paper as the preferred alternative.**

From a biological perspective, our concerns with the gag population include:

- Continued record low levels of recruitment through 2014, according to the most recent analysis.<sup>4</sup>
- A continued downward trend in abundance indices for all sizes of gag (small, medium, and large) through 2014, also as demonstrated in the most recent analysis.<sup>5</sup>
- Too few remaining males in proportion to females (less than 5% relative to “unfished” population of 17%).<sup>6</sup>
- Significant divergence in the results of the two assessment models used, which showed completely different pictures of the population status.

The Council's Reef Fish Advisory Panel also passed a motion recommending a “*precautionary approach to the gag ACL due to the wide differences to what is being seen on the water*” and for the Council to adopt a constant catch strategy.<sup>7</sup> In testimony before the Council, individual commercial gag fishermen report that they are not able to catch their quotas. Last year, the recreational fishery caught only 48% of its annual catch target, while the commercial fishery caught 70% of its quota.<sup>8</sup> Likewise, only 50% of the designated gag quota for the Headboat

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<sup>2</sup> Ibid., pg 5.

<sup>3</sup> SEDAR 33. 2014. Gulf of Mexico Gag Stock Assessment Report. SEDAR, North Charleston SC. 609 pp. Available online at: [http://www.sefsc.noaa.gov/sedar/Sedar\\_Workshops.jsp?WorkshopNum=33](http://www.sefsc.noaa.gov/sedar/Sedar_Workshops.jsp?WorkshopNum=33).

<sup>4</sup> Tab 6, May 2015 SSC meeting briefing book Updated indices of abundance for gag grouper in the Gulf of Mexico. NOAA Fisheries, May 4, 2015.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid, SEDAR 33.

<sup>7</sup> Tab B-14, Gulf Council August 2014 briefing book. Reef Fish AP Summary Report 07-14.

<sup>8</sup> NMFS Southeast Regional Office ACL Monitoring website, [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/acl\\_monitoring/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/acl_monitoring/index.html)

Collaborative program was caught last year.<sup>9</sup> Taken together, this information is a red flag, and strongly indicates that the best course is to adopt the most conservative approach proposed in the Gag Options Paper (*status quo*) for the next few years until another assessment can be completed.

## **Deep-sea Coral Protections**

The Gulf of Mexico is home to clusters of deep sea corals that provide significant habitat for commercially valuable fish and other marine life, but currently there are very limited protections around some of these corals. They are easily damaged and are extremely slow-growing, thus recovery takes a very long time. After a productive meeting between the Coral SSC/AP and members of the shrimping community, Pew agrees with the group's recommendation that the best way forward for protecting valuable and important deep-sea corals is to solicit more input through the amendment process. We urge the Council to direct staff to initiate a new plan amendment.

## **Conclusion**

Pew appreciates the opportunity to address the Council. Thank you for considering these comments. We look forward to continuing to work with the Council and stakeholders.

Sincerely,



Chad W. Hanson  
Officer, U.S. Oceans, Southeast  
The Pew Charitable Trusts

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<sup>9</sup> Tab B-5, March 2015 Gulf Council briefing book. Headboat Collaborative Pilot Program 2014 Annual Report. SERO-LAPP-2015-01, March 18, 2015.



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March 30, 2015

Kevin Anson, Chair  
Gulf of Mexico Fishery Management Council  
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Tampa, Florida 33607

**RE: Ocean Conservancy's Written Comments for the Gulf of Mexico Fishery Management Council  
April, 2015 Meeting in Biloxi, Mississippi**

Dear Chairman Anson,

Ocean Conservancy<sup>1</sup> is pleased to offer the following comments regarding business to be discussed by the Gulf of Mexico Fishery Management Council at the upcoming April, 2015 meeting in Biloxi, Mississippi.

- 1.) **Council Should Take a Precautionary Approach in Setting Gag Grouper ACL:** Although faced with the prospect of nearly doubling gag ACLs based on SSC ABC adjustments, council should act as conservatively as possible and seek to address uncertainty in the stock assessment as well as the fact that recreational fishermen have struggled in recent seasons to catch the majority of their allocation.
- 2.) **Council Should Set Action 2 Alternative 2 as Preferred in Amendment 39 - Regional Management:** Delegating management of the private recreational red snapper fishery to the states will allow for the unique needs of fishermen from different regions to be taken into account when making management decisions.
- 3.) **Council Should Work to Develop New Alternatives for the Electronic Log Books Discussion Draft and Act to Move the Document on to Scoping:** Ocean Conservancy offers specific recommendations for selecting preferred alternatives as well as the creations of several new alternatives for this burgeoning amendment as outlined below.

The aforementioned items are discussed in greater detail in the following sections. We would also like to note that we have submitted a separate letter specifically addressing Gulf of Mexico greater amberjack rebuilding and a recent Federal Register notice regarding the need for rebuilding of that stock.<sup>2</sup>

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<sup>1</sup> Ocean Conservancy, a non-profit organization with offices in Florida, Louisiana, Texas, California, Oregon, Alaska, and Washington, D.C., 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.

<sup>2</sup> 80 Fed. Reg. 12621 (Mar. 10, 2015).

## **1.) Council Should Take a Precautionary Approach in Setting Gag Grouper ACL**

We recommend that the Council act conservatively when setting ACLs for gag grouper, despite the fact that the SSC's recommendation for 2015-17 ABCs would allow the Council to possibly double the existing ACL. It is commendable that the Council has already taken a measured and cautious approach thus far in compelling the SSC to consider the possible impacts of the recent red tide event on the gag grouper stock, and now even though the SSC has determined that there was no measurable impact from the 2014 red tide event, the Council should continue the careful and tactful approach heretofore taken. Seeking out possible ecosystem effects and analyzing their impacts on managed stocks leads to strong management decisions, and Ocean Conservancy applauds the Council on taking this approach.

In the past four seasons recreational landings have fallen short of the Annual Catch Target, sometimes by nearly 40%. The 2014 season, which ended on December 3, 2014, also seems poised to have landed significantly less than the ACT of 1.519 million pounds gutted weight.<sup>3</sup> Council should take these figures into consideration when setting ACLs for gag for 2015 and onward, as an increase in ACL may not be warranted if the existing lesser ACLs and associated ACTs cannot be met. Furthermore, analysis of why anglers have not been landing their share of the quota should be undertaken in order to make informed management decisions going into the future.

In addition, we encourage council to explore the utilization of a male-female spawning stock biomass reference point, as opposed to the female-only spawning stock biomass reference point currently being used. Directing the SSC to consider the male-female reference point may result in a more complete picture of Gulf of Mexico Gag stock and could result in more appropriate catch limits.

The most precautionary course of action currently before council keeps the 2015 recreational ACL at the previously established 1.708 million pounds gutted weight.<sup>4</sup> This conservative approach would reduce concerns among the commercial and recreational fishing public about the accuracy of the gag stock assessment and would allow for more time to ensure that the stock is actually rebuilt while still allowing for an increase in the ACL. Ocean Conservancy recommends that the Council lends strong credence to the status quo alternative as it makes its management decisions on this issue.

## **2.) Council Should Set Action 2, Alternative 2 as Preferred in Amendment 39 – Regional Management**

We recommend that the council acts at this meeting to select the remaining required preferred alternative for Amendment 39, Action 2 when it convenes in Biloxi, as this will allow for the final action to be taken on regional management sooner and will help states realize greater autonomy in management of their recreational red snapper stocks.

Selecting Alternative 2 for Action 2, will focus regional management solely on the private recreational sector, and will benefit the private recreational sector by allowing state managers to cater red snapper regulations directly to the recreational fishermen who target the species. This will allow for greatly expanded state discretion in setting bag limits, regional closures, seasonal closures, size limits, and other management aspects all the way out to the 200 mile limit. Acting at the council meeting in Biloxi will expedite the ultimate approval of Amendment 39, and will help realize the benefits of state management of the recreational red snapper fishery sooner.

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<sup>3</sup> NOAA Fisheries, *Gulf of Mexico Recreational Landings*, [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/acl\\_monitoring/recreational\\_gulf/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/acl_monitoring/recreational_gulf/index.html) (accessed January 21, 2015).

<sup>4</sup> 50 C.F.R. §622.41(d)(2)(4).

### 3.) Council Should Work to Develop New Alternatives for the Electronic Log Books Discussion Draft and Act to Move the Document on to Scoping

Ocean Conservancy commends the council in making efforts to increase accountability in the charter for hire sector by developing an electronic logbooks (ELBs) discussion document and contemplating the range of management options that could be deployed. We urge the council to take appropriate steps at this council meeting in Biloxi to ensure this document continues to move forward into scoping.

Ocean Conservancy makes the following recommendations to the council as it continues to develop the Electronic Log Books (ELB) discussion draft.

#### a.) Include the Following New Actions for Consideration

**New Action 1. Compliance/Accountability Measures.** Council should develop an action that would require charter vessels only be authorized to harvest and/or possess federally managed species if the charter vessel's fishing reports have been submitted by the vessel and received by NMFS in the time specified. All delinquent reports must be submitted by the vessel and received by NMFS before the vessel could harvest and/or possess federally managed species. Permits will be suspended immediately when or if a vessel does not supply the necessary data on the date designated by the SRD.

This action is needed to ensure compliance among vessels in the charter for hire fleet and to facilitate the overall success of the program.

**New Action 2. Data Collection Program.** Council should develop an action that unifies the charter for hire sector under a single data collection program. This could be done by creating a new program specifically designed for ELB data collection of charter for hire data or it could be completed by merging ELB data into the Southeast Regional Headboat Survey.

**New Action 3. Calibrating to Existing Surveys.** Council should develop an action that requires the ELB program to run side by side with existing surveys to create the needed calibration factor for stock assessments and management advice.

**New Action 4. Hail-in/Hail-Out.** Council should develop an action that would require vessels designated by the SRD to hail out upon departure from the dock and to hail in upon return. This action would provide a method for sampling or law enforcement notification in the event that VMS is not selected as a preferred alternative.

Thank you for your consideration of our comments. Should you have any questions or concerns, please do not hesitate to contact me.

Best regards,

**/s Jon Paul S. Brooker, JD**

Policy Analyst, Ocean Conservancy

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June 5, 2015

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

**RE: Ocean Conservancy Comments on Actions before the Gulf of Mexico Fishery Management Council for Its June, 2015 Meeting In Key West, Florida**

Dear Chairman Anson,

Ocean Conservancy<sup>1</sup> is pleased to offer the following comments and recommendations in anticipation of the June 2015 meeting of the Gulf of Mexico Fishery Management Council ('GMFMC', 'Council') in Key West, Florida:

- 1.) Council should **maintain the status quo allocation for Red Snapper under Amendment 28**
- 2.) Council should act to **exclude the charter-for-hire component under Amendment 39**
- 3.) Council should adopt the recommendations of the Charter-for-Hire and Headboat APs and **continue to develop Amendments 41 and 42**
- 4.) Council should heed the advice of the SSC and **maintain the Red Snapper SPR at its current rate**
- 5.) In light of significant compounding scientific uncertainty, council should **make no increase in catch limits for Gag Grouper**

Each of the above items is discussed in greater detail in the sections below. As always Ocean Conservancy appreciates the Council's open policy in accepting public comments, and we respectfully request that this letter be included in the briefing materials for the Key West meeting.

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<sup>1</sup> Ocean Conservancy, a non-profit organization with offices in Florida, Louisiana, Texas, California, Oregon, Alaska, and Washington, D.C., 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

1.) Council should **maintain the status quo allocation for Red Snapper under Amendment 28**

Ocean Conservancy cautions that the appropriate approach to the reallocation question posed in Amendment 28 is to retain the current 51% commercial 49% recreational quota split. It would be premature to adjust the allocation at this juncture as this would shift quota from an accountable and responsible commercial fishery to a historically unaccountable recreational fishery.

Last year's *Guindon v. Pritzker*<sup>2</sup> decision, which forced the Gulf recreational red snapper fishery into compliance with the Magnuson-Stevens Fishery Conservation and Management Act ('MSA')<sup>3</sup>, made great strides in ensuring accountability that will hopefully limit the likelihood of future quota overruns. While accountability measures for the recreational sector are a step in the right direction for future seasons, the fact remains that the recreational quota has been exceeded 21 of 23 seasons from 1991 to 2013 (including in the recent 2013 season).

While there are indications that the *Guindon* mandated accountability measures are working to curb the likelihood of quota overruns, there is still a possibility based on the overages from previous seasons that the recreational sector might exceed its share of the catch.

Until it is reliably demonstrated that the accountability measures are working for the recreational sector it would be untimely to transfer a greater share of quota to that fishery. It is also important to point out that shifting allocation to the recreational sector will do little to increase the red snapper season, which is ultimately what the fishermen on the water are seeking. If the recreational fishery is to enjoy longer federal-water seasons, the council should explore new management ideas that will help the anglers. More comprehensive data collection can improve accountability and prevent the sector from exceeding its allowable catch, but other solutions should be addressed, too, beginning with state consistency that would allow greater federal-water access for all anglers and allowing managers the stability to place durable and resilient private angler management tools into place. Improved accountability in the private recreational fishery is the first step to more days on the water for anglers while also ensuring that red snapper rebuilding efforts continue to be successful.

Ocean Conservancy urges the Council to take a precautionary approach by maintaining the current allocation, as this would best support continued rebuilding of the stock by not risking larger and more impactful quota overruns by shifting a portion of the allocation to a historically unaccountable sector.

2.) Council should act to **exclude the charter-for-hire component under Amendment 39**

We urge the Council to select Alternative 2 in Action 2 of Amendment 39, Regional Management. This would remove the charter-for-hire component from the regional management concept and by default would have the amendment apply exclusively to the private recreational fishing component.

Taking this action would preserve the achievements made in Amendment 40, Sector Separation, and would have the long term impact of providing more flexible and narrowly tailored management tools for the private recreational component. As seasons are substantially throttled due to blatant state non-compliance for the private recreational component, better solutions are needed to provide relief to private recreational fishermen to ensure quotas are not exceeded and progress continues in rebuilding the red snapper stock. The best option for recreational fishermen is to allow the individual states to tailor management needs to their fishermen, while enough oversight is retained by federal managers to ensure conservation equivalency and that rebuilding efforts continue.

In addition, Amendments 41 and 42, which are currently under development, will provide discrete management tools for the charter-for-hire and headboat recreational red snapper fisheries respectively. Forcing the charter component to remain under Amendment 39 would limit important progress that has been made

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<sup>2</sup> *Guindon v. Pritzker*, 31 F.Supp. 3d 169 (D.D.C. 2014).

<sup>3</sup> 16 U.S.C. §1853(a)(15).

that allows for flexibility in charter-for-hire seasons and will make it more difficult to assess the source of any future quota overages that jeopardize rebuilding and the continued health of Gulf of Mexico red snapper.

- 3.) Council should adopt the recommendations of the Charter-for-Hire and Headboat APs and **continue to develop Amendments 41 and 42**

Ocean Conservancy recommends that the Council instruct staff to continue work on the burgeoning Amendments 41 and 42 that would apply carefully tailored management provisions to the individual charter-for-hire and headboat components of the recreational red snapper fishery. By creating component specific management measures for these subunits of the recreational fishery, the whole recreational fishery will benefit in that quota overruns will become rarer as the charter fisheries become more accountable.

The meetings of both the charter-for-hire and headboat Advisory Panels yielded forward thinking management tools for these fisheries, including novel ideas for data collection and reporting, and council should give strong credence to the panels' recommendations and incorporate them into a scoping document that will give forward momentum to the ultimate passage or approval of Amendments 41 and 42.

- 4.) Council should heed the advice of the SSC and **maintain the Red Snapper SPR at its current rate**

Ocean Conservancy recommends that no change be made to the red snapper Spawning Potential Ratio ('SPR') reference point and that the level remain at 26% per the guidance of the Scientific and Statistical Committee ('SSC')

We caution that lowering the SPR reference point comes with considerable scientific and biological risk. A lower SPR allows for a younger stock that has less reproductive potential per individual and that is more susceptible to fluctuations in recruitment, which is problematic since red snapper recruitment is highly variable and uncertain. Estimates of long term maximum sustainable yield at lower SPR levels assume recruitment will look the same as it does now, even at a lower reproductive capacity. Furthermore, SPR values for long lived fish with low natural mortality are typically set between 30-40%. Lowering the SPR for red snapper below 26% bucks this convention and is not justifiable from a scientific perspective.

In agreement with the recommendations of the SSC, there is insufficient scientific evidence for lowering the red snapper SPR beyond 26% and we underscore that any lowering of the SPR will produce significant biological risks that may jeopardize rebuilding successes that have been realized for red snapper to date. In addition, because SPR for long lived low natural mortality fish such as red snapper is traditionally set somewhere between 30-40%, if the council is to consider making any adjustments to the red snapper SPR we urge that an adjustment upward to between 30-40% is the scientifically appropriate action to take.

- 5.) In light of significant compounding scientific uncertainty, council should **make no increase in catch limits for Gag Grouper**

Although council currently has the opportunity to increase the ACL for gag grouper, Ocean Conservancy strongly urges Council select the no action alternative that would maintain a status quo approach for this stock.

The status quo approach still includes a modest increase (10%) from 2014 in the ACL and ACT for the 2015 and onward seasons based on an ACL and ACT approach for gag established in Amendment 32 in 2011. It is worth noting that because of the moderate increase already in the status quo there is a possibility for expanding the existing gag season. Beginning the season in June based on this quota increase would allow for improved access for fishermen and would likely not carry the same risk and uncertainty as the other alternatives in the framework adjustment.

On the water, fishermen from both the commercial and recreational sectors are worried about the health of the stock as they have simply not been catching gag reliably or as expected. Plus, as recently as the 2014 season,

neither the commercial or recreational sectors have been able to catch the entirety of their quota. Recent analysis conducted by the Southeast Fisheries Science Center, reviewed and confirmed by the SSC, shows that gag recruitment levels are at a record low and that estimates of abundance are declining after the last assessment. In addition the SSC's analysis of updated data confirmed that the projections in SEDAR 33 were overly optimistic and the stock is likely not as healthy as the assessment indicated.

The SSC has recommended by unanimous consent that the council needs to be cautious when setting catch limits for the stock. There is a gag update assessment scheduled for the end of next year, however early indications from the SSC show that there is strong likelihood that the stock is in decline.

It is also important to note that the Reef Fish AP recommended that Council take a conservative approach with respect to gag, as what the fishermen were seeing on the water did not coincide with the curiously optimistic projections in the stock assessment.

Both scientific and on-the-water evidence continues to mount in favor of keeping a status quo approach for gag, and Ocean Conservancy strongly encourages the council to heed the advice of the SSC and the Reef Fish AP.

We truly appreciate the opportunity to give comment on these issues and we encourage you to contact the undersigned directly should you have any questions or concerns.

Sincerely,

s/ Jon Paul (J.P.) Brooker, J.D.  
Policy Analyst, Fish Conservation Program  
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cc: GMFMC Council Members  
Doug Gregory, Executive Director, GMFMC  
Roy Crabtree, Regional Administrator  
Mara Levy, SERO General Counsel



June 8, 2015

Mr. Kevin Anson, Chair  
Gulf of Mexico Fishery Management Council  
2203 North Lois Ave.  
Tampa, FL 33607

Dear Mr. Anson:

Thank you for the opportunity to comment on Gulf of Mexico fisheries. We hope that the Gulf Council can focus this meeting on clearing the way for meaningful recreational red snapper and reef fish management reform by moving past the false promise of Amendment 28, continuing the progress made through Amendment 40 by initiating options papers for charter and headboat components of the for-hire sector, and tailoring Amendment 39 to meet the needs of private anglers.

Here are our recommendations:

**1. Choose “No Action” as the preferred alternative in Amendment 28.**

The rationale offered for Alternatives 8 and 9 is not credible. The recent addition of Alternatives 8 and 9 to Amendment 28 and the revision of its purpose and need suggest that the Gulf Council is determined to pursue reallocation to the recreational sector and is searching for justification. The Council has appropriately dismissed its prior emphasis on net benefits. Yet despite completely re-writing the amendment’s purpose and need as a result of that change, the Council has nevertheless retained all of the same management alternatives. The Council has now added two new reallocation alternatives on the basis of recent MRIP recreational landings calibration and stock projections, but both of these alternatives are flawed and the Council should reject them.

- *Reject Alternative 8:* The current preliminary MRIP calibration method suggests that recreational red snapper harvest in recent years is greater than what previously was estimated using the MRFSS methodology. We agree that MRIP presents the best available scientific information on recreational catch accounting at this time. That rebuilding has progressed since 2007 in spite of recreational overages that were larger than previously estimated suggests that the red snapper stock could have sustained higher ABC levels in recent years. This means the commercial/recreational sectors could have been allocated 51%/49% of higher catch limits. In contrast, to reallocate on the basis of recently revised recreational landings as estimated by



MRIP would be inconsistent with the Magnuson-Stevens Act's requirement that allocations ensure that quotas "do not reflect any harvests in excess of such allocations."<sup>1</sup> In addition, some have suggested that the difference in recreational red snapper effort estimated by MRFSS vs. MRIP methodology in recent years is consistent with long-term trends and may reflect the state of the fishery when commercial and recreational allocations were established. However, given the changes in management institutions, demographics, and data collection since that time, the usefulness of the calibration estimates decreases considerably for any comparison beyond very recent years.

- *Reject Alternative 9:* Fishery allocations should not be changed on the basis of recent changes in selectivity. According to a recent SSC report, "there is some evidence that recreational fishing selectivity in recent years has been shifting toward larger and older red snapper."<sup>2</sup> This shift in selectivity reflects a change in angler behavior, and "this behavior could change in response to changing allocations."<sup>3</sup> There is no way of knowing if reallocation might cause recreational selectivity to stay constant, shift even higher, or shift toward smaller fish. These changes could have dramatic impacts on stock projections and allocations. To establish a precedent where allocations fluctuate with preliminary selectivity data would increase management uncertainty and would appear to incentivize high-grading.

Reallocation may contribute to localized depletion in the eastern Gulf of Mexico. We caution the Council to consider the impact of red snapper reallocation on the eastern Gulf of Mexico red snapper stock. In recent years, increasing catch limits have been sustained by rebuilding progress in the western Gulf of Mexico. According to the recent SSC report, "SPR in the western Gulf continues to increase, but the SPR in the eastern Gulf declines, and the decline is exacerbated by increasing allocation to the recreational sector."<sup>4</sup> This is because most recreational fishing occurs in the eastern Gulf of Mexico. Increasing fishing effort in the eastern Gulf – where red snapper SPR has been in decline – while relying on continued western Gulf SPR increases to sustain overall rebuilding progress could contribute to localized depletion and does not appear "reasonably calculated to promote conservation."<sup>5</sup>

Reallocating red snapper quota will not bring stability to the recreational fishing season or reduce the likelihood of recreational overages. The Amendment 28 Draft Environmental Impact Statement (DEIS) analysis states "Alternatives 2-9 will not increase the stability of red snapper fishing for the recreational

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<sup>1</sup> Magnuson-Stevens Act, 16 U.S.C. § 1883(d)(2).

<sup>2</sup> Gulf of Mexico Fishery Management Council (2015). Standing and Special Reef Fish SSC Meeting Summary. May 20, 2015. p.5

<sup>3</sup> GMFMC (2015) Red Snapper Allocation. *op. cit.* p.75.

<sup>4</sup> GMFMC (2015). Standing and Special Reef Fish SSC Meeting Summary. *op. cit.* p.7.

<sup>5</sup> Magnuson-Stevens Act, 16 U.S.C. § 1851(a)(4).

sector..."<sup>6</sup> Season length projections are not included in the most recent DEIS for Amendment 28, but "the season is extended only nominally"<sup>7</sup> and it is reasonable to conclude the increase in red snapper private angler and for-hire EEZ seasons would be a fraction of a day or a day or two at the most. On the other hand, the DEIS analysis suggests reallocation would destabilize the commercial red snapper fishery that is thriving with individual fishing quota (IFQ) management: "A reallocation from the commercial quota would be expected to negatively affect the stability of the commercial sector in terms of long term access to red snapper allocation and confidence in the IFQ program."<sup>8</sup> The Council should not undertake an action that will destabilize one sector for marginal (if any) benefit to another sector. We strongly caution the Council to consider the destabilizing impact of red snapper reallocation on the commercial fishery, including the fishermen, suppliers, processors, markets, and consumers that depend on it.

The DEIS analysis also states "...quota overages and shortened seasons would be expected to continue in the recreational sector."<sup>9</sup> In 2014 recreational red snapper harvest remained under its annual catch target. In part this is due to a new 20% management uncertainty buffer, but this does not address our concerns with Amendment 28. First, one season of successful quota compliance does not make a trend. With status quo recreational management and inconsistent state waters regulations seemingly unchecked (approximately half of the 2014 red snapper annual catch target was harvested in state waters under inconsistent state regulations),<sup>10</sup> there is no reason to expect the trend of recreational overharvests not to continue. Second, reallocating would undermine the conservation impact that a buffer is intended to accomplish. Without a fundamental change in management that incentivizes accountability instead of punishing anglers and for-hire businesses with short seasons whenever the Council and NMFS fail to constrain recreational catch to quota, recreational quotas will continue to be subject to a large management uncertainty buffer, fishing seasons will remain short, and anglers and for-hire businesses will continue to be dissatisfied with management. Reallocation will not address these problems, as the DEIS itself makes clear.<sup>11</sup>

Reallocating red snapper quota will not increase economic benefits of red snapper fishing. The Council's Socioeconomic SSC (SESSC) has advised that a new management approach for recreational fishing should be a higher priority than any consideration of reallocating quota from the commercial to recreational sector.<sup>12</sup> We have provided detailed comments on the weak policy relevance of Amendment 28 economic efficiency analysis in several previous letters to the Gulf Council and NMFS, and we incorporate those comments here by reference.

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<sup>6</sup> Gulf of Mexico Fishery Management Council (2015). Red Snapper Allocation. Public Hearing Draft for Amendment 28 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico. June 2015. p.78

<sup>7</sup> *Ibid.*, p.76.

<sup>8</sup> *Ibid.*, p.79.

<sup>9</sup> *Ibid.*, p.79.

<sup>10</sup> *Ibid.*, p.81

<sup>11</sup> *Ibid.*, p. 76.

<sup>12</sup> Gulf of Mexico Fishery Management Council (2014). Socioeconomic SSC Meeting Summary. August 5, 2014.

## **2. Develop meaningful recreational management reform for Gulf of Mexico reef fish recreational fisheries.**

The recent implementation of Amendment 40 is an important step toward developing management models that suit the different needs of for-hire fishing businesses and private anglers. With recreational red snapper management now moving in the right direction, the Council can build on this first step by developing effective management tools for the recreational reef fish quota and its sub-sectors. This would offer far greater improvements to fishing seasons and conservation than any reallocation.

First, we recommend that accountability measures such as uncertainty buffers and overage payback adjustments be sector-specific and tailored to management performance. That is, for-hire and private angling sub-sectors should have unique accountability measures reflecting differences in management uncertainty between the two groups.

Looking ahead, we have recommended new management models for the Gulf's for-hire and private angler recreational sub-sectors in several previous letters to the Council and NMFS. These tools could include individual fishing quotas (IFQs) or cooperatives in the for-hire sectors and harvest tags and angler management organizations (AMOs) in the private angler sector. The Council also has clear guidance from recent meetings of its ad hoc charter for-hire and headboat advisory panels, and we encourage the Council to build on these recommendations as you develop Reef Fish Amendments 41 and 42.<sup>13,14</sup>

Develop allocation-based management plans for the charter and headboat components of the for-hire sector in Amendments 41 and 42. The Gulf Headboat Collaborative (GHC) pilot program has demonstrated that an allocation-based management plan for headboats can be successful. According to recent reports to the Gulf Council, allocated the same proportion of red snapper and gag their customers would normally catch in derby seasons, headboats participating in the GHC pilot program have:<sup>15,16</sup>

- Dramatically spread out their allocations of red snapper and gag over the year to increase the number of fishing days
- Provided many more anglers with opportunities to fish for red snapper and gag
- Significantly reduced discards of red snapper and gag (by 43% and 59%, respectively)
- Successfully stayed under catch limits and facilitated superior monitoring and enforcement by using daily electronic logbooks, vessel monitoring systems, and quota transferability within the pilot program

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<sup>13</sup> Gulf of Mexico Fishery Management Council (2015). Ad Hoc Red Snapper Charter For-Hire Advisory Panel Summary. May 13, 2015.

<sup>14</sup> Gulf of Mexico Fishery Management Council (2015). Summary for the Ad Hoc Headboat Reef Fish Advisory Panel. May 19, 2015.

<sup>15</sup> Abbott, J.K. (2015). The Gulf Headboat Collaborative: Preliminary Findings from Year 1. Presentation to the Gulf of Mexico Fishery Management Council. Biloxi, MS. March 31, 2015.

<sup>16</sup> NMFS Southeast Regional Office (2015). "Headboat Collaborative Pilot Program 2014 Annual Report." March 2015.

Mr. Kevin Anson, Chair

June 8, 2015

Page 5 of 5

The pilot program is working well, and a similar management approach should be extended to all Gulf of Mexico headboats participating in the reef fish fishery. The Council has an opportunity to do this by advancing an options paper for Amendment 42 consistent with guidance from its headboat reef fish advisory panel. The same benefits should be extended to charter component of the recreational reef fish fishery. We recommend the Council encourage the two groups to move in the same direction but on distinct tracks via Amendments 41 and 42, which is consistent with advice from both its ad hoc charter for-hire and headboat advisory panels.

Dedicate regional management in Amendment 39 to the private angling component by selecting Alternative 2 in Action 2 as preferred, and improve the plan by allowing states the flexibility to manage using tools like tags and AMOs. We recommend that private angler recreational red snapper quota be managed under state authority delegated by the existing Council process. States can establish angler management organizations (AMOs) or manage allocations using harvest tags allocated by lottery, auction, or other systems. Using these tools, states can cater to differences among their coastal communities, provide year-round fishing opportunities, and effectively monitor fishery performance. Improved performance relative to conservation goals would lead to reduced uncertainty buffers and therefore higher catch targets and longer fishing seasons. We ask that the Council refine Amendment 39 so that it can provide these benefits for anglers while granting for-hire operators the opportunity to continue pursuing allocation-based management through Reef Fish Amendments 41 and 42.

Thank you for considering our comments and recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Jones". The signature is fluid and cursive, with a large initial "R" and "J".

Robert E. Jones

Director, Gulf of Mexico Oceans Program

**Subject:** Regional Management of Red Snapper

**Date:** Friday, January 24, 2014 9:47:43 AM Eastern Standard Time

**From:** Candy Hansard

**To:** Gulf Council

I support regional management of Red Snapper and all fisheries. Each State has their own Fish and Wildlife Agency that is capable of managing their own fisheries. One size fits all rule making is not effective.

Please vote yes to regional management of Red Snapper.

Thank you,



**Fishing Rights Alliance**  
4604 49th Street N. #34  
St. Petersburg, FL 33709

December 9, 2013

Gulf of Mexico Fishery Management Council  
2203 N Lois Avenue  
Suite 1100  
Tampa, Florida 33607 USA

Dear Council Members:

The following Amendment 39 comments are submitted on behalf of Fishing Rights Alliance members who fish in the Gulf of Mexico.

The Gulf Council SHOULD be the ultimate regional management tool for the Gulf. Members, appointed by each state's Governor and including state fisheries officials, make mutually beneficial, informed decisions. The National Marine Fisheries Service (NMFS) is supposed to provide requested scientific information and requested regulatory guidance.

Things have gone terribly awry. The NMFS has taken total control of the fisheries, arrogantly ignoring stock abundance. NMFS chooses to manage to the 'bottom of the range of uncertainty', needlessly costing jobs and fishing rights. This mismanagement confirms the punitive, anti-fishing mentality of an agency gone rogue.

None of the actions proposed in Amendment 39 give control back to the states; they instead give even more control NMFS, paying no heed to local plans once the NMFS estimates that a quota has been reached. This sort of veto power would encourage states to open their seasons at the beginning of the year and stay open as long as they can, hardly a good conservation measure. This is not the goal of regional management, in any scenario.

For years, NMFS has knowingly lied about the economic impacts of their draconian regulations and ignored the negative effects of those regulations on people's lives, jobs and economic well being. NMFS' arrogant defiance of Congress, misuse of legal resources and total failure to meet the Magnuson mandate to improve the recreational data collection system (while insisting otherwise) are prime exhibits of an agency out of control.

NMFS has failed so miserably to manage fisheries that it attempts to change its name to hide its shame, to wit "NOAA fisheries" (who authorized this name change? Council members should

not be divided and conquered by this smoke and mirrors 'regional management plan' that shifts NO POWER to the states whatsoever.

Recreational catch and effort data improvements have simply not happened. Is this because improved and ADEQUATE data collection does nothing to enrich the investors who so lavishly fund their operatives (enviros) and their pals at NMFS? Is it that a well managed recreational system provides no opportunity for a 400% return on investment?

### **Why was LA able to do the job?**

Louisiana's state-generated 2012 recreational red snapper landings were painstakingly counted and produced a 10,000 pound daily estimate for recreational landings. The NMFS estimated 17,000 pounds – **a 70% over-estimate.**

Is splitting up quotas among states a good idea based on such horribly erroneous estimates?

The following comments are in three sections:

Points of Angler Concern

List of Alternative Choice by Action Number

List of National Standards violated by Amendment 39

### **Points of Angler Concern**

Unacceptable that Regional Management is still controlled by NMFS  
RM will cost states in numbers of allowable fish through 'uncertainty' times five  
RM is based on obscenely flawed and inaccurate data  
State Governors should take control of the appointment process for Council members  
Council members should be in control of NMFS, not the other way around  
NMFS has SERVICE in its name; it should service the Councils and the states  
Council should control when stock assessments are to be completed  
RM will ignore any abundance or range increase or decrease of a stock, causing artificial 'overfishing' declarations  
Random surveys of the Universe of Anglers produce RELIABLE DATA  
NMFS has ignored the angler registration requirement in Magnuson  
The new MRIP (formerly fatally flawed MRFSS) has zero improvements for data collection  
Louisiana's own red snapper numbers show what anglers have said for years: NMFS severely overestimates landings.

### **List of Alternative Choice by Action Number**

**Action One: Alternative One: No Action is**

The rationale behind the choice of this alternative is that recreational data is still in a fatally flawed state. That the states would consider giving the NMFS any further power over destroying their fishing seasons is quite perplexing.

Louisiana recently proved that the NMFS estimates red snapper landings in the recreational sector by over 70%. This data collection problem must be fixed before we can consider any further regional management plan.

Magnuson – Stevens call for a universal angler registration to be in place and functioning by January 1, 2009. As we approached January 1, 2014, we still have a nonfunctioning angler registry. Our entire recreational opportunities generated from the last feedback give everyday coastal household telephone survey. Despite the national Marine fisheries service's claims of room to data, they continue to use the same day with live data, which gets worse each year as less and less people have landline telephone lines in their homes. As the coastal household telephone survey only contacts landline residential phones, they survey less and less of the population each year. This is no secret, as they have known about this issue for 13 years and have failed to address it.

**Action Two: Alternative One: No Action.**

**Action Three: Alternative One: No Action.**

The current table used to show the percentage of annual recreational red snapper landings by state shows us information produced from fatally flawed data.

Dividing up any quota based on the national Marine fisheries service fatally flawed data is akin to dividing up only a small piece of pie throwing the rest away. The council's efforts would be better spent on getting access to all of our red snapper.

Attention needs to be paid to any historical landings that include time periods where there was a possibility of a recreational sector separation. As Dr. Crabtree himself stated, that possibility of sector separation creates a strong incentive to misreport. Many landings reported after 2005 should be suspect.

**Action Four: Alternative One: No Action** There are no regional accountability measures that would prevent one region from overharvesting the board of the region at the opportunity to harvest that years allotted quota.

**Action Five: Alternative One: No Action** Any change in the for hire vessels federal permit restrictions should be accompanied by a clear and permanent regulation stating that or higher permits are in the recreational sector. This only makes sense, as or higher permits are for recreational anglers not the boat owners.

**Action Six: Alternative One: No Action.**



This alternative merely highlights the veto power of the national Marine fisheries service and the frivolity of this whole notion. The Council should act as the counselor supposed to act, taking control of the fishery and control of the national Marine fisheries service. Alternative seven race last two words

**Action Seven: Alternative One: No Action.** These default regulations completely override any concept of regional control of the fishery. This could not be any clearer.

### **List of National Standards violated by Amendment 39**

This Amendment violates National Standard 2 in that National Marine Fisheries Service is not using best scientific information. They know that Louisiana's information is far better and that the NMFS' mistakes made in Louisiana are certainly duplicated throughout all fisheries managed by the National Marine Fisheries Service.

This amendment violates National Standard 3 as it is breaking the stocks into sub units throughout its range.

This amendment violates National Standard 4 as it does discriminate between residents of the state. It should be noted national standard for fails to refer to our right to fish, instead wrongly and unconstitutionally calling it a privilege. That, in itself is an insult to all anglers and citizens of the United States.

This amendment violates National Standard 6 because it fails to take into account variations and contingencies in the red snapper resource.

This amendment violates National Standard 8, as it does not consider social and economic data, nor does it provide for the sustained participation of any communities.

This amendment violates National Standard 9 as it does not minimize adverse economic impacts, by catch and by catch mortality.

We appreciate our Constitutional Rights which provide us the opportunity to comment on this proposed amendment to the Council's Fishery Management Plan.

With all due respect,

Dennis O'Hern  
President  
Fishing Rights Alliance



October 28, 2013

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

Dear Mr. Boyd:

Thank you for the opportunity to provide our recommendations. Environmental Defense Fund is writing to urge you, in your role as Chair of the Gulf of Mexico Fishery Management Council, to guide the Council's members to find ways to manage fisheries to ensure the long-term health of fish populations and to maintain the variety of benefits which society enjoys from a healthy Gulf ecosystem, including fresh local seafood and sport activities.

We are proud to join with restaurants, chefs, local seafood and fishing businesses, and recreational partners as a member of the recently-launched *Share the Gulf* coalition. Thanks to the past actions of the Council, the Gulf has experienced first-hand how management reforms, like those implemented for the red snapper, grouper and tilefish commercial fisheries, can simultaneously help rebuild and sustain fish populations, turn around struggling businesses, and better serve the seafood industry and nation. Thus, we are confident that recreational fisheries, still struggling under ineffective regulations, can share these benefits once old strategies – especially those seeking to vilify commercial fishing and seafood interests – are replaced with proposals to sustain healthy stocks, provide more favorable recreational fishing opportunities, and meet the requirements of the law. In an earlier letter to the Council, EDF offered our idea on what new proposals might look like, including a vision of a shared reef fish fishery that is managed by maintaining the commercial plan, exploring a recreational for-hire IFQ program for vessels that operate in federal waters, and a “regional management” approach for private anglers.<sup>1</sup>

Based on the Council's success in managing commercial red snapper and other reef fish, we know that when fisheries are well managed there are enough fish for all to share and enjoy. Today, we offer two recommendations:

- 1. The Gulf Council should suspend consideration of Amendment 28 to “reallocate” red snapper currently allotted to commercial fishermen (and consumers) to recreational fishermen.**

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<sup>1</sup> Environmental Defense Fund, August 26 2013. Page 3:  
[http://www.gulfcouncil.org/fishery\\_management\\_plans/Public%20Comment/Amendment%2028%20-%20Allocation/allocation.pdf](http://www.gulfcouncil.org/fishery_management_plans/Public%20Comment/Amendment%2028%20-%20Allocation/allocation.pdf)

Much of *Share the Gulf's* emphasis has been to maintain a fair allocation of red snapper between seafood and recreational interests. This is important because demands for local fresh seafood and recreation are both strong, and they both are valuable. This is also critical for conservation since the commercial management plan is contributing to rebuilding of red snapper. The red snapper allocation is 51% for commercial and 49% for recreational fisheries. This is approximately 5.5 million pounds for each this year; but while the commercial catch is slightly below its limit, recreational management allows large, persistent overharvests (46% over in 2012).<sup>2</sup> Thus, reallocation elevates the potential for return to “overfishing” status and can violate federal law.

The Council’s own science and economic advisors have stated there is no economic rationale for reallocation,<sup>3</sup> and other analyses show that there are no lasting benefits to anglers when management is limited to seasons and bag limits.<sup>4</sup> Shifting more fish to the recreational fishery will not provide longer seasons or solve problems. Therefore, reallocation is also harmful because it is a distraction from exploring meaningful solutions.

**2. The Gulf Council should focus on exploring management options for the recreational red snapper and reef fish fisheries that focus on providing the benefits which anglers and others seek.**

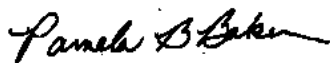
The Council can use specific objectives to guide its exploration to improve recreational fishing. Several priorities are evident:

- Improving fishing opportunities through longer and more flexible fishing seasons;
- Providing stability and flexibility for for-hire operations to serve clients and run a successful business;
- Increasing the timeliness and accuracy of catch accounting systems;
- Reducing and eliminating regulatory discards and overharvests; and
- Complying with the law.

The Council is considering a “regional management” proposal (Amendment 39) which maintains today’s management tools and divides the recreational red snapper allocation among the Gulf states to set their own seasons and bag limits. We agree that regional management can help states provide local benefits, particularly for private anglers. However, Amendment 39 does not allow use of new tools which can achieve longer seasons and other benefits. To succeed, Amendment 39 should be improved to ensure it addresses the objectives above.

We look forward to working with you to develop management that benefits anglers, continues and expands success with commercial and seafood interests, and fosters continued rebuilding of red snapper and other reef fish populations.

Sincerely,



Pamela Baker, Director  
Gulf of Mexico and Southeast Oceans Program



Kristen McConnell, Senior Conservation Manager  
Gulf of Mexico and Southeast Oceans Program

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<sup>2</sup> Gulf of Mexico Fishery Management Council (2013). Framework Action to Set the 2013 Red Snapper Commercial and Recreational Quotas and Modify the Recreational Bag Limit. March 2013.

<sup>3</sup> Gulf of Mexico Fishery Management Council (2013). Report: Socioeconomic SSC Meeting. January 16, 2013.

<sup>4</sup> Gulf of Mexico Fishery Management Council (2013). Red Snapper Allocation. Draft Options Paper for Amendment 28 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico.

**Subject:** Re: Meeting in SA  
**Date:** Thursday, August 29, 2013 8:03:43 AM Eastern Daylight Time  
**From:** Charlene Ponce  
**To:** Phyllis Miranda

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**From:** Phyllis Miranda <Phyllis.Miranda@gulfcouncil.org>  
**Date:** Wednesday, August 28, 2013 10:10 PM  
**To:** Charlene Ponce <charlene.ponce@gulfcouncil.org>  
**Subject:** Fwd: Meeting in SA

I think you said you'd be in Thursday - here's a comment. If you're not, email me back and I will post.

Sent from my iPhone

Begin forwarded message:

**From:** [karen.greesen@gmail.com](mailto:karen.greesen@gmail.com) <[karen.greesen@gmail.com](mailto:karen.greesen@gmail.com)>  
**Date:** August 28, 2013, 8:32:06 PM CDT  
**To:** <[phyllis.miranda@gulfcouncil.org](mailto:phyllis.miranda@gulfcouncil.org)>  
**Subject:** Meeting in SA

My comments

As a recreational fisherman I am against regionalization because I am afraid of catch shares being implemented.

For data collection for recreational fisherman I would participate in tags for the fish I catch like I use for oversize redfish.

Also please keep the October red snapper extension.

Thank you,

karen Greesen

Sent from my HTC EVO 4G LTE!



## **Gulf of Mexico Fisheries Management Council Written Comment Aug. 28, 2013 Meeting**

My name is Tracy Redding and I am the President of AAA Charters Inc. a charter booking service for for-hire fishing and sightseeing charters along the Alabama Gulf Coast. I have been operating this small business for a decade.

Although I have curtailed traveling to each of the Gulf Council meetings, I continue to listen to the meeting on the web link provided. I am extremely grateful this opportunity is provided for those that wish to continue to participate in Council proceedings; but are unable to travel across the Gulf Coast, at our own expense, throughout the year. I have also found the Gulf Council use of social media quite effective and informative. I still remain hopeful that improvements can be made to the management of the for-fire recreational fishery that can return the charter industry to a viable business. If drastic improvements are not made within the next 2 years, our future is doomed.

I offer a few specific recommendations to actions currently under consideration by the Gulf Council.

- Amendment 39 Regional Management. I fully support moving forward with Regional Management for red snapper in the Gulf of Mexico dividing the Gulf into 5 regions corresponding with State Lines and the EEZ south of these zones (for recreational anglers ONLY, commercial fishery should remain in the federal IFQ system).
- Amendment 39 Allocation of fishing quotas, Action 3, Alternative 2 Option D using 50% in put from historical landings from 1986-2012 and 50% input from 2006-2012 PLUS eliminate both of the years 2006 and 2010 from the equations.
- Provide the Accountability Measure of requiring a payback during the following season from any region that exceeds the quota.
- If any or some of the Gulf States are not yet prepared to manage their region, they should remain in the "default" federal season until they are prepared and/or willing to proceed with managing their region. The lack of resources and/or interest of a Gulf State should not hold back those states that are ready to try something new. I have FULL confidence in the abilities of our leadership within the Alabama Department of Natural Resources to responsibly meet the challenge of managing the waters off

the Alabama shores. I believe our state is willing and able to utilize electronic logbooks within the CFH industry immediately improving data collection within a significant portion of our recreational anglers. Alabama has a long history in investing in our marine resources by building a world class reef zone, and I believe Alabama can provide the resources necessary to immediately manage these fisheries. Alabama has a strong reputation for protecting the natural resources with which we are blessed and I hope this authority is expanded to manage the red snapper fishery off our shores.

- EFP for the Head boat Charter pilot program. It is absolutely essential that the quota set aside for this program is deducted off the top of the recreational fishing quotas (if regional management is in place, the quota should come off the top of that state's quota, or if default state, the federal EEZ quota.) I believe all other current EFP come off the top. This program should not be an exception. As Roy Crabtree testified this week, to not take the quota off the top would COMPLETELY undermine the entire project.
- I support maintaining the provisions in 30B preventing federally permitted charter boats fishing from states with federally non-compliant fishing regulations from fishing both the federal season in the EEZ and fishing in state waters during these expanded seasons. I heard quite a bit of moaning from TX and FL fishermen about how unfair this provision seems to them; but following their state's decision to expand fishing seasons within their state waters, anglers from Alabama directly lost fishing days this year. This provision needs to stay in place.
- I am opposed to any reallocation of red snapper quota! I am a recreational angler, I make my living in the charter boat industry, and I am a consumer of Gulf Seafood. The availability of fresh, Gulf caught seafood is also crucial to our communities. Our chefs need to be able to depend on yearlong access to reef fish. I don't come to NOLA to eat catfish from Asia. Our commercial fishermen have developed an effective management program that has maximized their profits and they have never exceeded the commercial quota for red snapper, a claim recreational anglers can't even dream of in the near future. Any reallocation from the commercial sector to the recreational anglers undermines the accomplishments achieved by commercial fishermen. In my option, the commercial sector has earned the bump in quota. I hope the charter for hire industry can follow in the commercial fisherman's tracks.

Thank you for considering my input.

Tracy Redding

**Subject:** FW: red snapper, comments cant make meeting pass on please  
**Date:** Tuesday, August 27, 2013 3:00:26 PM Eastern Daylight Time  
**From:** Emily Muehlstein  
**To:** Charlene Ponce

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**From:** Joe nash <[captjoenash@gmail.com](mailto:captjoenash@gmail.com)>  
**Date:** Tuesday, August 27, 2013 2:59 PM  
**To:** Emily Muehlstein <[emily.muehlstein@gulfcouncil.org](mailto:emily.muehlstein@gulfcouncil.org)>  
**Subject:** red snapper, comments cant make meeting pass on please

I am Joseph Nash owner , operator cool change charters inc Orange Beach, Al.  
I am concerned with the process of gathering and using of old data, the chart 1.1.1 of quotas and landings is very troublesome. We have or had at that time in 1996-2007 over 1300 federally permitted charter for hire reef permit holders, you expect me to believe that during this time frame when things were BOOMING and there were people on the gulf everyday, private boats, charters ect. that we caught that few fish? During the time frame of 96-99 I know my charterboat alone caught between 20,000 and 24,000 lbs of american red snapper, I was certified for 20 passengers and rarely held over 15. I would like to express my opinion on this subject, there are allot of variables in the equation of red snapper quotas, tac, landings and biomass. Who is responsible for these numbers and who is tweaking them so much that there is no room for growth?

I want to know this as well as any one else in this business. I will give you some variables to ponder.  
Take 250 boats multipassenger boats they run 150 trips during this time frame each year and catch an average of 200lbs of red snapper each trip(this is an average of boats that can carry 7-50passengers so this is attainable) the total catch would be 7.5 MILLION LBS This is no private boats no other federally permitted boats and is an attainable #.

Another variable same 250 boats for 100 trips and 100lbs average per trip(extremely attainable) this is still 2.5MILLION lbs! BIG DIFFERENCE but none the less original landing numbers were very far off back then, due to not enough samples and not enough recorded results.

I think the starting numbers for sustainable fishery for red snapper has been wrong since day 1 and needs to be addressed and the TAC should increased accordingly, we were taking allot more fish in numbers than we are today due to the size of the fish we are experiencing now. 2.25lbs average then now well over 8lbs

Now you may not read this far and blow this off because you are doing what you can within your means, get some more means and lets do something becuase we are just doing 2 things here one is this is not good for the ecosystem of the gulf to micro-manage one species so tough, the other is loss of jobs and confidence in the system.

I want some thing done to better manage fish and I do not want it done with variables, as you can see the turnouts can and will be drastic.

Back to the drawing board and start with a new threshold.

I am for regional management and would like to see our future fisheries grow so everyone can enjoy fishing and knowing they can catch fish, as well as business owners in the charter business can rest easy knowing that things will be done correctly and not overly compensated.

Thank you for your time,  
Capt Joe Nash

--

Capt. Joe Nash  
Cool Change Charters Inc.  
Orange Beach, AL.  
[www.coolchangecharter.com](http://www.coolchangecharter.com)  
251-670-1912 call





August 26, 2013

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

Dear Mr. Boyd:

Thank you for the opportunity to provide comments on the management of Gulf of Mexico fisheries. We are writing to offer comments and recommendations for improving management of the red snapper fishery. The Gulf Council is devoting significant and on-going time and resources to management of this fishery, driven by the frustrations of fishermen, states, and conservationists. In one way this is surprising since the recovery of the red snapper fishery is one of the Gulf Council's most significant accomplishments. The fish population is rebuilding on schedule after decades of overfishing, consumers have access to fresh snapper year-round after years of alternating scarcity and gluts, and the Gulf's local commercial fishing businesses are making a greater contribution to the region's economy.

The central problem today is that the recreational management plan does not allow anglers to benefit from the increasingly healthy stock. Instead, it fosters harvests consistently higher than allowed and derby fishing with extremely short fishing seasons, waste of valuable fish, and lost opportunities for anglers and fishing related businesses. The lack of on-the-water progress in solving the problem is pitting fishermen against fishermen and states against the federal government.

Given the challenges facing recreational red snapper fishing and the intense interest of stakeholders, the Gulf Council rightly prioritizes work to improve it. However, the actions on the table, including "regional management" (Amendment 39) and "reallocation" of commercial catch to the recreational quota (Amendment 28), are almost certain to fall far short. Regional management as currently envisioned will do little to extend fishing seasons and improve quota compliance because it does not allow use of new tools that can address the derby problem. Reallocation as proposed threatens to reverse hard-earned rebuilding because it undermines the effectiveness of the commercial management program which makes a significant contribution to the stock's on-going recovery.

We offer four key recommendations:

- Delay final action on regional management (Amendment 39) until adequate information and analyses on individual state-based plans, and how the plans of the five states work together, are available and determined by the Gulf Council and stakeholders to achieve, at a minimum, longer

fishing seasons for private and for-hire fishing, adequate catch accounting, and better compliance with catch limits (in comparison with today's plan).

- Halt action on reallocation of commercial red snapper quota to the recreational quota (Amendment 28) because the alternatives provided do not help achieve anglers' goals of significantly longer seasons and provide no conservation benefits, and reallocation puts rebuilding at risk as it threatens the success of commercial management.
- Refocus problem-solving away from a view of "winners vs. losers" (e.g., commercial vs. recreational, for-hire vs. private anglers, and states vs. NMFS) toward seeking ways that simultaneously benefit all stakeholders – commercial businesses and consumers, for-hire and private recreational anglers – and sustain the health of the red snapper population.
- Explore the potential for the Gulf Council to convene a strategic planning or "visioning" process to help overcome the red snapper stalemate, potentially modeled on those conducted recently by the New England, Mid-Atlantic and South Atlantic councils.

Our recommendations and detailed comments are discussed below:

***Delay final action on regional management (Amendment 39) until adequate information and analyses on individual state-based plans, and how the plans of the five states work together, are available and determined by the Gulf Council and stakeholders to achieve, at a minimum, longer fishing seasons for private and for-hire fishing, adequate accountability, and better compliance with catch limits (in comparison with today's plan).***

In concept, we agree with the states and Gulf Council that state fish and game agencies may be better suited than the Council to manage some aspects of the recreational fishery, especially private angling. We also understand the states' and Council's urgency to take steps to solve the problems facing the recreational fishery.

However, regional (or state-based) management, as currently proposed in Amendment 39, is unlikely to provide many benefits and it may even increase risks to the health of the stock and potentially reduce fishermen's access. To date, the Gulf Council, including members representing state agencies, has not analyzed and resolved important complexities of state-based management. The Amendment's "Environmental Consequences" analysis points to significant uncertainties, including whether states can adequately restrain harvest, how rescinding Amendment 30B (allowing over one thousand federally-licensed for-hire vessels to operate in state waters) would impact overages and potentially re-trigger "overfishing," how states will handle dockside enforcement (potentially including higher costs), and many other issues.<sup>1</sup> The analysis also points to the difficulty of even analyzing effects on the red

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<sup>1</sup> Gulf of Mexico Fishery Management Council (2013). Regional Management of Recreational Red Snapper. Public Hearing Draft for Amendment 39 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico, p 79.

snapper stock and reef fish complex, noting that “without knowing what management measures would result from this action, it is difficult to compare the alternatives.”<sup>2</sup>

Council members and the public have also stated misgivings. One key issue is whether decisions about how much quota will be allocated to each state can adequately account for important factors other than landings history, including a potentially healthier red snapper population structure in the Western Gulf and the expanding range off Florida. Another issue is determining whether allocations will be set for an indefinite time, and whether (and how) they will be adjusted over time. In public comments, many stakeholders, including recreational fishermen, have expressed frustration and confusion given the scant details provided, especially about how each state intends to manage its allocation on the water. As a fisherman stated at the July Council meeting in New Orleans, “I’d just like to see how it will be better.”

In summary, the Gulf Council should only grant greater management authority to the states once they demonstrate how their plans will provide more benefits and perform (e.g. comply with catch limits) better than the existing plan. This is a reasonable bar for such an important management effort. .

***Halt action on reallocation of commercial red snapper quota to the recreational quota (Amendment 28) because the alternatives provided do not help achieve anglers’ goals of significantly longer seasons and provide no conservation benefits, and reallocation puts rebuilding at risk as it threatens the success of commercial management.***

Amendment 28 to reallocate red snapper from the commercial to recreational quota states the “need” for the action as “to prevent overfishing while achieving the optimum yield.”<sup>3</sup> However, without improvements in management of the recreational fishery, the pattern of overages will continue even if the recreational quota is higher, and the result is almost certain to be larger quota overages. Since the beginning of commercial red snapper IFQs in 2007, the recreational fishery has represented between 56% and 65% of total red snapper landings – significantly more than its 49% allocation.<sup>4</sup> Table 2.1.4 in the Amendment 28 options paper demonstrates that even the most aggressive reallocations can increase the fishing season by only a few days at best, and then seasons will continue to shrink.<sup>5</sup> Reallocation will not bring stability to the recreational fishery. Instead it will undermine commercial management’s contribution to rebuilding by reducing commercial fishermen’s economic stake in the fishery.

Management actions, like Amendment 28, that introduce risks to rebuilding and threaten to return the stock to “overfishing” status can be in violation of the Magnuson-Stevens Act’s central requirement to

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<sup>2</sup> *Ibid*, p. 73.

<sup>3</sup> Gulf of Mexico Fishery Management Council (2013). Red Snapper Allocation. Draft Options Paper for Amendment 28 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico.

<sup>4</sup> This excludes landings during the 2010 Deepwater Horizon oil spill, when much of the Gulf was closed to fishing through the summer months.

<sup>5</sup> GMFMC, *op. cit.*, *Red Snapper Allocation...*, p. 10.

prevent overfishing and the requirement to rebuild fisheries as soon as possible.<sup>6</sup> Considerations of shifting quota to the recreational sector prior to improving catch accountability would call into question the red snapper FMP's requirement to contain "measures to ensure accountability,"<sup>7</sup> and appears to violate National Standard 4, which states that allocations shall be "reasonably calculated to promote conservation."<sup>8</sup> In addition, while the Council currently emphasizes economic efficiency, National Standard 5 requires that economic efficiency cannot be the sole criterion in allocation decisions, overriding other national standards and rebuilding requirements.<sup>9</sup>

It is also important to note that the reallocation alternatives in Amendment 28 are not supported by the economic analysis presented. The issue of "economic efficiency" is being highlighted in relation to improving net benefits for the nation, one objective of fishery management. However, the reallocation alternatives in Amendment 28 are not supported by analysis from NMFS and the Council's Socioeconomic SSC (SESSC). This analysis shows that that the reallocation alternatives simply replace one inefficiency with another.<sup>10,11</sup>

While the analysis suggests the values (or willingness to pay) for additional red snapper quota are different in the commercial and recreational sectors, this does not mean that net benefits will be increased by shifting quota. This is because values change as allocations change, and how much those values could change is unknown. The best available science cannot measure how reallocation will change net benefits to the nation – and as long as anglers are faced with management that offers only low bag limits and short seasons, there is no reason to believe any reallocated quota will go to the anglers who value it most.<sup>12</sup> For these reasons, the Council's SESSC advised that it does not support reallocation except by trading quota across sectors.<sup>13</sup> Inter-sector trade would be an economically efficient way for quota to shift between sectors; but by itself, this will do nothing to improve the way recreational red snapper quota is tracked and managed.<sup>14</sup>

***Refocus problem-solving away from a view of "winners vs. losers" (e.g., commercial vs. recreational, for-hire vs. private anglers, and states vs. NMFS) toward seeking ways that simultaneously benefit all***

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<sup>6</sup> Magnuson-Stevens Act, 16 U.S.C. §§ 1851(a)(1), 1854(e)(4)(A)(i).

<sup>7</sup> Magnuson-Stevens Act, 16 U.S.C. § 1853(a)(15).

<sup>8</sup> Magnuson-Stevens Act, 16 U.S.C. § 1851(a)(4).

<sup>9</sup> See Magnuson-Stevens Act, 16 U.S.C. § 1851(a)(5) "Conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose."

<sup>10</sup> Agar, J.J and D.W. Carter (2012). Is the 2012 allocation of red snapper in the Gulf of Mexico economically efficient? NMFS Southeast Fisheries Science Center.

<sup>11</sup> Gulf of Mexico Fishery Management Council (2013). Report: Socioeconomic SSC Meeting. January 16, 2013.

<sup>12</sup> Holzer, J. and K. McConnell (2013). Allocation without property rights. Manuscript submitted for publication.

<sup>13</sup> The SESSC's January 2013 motion reads: "The Committee does not support a reallocation between sectors of the GOM red snapper as large as 1% without giving strong consideration to the market transferability across the two sectors."

<sup>14</sup> Gulf of Mexico Fishery Management Council (2013). Red snapper trading between sectors. Scoping Document. August 2013.

***stakeholders – commercial businesses and consumers, for-hire and private recreational anglers – and sustain the health of the red snapper population.***

Comprehensive fishery management that seeks to simultaneously benefit all stakeholders will be challenging, however in the long-run it has the potential to reduce conflict and produce better results. There is no reason that stakeholders can gain only at the expense of others, although trade-offs and compromises are necessary. Recreational and commercial fisheries are each important to the Gulf's economy and culture. Fishermen and seafood markets seek access, availability, flexibility, and the long-term health of the stock. The challenge before the Gulf Council is to find solutions to manage a popular yet limited red snapper stock. If well managed, the fishery can provide benefits to all parties while balancing conservation objectives.

While there are tremendous resources devoted to improving the management of the red snapper fishery, there is little progress on reversing the trends of shrinking seasons and overharvests in the recreational sector. There are no ideas being discussed that simultaneously provide benefits for fishermen, fishing businesses, and U.S. seafood markets. We offer one idea for your consideration. (See attached op-ed published in the Houston Chronicle.)<sup>15</sup>

The commercial management plan, operating in federal waters, is working well. This part is already in place and serves growing demand for wild fresh seafood. On the for-hire recreational side, a fleet-specific IFQ design could be explored for vessels that operate in federal waters. The boats would have the opportunity to make the most of the limited catch for angler clients and their businesses. For private anglers, the regional management concept under consideration by the Gulf Council may be a good start, but it needs to allow use of new management tools. States could have a designated quota and also authority to try tools that can perform better than short seasons and small bag limits. Harvest tags like those used for big game hunting might be allocated to tourist seasons, tournaments, and other priorities to expand fishing opportunities available with the limited catch.

The Gulf Council is in uncharted territory managing our shared reef fish resources for seafood and recreational opportunities. We encourage others with a constructive point of view to share their own vision and contribute to lasting solutions.

***Explore the potential for the Gulf Council to convene a strategic planning or “visioning” process to help overcome the red snapper stalemate, modeled on those conducted recently by the New England, Mid-Atlantic and South Atlantic councils.***

Councils around the country are exploring creative processes to complement the traditional Council process in solving problems. Given the diversity of stakeholder positions on red snapper and other reef fish management, a structured process that steps back from specific amendments and instead focuses on the “big picture” might help. In 2012, the Mid-Atlantic Council conducted a “visioning and strategic

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<sup>15</sup> Baker, Pam. “New Rules are Needed for Recreational Fishing.” Houston Chronicle. August 3, 2013.

planning process” designed to develop a comprehensive, stakeholder-informed vision for the region’s fisheries that was used to inform the Council’s strategic plan. The Council reported that the visioning process not only engaged stakeholders on regulations and management processes, but also succeeded in building trust and improving relationships.<sup>16</sup> Other Councils have conducted similar processes; the New England Council conducted a regional assessment and management review of the fishery management process in 2011, and the South Atlantic Council initiated more focused visioning workshops for the Snapper Grouper Committee in 2012. These might serve as models for the Gulf Council in reconciling the visions and expectations of fishery stakeholders with the long-term goals of the Council.<sup>17 18</sup>

Thank you for considering our comments and recommendations. We look forward to working with you to find a solution that benefits all of the stakeholders who care about sustainable Gulf of Mexico fisheries.

Sincerely,



Kristen McConnell  
Senior Conservation Manager  
Gulf of Mexico and Southeast Oceans Program



Daniel Willard, PhD  
Economist  
Gulf of Mexico and Southeast Oceans Program

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<sup>16</sup> Mid-Atlantic Fishery Management Council (2012). Visioning and Strategic Planning: Stakeholder Input Report. June 13, 2012.

<sup>17</sup> Touchstone Consulting Group (2011). A Review of the New England Fishery Management Process. April 2011.

<sup>18</sup> South Atlantic Fishery Management Council (2012). Summary Minutes, Council Member Visioning Workshop. December 3, 2012.

## New rules are needed for recreational fishing

A regional approach might offer a better management system

By Pamela Baker

In June, Texas anglers experienced the exciting start – and unfortunate stop – of the red snapper recreational fishing season in offshore Gulf waters. Those twenty-eight days of exhilarating and frantic fishing, will now be followed by months of closures and disappointment. As frustration mounts, fishermen are crying foul while Texas and other Gulf states are feuding with the federal government over how to manage recreational fishing. The system is broken, and new rules are needed to help anglers get better access to the red snapper they're allowed to catch.

This story is a familiar one. For years, the Gulf's fishery management council (comprised of federal and state officials and representatives of the fishing industry) set seasons that closed down commercial red snapper fishing when its harvest limit was reached. The rules pressed fishermen to catch as many fish as fast as possible, and seasons steadily shrank. Daily catch and fish size limits to slow fishing down forced fishermen to throw huge numbers of red snapper overboard. Racing and waste were the norm and the stock was in serious decline. Red snapper was hard to find in grocery stores most of the year and was growing scarce for anglers out on the water.

This turned around when the commercial share was divided among fishermen with each being responsible for complying with his limit (called individual fishing quotas). Fishermen benefit from higher limits when the stock grows, so they have reasons to conserve for the future. Now, the red snapper population is rebounding and wild, sustainable red snapper are available in U.S. seafood markets all year.

Recreational fishermen can have similar benefits, but today's system is bewildering. As the red snapper stock grows, the fishing season shrinks while anglers catch their share of the fish (about half of the overall limit) faster with bigger snapper. With management based on closed seasons, the racing and waste frustrate everyone, and if it continues the growth of the population seen over the last few years could be

reversed. Anglers follow the rules, but the rules don't work.

To get longer seasons and ensure sustainability, new plans are needed that meet the desires of anglers who fish with captains aboard "for-hire" or charter boats and those who fish on their own boats. A federal fishery advisory panel has discussed allowing for-hire boats to operate under a specially-designed individual fishing quota program. This could help business-minded captains who serve anglers to make the most of the allowed catch, as it has with the commercial fleet.

A different type of proposal by Texas and other Gulf states for "regional management" might be promising for anglers who fish from their own boats and are more accustomed to working with state fishery agencies (rather than the federal ones). The plan divides the recreational share of the fishery among states to manage off their own coasts. This is a good start, but it needs to allow use of new tools, not be limited to old ones. States need authority to try concepts like harvest tags used for big game hunting that could be allocated to tourist seasons, tournaments, and other priorities. Greater authority should be granted by the federal government to states that demonstrate how their plans will work better and provide more benefits to anglers than the existing plan.

Texas and the Gulf states are in uncharted territory managing red snapper for the growing U.S. demand for wild sustainable fish and recreational opportunities. And there is no doubt the existing recreational red snapper catch can be managed to provide far greater benefits to anglers and all of us that enjoy the fish. Together, we can find a solution that meets recreational goals, complies with the law and rebuilding targets, and preserves the long-term benefits provided by this shared public resource.

*Pamela Baker is the Gulf of Mexico region director for the Environmental Defense Fund's ocean program.*



August 23, 2013

Mr. Doug Boyd,  
Chairman Gulf of Mexico Fishery Management Council  
2205 North Lois Avenue, Suite 1100  
Tampa, Florida 33607

**RE: Red Snapper Catch Limits and Regional Management (Amendment 39),  
Red Snapper Allocation Options Paper (Amendment 28) and Final Action on  
IFQ Administrative Rule Changes.**

Dear Chairman Boyd:

On behalf of The Gulf of Mexico Reef Fish Shareholders Alliance, we offer the following comments regarding the regional management approach proposed under Amendment 39 to the Gulf of Mexico Fishery Management Council's (Council) Reef Fish Fishery Management Plan and the Red Snapper Allocation Options Paper (Amendment 28), which are inextricably tied together through political rhetoric.

**Amendment 39:**

Though established from the need to better manage the recreational fisheries, the proposed regional management plan (Amendment 39) introduces additional management uncertainty and makes little attempt at accountability measures required to ensure the continued health and growth of the stock. To this point, we strongly encourage the implementation of post-season accountability measures (e.g., overage payback provisions) as a method to prevent overfishing and ensure stock recovery when ACLs are exceeded. We recommend:

- Ensuring regional management operates under the federal umbrella to ensure continuity of the science-based rebuilding plan and recovery of this species, while giving each state authority to manage their percentage of the ACL.[Amendment 39, Action 1, Preferred Alternative #2].
- Applying state-based payback provisions when the Gulf-wide ACL is exceeded to keep the rebuilding plan on track [Amendment 39, Action 6, Preferred Alternative #3].

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Bubba Cochran

Buddy Guindon

Jason Delacruz

Glen Brooks

Steve Tomeny

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- States should consider use of an annual catch target (ACT) to further capture additional management uncertainty incurred by regional management.
- The Amendment must not include the commercial sector as part of its plan since the inception of the IFQ program has proven significant accountability measures leading to no overfishing.
- The Amendment must not have ANY ties to the commercial IFQ programs as that defies the logic and need for state management of a RECREATIONAL sector in need of a strong management system to generate good science, and good data leading to a healthy recreational sector with growing seasons and no overharvest.
- Management actions introducing risks to rebuilding and threaten to return the stock to “overfishing” status can be in violation of the Magnuson-Stevens Act's central requirement to prevent overfishing.

**Amendment 28:**

- The red snapper IFQ program is achieving the conservation and economic goals established by the Gulf Council and Magnuson-Stevens Act per the review of the Gulf Council.
- Amendment 28 explores potentially reallocating red snapper from the commercial to recreational quota stating that the “need” for the action is “to prevent overfishing while achieving the optimum yield.”
- As stated above, Management actions introducing risks to rebuilding and threaten to return the stock to “overfishing” status can be in violation of the Magnuson-Stevens Act's central requirement to prevent overfishing
- We support the status quo 2.1 Action 1 Alternative 1- No Action- in Amendment 28. Maintain the allocation set in Amendment 1 of the Reef Fish Fishery Management Plan.
- Given that no new quantifiable data has been presented, no formal full-scale economic study has been completed of the commercial sector and that discussions of a 1% allocation shift of red snapper would not even provide a marginal benefit to the recreational sector, yet every pound lost to the commercial sector is a fish lost to the American consumer and the entire seafood supply chain----NO shifting of allocation should take place at this time.
- National Standard 4, states that allocations shall be “reasonably calculated to

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promote conservation.” and any shift to the recreational sector which remains unaccountable at this time intimates a standard violation.

- There has been no valid argument presented other than bias from other organizations for reallocation given that the commercial sector is accountable, not overfishing and providing a protein source to millions of Americans. Reallocation has been proven by your SESSC that it does not solve the short recreational season and the economic basis, which is justified for less than a 1% shift effectively, does nothing for the recreational season. National Standard 5 also requires that economic efficiency cannot be the sole criterion in allocation decisions, overriding other national standards and rebuilding requirements.

Thus, science and the national standards have proven there is no basis for reallocation discussion save a power grab by what are viewed as competing entities. Furthermore, all discussions of Regional Management should be viewed with detailed speculation for an allocation ploy instead of the intended need for effective management of a sector.

### **Final Action on IFQ Administrative Rule Changes**

We are in agreement that the red snapper IFQ management system has met its programmatic goals and played a significant factor in reducing discards, mitigating the race for fish, improving safety at sea, and rebuilding of our iconic fishery.

We agree with the Proposed IFQ Administrative Rule Changes as these were all industry recommendations.

### **Program Review Recommendations are:**

-Establish formal review procedures/guidelines including, timeline, procedures for public input, analyses required, role of SERO, Gulf Council, SESSC, SEFSC, and Aps and (we would like to add Industry stakeholders to this list)

-Align future reviews with the grouper/tilefish-IFQ program; Both are part of same multispecies fishery and it is redundant and economically unsound to review one program without review of the other.

These recommendations will allow the current snapper program to streamline, continue meeting its goals and work toward rebuilding the fishery.

NONE of these recommendations or changes will trip a threshold creating the need for a referendum. And given that we have considerable challenges on the Council table such as overfishing, lack of AM's in the recreational sector, regional management, a struggling charter industry and reallocation; we recommend:

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- Focusing on the severe problems facing our fisheries as stated above.
- Implement these simplistic changes to strengthen the only management systems currently working effectively in the Gulf.
- And that we should address any potential major changes to the IFQ system upon the 5 year review of the grouper/tilefish program.

Thank you for your continued efforts to serve and strengthen our Gulf.

With gratitude,

*TJ Tate*

Tj Tate  
Executive Director  
Gulf of Mexico Reef Fish Shareholders Alliance

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Bubba Cochrane

Buddy Guindon

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**CHAPTERS**

Ship Island  
Pine Belt  
Horn Island  
Central Mississippi  
Bay St. Louis  
Biloxi Bay  
Golden Triangle

August 5, 2013

TO: Gulf of Mexico Fishery Management Council

FROM: Coastal Conservation Association Mississippi  
Government Relations Committee

RE: Public Hearing on Amendment 39 – Regional Management of Red Snapper

The attached statement is submitted as the position of Coastal Conservation Association Mississippi and endorses the concept of regional management of red snapper. CCA Mississippi has confidence in our Department of Marine Resources to take an active role in the management of red snapper and to work cooperatively with the other Gulf States to pursue this important responsibility in a manner that will respond to and be understood by the recreational fishing community. The frequent changes and uncertainties of past management are well documented and have raised the frustration level of our members and the recreational sector as a whole.

States manage many species of wildlife effectively and do so in cooperation with federal agencies and adjoining states. We see no reason this should not be the case with a resource as important as red snapper and perhaps other species now under the management of the Gulf Council.

F. J. Eicke, Chairman

**Coastal Conservation Association Comments to  
Gulf of Mexico Fishery Management Council  
Public Hearings on Amendment 39 –  
Regional Management of  
Red Snapper**

The concept of regional management of red snapper in the Gulf of Mexico has been born out of the frustration felt by many anglers towards federal management. By almost any account, red snapper are more abundant now than perhaps at any point in history. Management has finally worked and no one wants to go back to the days when red snapper were small and hard to find. On the other hand, no one should be content with a management regime that is unable to find a way to reap the benefits of success.

CCA supports driving management of marine resources to the lowest level of government possible, ideally to the state level. That position is staked in the belief that the states simply have a better grasp of how to manage these resources in ways that ensure their health and stability. At the same time, state agencies have proven their expertise in providing the greatest access to those resources and maximizing the benefits of those resources for their citizens. Almost every one of this country's great marine conservation success stories has been engineered by the states.

Contrast that against our experiences with NOAA Fisheries. After decades of management, participants in the red snapper fishery were rewarded with a 27-day season and a two-fish bag limit. Proposals were even made that to reduce the bag limit to one fish in an effort to increase the number of days in the recreational season and prevent a widespread revolt against federal management. While season length is indeed crucial to the recreational sector, days alone do not make a quality fishery. We believe the individual states are best equipped to determine the management approach best suited to their residents. The current situation is unacceptable, and that is with a fishery that by all accounts is recovering wildly. Rather than hoping that NOAA Fisheries will someday figure out how to copy the success of the states, we believe that this proposal to allow the states to take greater control of management could provide a solution.

The transfer of management responsibility would be no easy task, and countless details remain to be fully explored. Issues over enforcement, monitoring, state boundaries and compliance will have to be fully resolved. However, CCA believes that the best results will be achieved through negotiations between the states themselves, with as little federal influence as possible. Additionally, in the development of this proposal it should be specified that states have the ability to manage the entire fishery – both recreational and commercial – including decisions on eliminating the IFQ program - as they see fit. Another option that the Gulf Council could consider is simply removing red snapper from the Reef Fish Management plan as they have recently removed stone crabs; anchor and blackline tilefish; red and rock hind; misty grouper; and schoolmaster, dog and mahogany snapper. Such action would also allow each Gulf state to optimize the use of red snapper to the highest benefit of their residents and economies.

Recreational anglers have more faith in the ability of the states to successfully manage our marine resources than in NOAA Fisheries. If enacted correctly, CCA views state-based management as a potential path to achieving our overriding goal of healthy marine resources and increased access to them for the greatest benefit of the public.



THE  
**PEW**  
CHARITABLE TRUSTS

**Testimony to the Gulf of Mexico Fishery Management Council on Amendment  
39 to the Reef Fish Fishery Management Plan  
Sharon McBreen, The Pew Charitable Trusts  
August 12, 2013**

Good evening, Gulf Council members and staff. My name is Sharon McBreen with The Pew Charitable Trusts. Thank you for the opportunity to address you tonight on regional management of red snapper as proposed in Amendment 39.

As the Council considers this Amendment, we urge you to revise the Purpose and Need section of the document to reflect that rebuilding the red snapper population is a top priority. This Amendment is part of the Council's overall strategy to achieve the goals laid out in the rebuilding plan while maximizing opportunities for recreational fishermen to target this species.

There are three key components needed if regional management is to be successful.

First, accountability measures act as a safeguard to ensure adherence to catch limits and should include a payback provision if the Gulf-wide catch limit is exceeded. This is particularly important to prevent overfishing and to maintain progress towards full recovery of this population. Thus, in Amendment 39 we support Preferred Alternative 3 in Action 6, which would apply a payback provision only to those states that exceeded their allocation of the overall recreational quota for red snapper. This creates an incentive for states to prioritize setting up a system that will keep recreational catch in their waters within their portion of the quota.

However, we would not oppose "sub-option a" for Preferred Alternative 3, which would delay implementation of the state by state payback provision for one year. This would allow state agencies time to assess and adjust their data collection and monitoring programs to better track red snapper catch. It is

reasonable to expect that if Amendment 39 is approved, there will be a learning curve as each state determines how best to implement this new approach. There will also be an iterative learning process between NOAA Fisheries and the states as they work through this transition period. To account for this, a one-year grace period would be acceptable, but we strongly urge that the payback provision kick in the following year.

Second, states will need to re-tool or fine-tune their data collection programs to more closely monitor their red snapper fisheries. This is critical to prevent accountability measures from having to be applied. The Council and NOAA Fisheries should ensure that the management strategies proposed by the states are designed to achieve this goal.

To enhance the effectiveness of in-season monitoring, the states should consider the use of annual catch targets to build in a margin of error between the target for total landings and the limit over which accountability measures would be applied. This would be particularly useful while data collection and monitoring systems are being adjusted. To facilitate this, the Council should insert language that provides an option for states to use annual catch targets along with the other management decisions being delegated to the states either in Action 4 or as an accountability measure in Action 6.

Finally, we support the Council's Preferred Alternative 7 for Action 4, which gives states the flexibility to determine whether sub-allocations of their red snapper catch limit are something their fishermen want to pursue. This would let states become a breeding ground for new programs that tailor management plans and goals to the priorities and needs of for-hire fishing vessels and private anglers.

Thanks again for the opportunity to present our comments today.

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8/15/2013

Gulf of Mexico Fishery Management Council  
2203 North Lois Avenue, Suite 1100  
Tampa, Florida 33607

Dear Gulf Council Member,

Please let me take this time to give you input from The Recreational Fishing Alliance - Florida West Coast on Reef Fish Amendment 39 Regional Management of Recreational Red Snapper.

**Reef Fish Admendment 39 : Regional Management Red Snapper**

**Action 1: Regional Management**

**We Support :**

**Alternative 1 : No Action**

Additional Comments : We have been asking for years to have a better Recreational Data Collection Plan and it never has been improved. Now it seems that instead of fixing the data collection at the federal level, the council is trying to pass data collection off to the states. This may be a great plan but the all the states are not ready for it. The Florida Fish and Wildlife Commission has been working on a plan very close to the same that Louisiana has in place. This plan is going to cost about 2.5 million dollars just for a 45 day red snapper season. If we go to a longer season it will cost more and how about when the council decides to add more species into the plan. This cost will go even higher. Florida does not have the 2.5 million to fund this now. The council does have some good ideas in this plan that we agree with but we need to slow down and make sure all the states have good data collection plans in place before we move forward with regional management.

**Action 2 : Establish Regions for Management**

**We Support :**

**Alternative 1 : No Action**

Additional comments : Once council resolves the data problems we would consider Preferred Alternative 3 : Establish five regions representing each Gulf state.

**Action 3 : Apportioning the Recreational Red Snapper Quota Among Regions**

**We Support :**

**Alternative 1 : No Action**

Additional Comments : We can not move ahead with apportioning the red snapper quota until we have a true data set in place. As we have seen with the Louisiana plan the NMFS has over estimated the landings by 70%. If this is not corrected it could cost each state millions of pounds



The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This not only helps in tracking expenses but also ensures compliance with tax regulations. The document further states that regular audits are essential to identify any discrepancies and prevent fraud.

In addition, the document highlights the need for transparency in financial reporting. All stakeholders should have access to the relevant financial information to make informed decisions. It also mentions that the management should provide a clear explanation for any significant fluctuations in the financial data. This approach fosters trust and accountability within the organization.

The document further elaborates on the role of the finance department in ensuring the accuracy of the financial statements. It notes that the department should implement robust internal controls to minimize the risk of errors. Regular reconciliations and reviews are recommended to ensure that the books are balanced and the data is consistent across different systems. This systematic approach is crucial for the overall health of the organization's financial records.

Moreover, the document discusses the importance of staying updated with the latest accounting standards and regulations. The finance team should conduct regular training sessions to ensure that everyone is well-versed in the current requirements. This proactive measure helps in avoiding penalties and ensures that the organization remains compliant at all times. The document concludes by stating that a strong financial foundation is key to the long-term success of any business.

Finally, the document provides a summary of the key points discussed. It reiterates the importance of accurate record-keeping, transparency, and adherence to accounting standards. It also suggests that the organization should periodically review its financial processes to identify areas for improvement and ensure that they remain effective and efficient.

they should have.

**Action 4 : Regional Mangement Meaures**

**We Support :**

**Alternative 1 No Action**

Additional Comments : Once the council has resolved the data problems we would consider Preferred Alternative 2 : Allow individual regions to set recreational red snapper season start and finish dates and season structure.

Preferred Alternative 3 : Allow individual regions to set recreational bag limits from 0 to 4 red snapper per angler per day

Preferred Alternative 4 : Allow indivdual regions to establish recreational red snapper minimum size limits from 14 to 18inches total length

**We will be strongly oppose at anytime to Alternative 7:** Allow individual regions to establish sub-allocations for the private and for-hire ( charter and headboat ) sub-sectors.

**Action 5 : For-Hire Vessels Federal Permit Restrictions**

**We do not support any of this action. Rule 30B should be removed from the from the management plan. This rule has been used by the council in the past to pressure states to do as they wanted or the for-hire fleet would be stopped from fishing. This rule needs to be removed.**

**Action 6 : Post -Season Accountability Measures Adjusting for Regional Overages**

**We Support:**

**Alternative 1 : No Action No Option**

Additional Comments : Once the council has resolved the data problems we would consider Prefferred Alternative 3 : If a region exceeds its apportioned regional quota then the region's quota will be reduced in the following year by amount of the overage. If total landings from all regions do not exceed the Gulf-wide recreational quota then the region's quota will not be reduced.

Option B : Allow 2-year grace period before implementation.

**Action 7 : Establishing Default Regulations**

**We Support:**

**Perfferred Alternative 3 : If a state opts out of delegation, the default regulations would apply for recreational harvest of red snapper in the federal waters off that state.**

As you see in our comments we have given you some alternatives to each action but we have to move forward with arecreational data collection plan for each state before we can stand behind any of the actions in regional management. We do see some good points in the plan but none of this will help our fishery management without good data. Let's fix the data then move to the next plan.

Thank You

Capt. Buddy Bradham  
RFA - Florida West Coast  
4000 24 st N # 1307  
St. Petersburg Fl 33714  
727-458-1192

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Dear Council Members, I know many dual permitted operators that would consider supporting regional Management of rec red snapper under the condition that the crew size limits restrictions be taken off those vessels with dual permits. Please consider removing and let's move forward with some kind of new FMP. thank you

Capt. Billy Archer  
F/V SEMINOLE WIND



June 21, 2013

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

Dear Mr. Boyd:

Thank you for the opportunity to provide comments on Gulf of Mexico fisheries, especially red snapper which featured prominently on your June meeting agenda. The end of “overfishing” and subsequent progress on rebuilding of the still-overfished red snapper stock is a true success story. It is a real-life demonstration that management reforms, like the transition from derby fishing to individual fishing quota (IFQ) management in the commercial fishery and scientific catch limits, can create ecological and economic benefits enjoyed by communities, seafood consumers, and recreational and commercial fishermen and fishing businesses.

Unfortunately, there is little progress in improving recreational red snapper management, and several actions on the Gulf Council’s agenda put the rebuilding at-risk by threatening the successful commercial program and failing to explore new tools to solve problems. In this letter, we provide several recommendations:

- Begin to explore a comprehensive vision of the red snapper and reef fish fisheries.
- Maintain the success of the commercial plan which is helping rebuild the stock and providing significant economic benefits.
- Strengthen the “regional management” proposal to provide lasting benefits, like longer seasons.
- Ensure that the catch limits foster continued rebuilding of red snapper and comply with the law.

**1. Explore a comprehensive vision of the red snapper (and reef fish) fisheries.**

Recreational and commercial fisheries are important to the Gulf’s economy and culture. Fishermen and seafood markets seek access, availability, flexibility, and the long-term health of the stock. The challenge before the Gulf Council is to find solutions to the challenges of managing a popular yet limited red snapper stock. If well managed, the fishery can provide benefits to all parties while balancing conservation objectives.

While there are tremendous resources devoted to improving the management of the red snapper fishery, there is little progress toward solving the ongoing challenges of shrinking seasons and overharvests in the recreational sector. There are no ideas under consideration that simultaneously seek benefits for fishermen, fishing businesses, and U.S. seafood markets. Thus, we offer the following idea for consideration.

The commercial management plan, operating in federal waters, is working well. This part is already in-place and serves growing demand for wild, fresh seafood. On the for-hire recreational side, a fleet-specific IFQ design could be explored for vessels that operate in federal waters. The boats would have the opportunity to make the most of the limited catch for angler clients and their businesses. For private anglers, the regional management concept under consideration by the Gulf Council may be a good start. States could have a designated quota and also authority to try tools that can perform better than short seasons and small bag limits. Harvest tags like those used for big game hunting might be allocated to tourist seasons, tournaments, and other priorities to expand fishing opportunities available with the limited catch.

When each part of the fishery is well-managed, then quota trading might be organized between all the sectors to accommodate the ebb and flow of fish demand among them.

**2. Maintain the success of the commercial plan which is helping rebuild the stock and providing significant economic benefits.**

The Council's commercial red snapper management plan implemented in 2007 – using IFQs and eliminating or reducing season closures, trip limits, and size limits – has helped end overfishing and is a big part of the reason the red snapper stock is growing. Keeping the program working effectively is central to continued rebuilding.

The Gulf Council's five-year review concluded that the red snapper IFQ program is achieving the conservation and economic goals established by the Gulf Council and Magnuson-Stevens Act. The program ended the destructive derby that resulted in dangerous fishing, poor economic performance, wasteful bycatch, and chronic overfishing.<sup>1</sup> The commercial fishery is harvesting under its quota while discarding has been reduced. Overfishing for red snapper has ended and the annual catch limit is steadily increasing. Ex-vessel prices and share prices have increased and stabilized under IFQs, reflecting confidence and expectation for long-run economic and biological improvements. Certain potential improvements were identified. We recommend that over time the commercial industry, other stakeholders, and the Gulf Council explore and implement long-term improvements, especially related to at-sea monitoring (to better account for remaining discards) and including additional reef fish species still managed under derby fishing in the IFQ program .

Amendment 28 to reallocate red snapper from the commercial to recreational quota states the “need” for the action as “to prevent overfishing while achieving the optimum yield.”<sup>2</sup> However, without improvements in management of the recreational fishery, the pattern of overages will continue even if the recreational quota is higher, and the result is almost certain to be larger quota overages. In addition, commercial management's contribution to rebuilding would be undermined by reducing fishermen's economic stake in the fishery.

Management actions that introduce risks to rebuilding and threaten to return the stock to “overfishing” status can be in violation of the Magnuson-Stevens Act's central requirement to prevent overfishing and the requirement to rebuild fisheries as soon as possible.<sup>3</sup> Considerations of shifting quota to the recreational sector prior to improving catch accountability would call into question the red snapper FMP's requirement to contain “measures to ensure accountability,”<sup>4</sup> and appears to violate National Standard 4, which states that allocations shall be “reasonably calculated to promote conservation.”<sup>5</sup> In addition, while the Council currently

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<sup>1</sup> Gulf of Mexico Fishery Management Council (2013). Red Snapper Individual Fishing Quota Program 5-year Review: Preliminary Draft.

<sup>2</sup> Gulf of Mexico Fishery Management Council (2013). Red Snapper Allocation. Draft Options Paper for Amendment 28 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico.

<sup>3</sup> Magnuson-Stevens Act, 16 U.S.C. §§ 1851(a)(1), 1854(e)(4)(A)(i).

<sup>4</sup> Magnuson-Stevens Act, 16 U.S.C. § 1853(a)(15).

<sup>5</sup> Magnuson-Stevens Act, 16 U.S.C. § 1851(a)(4).

emphasizes economic efficiency, National Standard 5 requires that economic efficiency cannot be the sole criterion in allocation decisions, overriding other national standards and rebuilding requirements.<sup>6</sup>

It is also important to note that the reallocation alternatives in Amendment 28 are not supported by the economic analysis presented. The issue of “economic efficiency” is being highlighted in relation to improving net benefits for the nation, one objective of fishery management. However, analysis from NMFS and the Council’s Socioeconomic SSC show that the proposals simply replace one inefficiency with another.<sup>7,8</sup> While the analysis suggests the values (willingness to pay) for additional red snapper quota are different in the commercial and recreational sectors, it does not suggest that efficiency will be improved by shifting quota. This is because values change as allocations change, and how much those values could change is unknown. The best available science available cannot measure how reallocation will change net benefits to the nation. For these reasons, in its January 2013 motion, the Council’s Socioeconomic SSC stated it does not support reallocation except by trading quota across sectors.<sup>9</sup>

### **3. Strengthen the “regional management” proposal to provide lasting benefits including longer recreational fishing seasons.**

There are a variety of proposals under consideration to improve recreational fishing. Under current management, the recreational sector collectively exceeds the quota most years, even though anglers and for-hire operations as a whole comply with regulations. As discussed above, the problem is the management plan, and this cannot be solved by adding more fish. New tools are needed.

The Gulf states have brought a proposal (Amendment 39) before the Gulf Council for “regional management.”<sup>10</sup> The plan divides the recreational quota among states to manage off their own coasts. This can be a good start, and if designed well, regional management might offer some benefits; states might provide more local flexibility.

However, the plan needs to allow use of new tools, not just existing ones like short seasons and bag and size limits. States need authority to try concepts like harvest tags used for big game hunting that could be allocated to tourist seasons, tournaments, and other priorities. Catch limits are rising, but the management and monitoring challenges remain the same. It is difficult to understand how existing tools alone, even when managed by the states, will provide long-term benefits, and no supporting analyses have been provided.

As the Gulf Council plans public meetings around the region, it should answer key questions to help the public evaluate the plan. For example:

- How are states going to manage their sub-quotas?
- What benefits will private anglers and for-hire businesses and clients gain?

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<sup>6</sup> See Magnuson-Stevens Act, 16 U.S.C. § 1851(a)(5) "Conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose."

<sup>7</sup> Agar, J.J and D.W. Carter (2012). Is the 2012 allocation of red snapper in the Gulf of Mexico economically efficient? NMFS Southeast Fisheries Science Center.

<sup>8</sup> Gulf of Mexico Fishery Management Council (2013). Report: Socioeconomic SSC Meeting. January 16, 2013.

<sup>9</sup> The motion reads: “The Committee does not support a reallocation between sectors of the GOM red snapper as large as 1% without giving strong consideration to the market transferability across the two sectors.” Agar & Carter (2012) reach the same conclusion: “Inter-sector trading would allow the market to provide valuable price signals to help ensure that the red snapper quota is allocated efficiently and in a way that provides the greatest economic benefits to the nation.”

<sup>10</sup> Gulf of Mexico Fishery Management Council (2013). Regional Management of Recreational Red Snapper. Public Hearing Draft for Amendment 39 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico.

- What is the role of the proposed boundaries? Are harvests of sub-quotas restricted geographically?
- How are other reef fish in the mixed-stock affected by this entirely different management system?

Regardless, greater management authority should only be delegated by the Gulf Council to the states as they demonstrate how their plans will provide more benefits and perform (e.g., comply with catch limits) better than the existing plan – this should be a minimum hurdle for delegation.

#### **4. Ensure that catch limits foster continued rebuilding of red snapper and comply with the law.**

Everyone agrees it is good news that the red snapper stock is rebuilding. This success reflects the sacrifices of commercial and recreational fishermen with short-term cuts in catch limits as well as new management in the commercial fishery. Based on the recent stock assessment, red snapper catch limits can continue to rise, benefiting all fishermen, fishing businesses and seafood consumers.

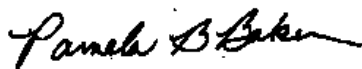
The Gulf Council's SSC has provided a higher overfishing limit (OFL) modified by very small (risky) "buffers" (100,000-200,000 pounds) for scientific uncertainty to provide allowable biological catch (ABC) limits. Due to signs of lower recruitment in a few recent years, their current best prediction is that the stock abundance is peaking now and might decline for several years and then stabilize beginning in 2014.<sup>11</sup>

ABC levels are intended to capture scientific uncertainty in OFL estimates. With very small scientific buffers recommended by the SSC, it is important for the Gulf Council to carefully consider management uncertainty to avoid potentially moving the fishery back to overfishing status.

Today's recreational management plan has proven inadequate to constrain catches to limits over many years – this is the source of the vast majority of management uncertainty. The recreational sector routinely exceeds its quota, often by significant margins (average of 48% over the past five years),<sup>12</sup> and significant overages can be anticipated as long as management based on seasons and bag limits remains in place. At the same time, the commercial fishery has accurate landings data and complies with its quota limit.

Given these differences, the Gulf Council's report titled "ACL/ACT Control Rule Applied to Red Snapper" suggests tailoring management uncertainty buffers to the differing performance of recreational and commercial management – 15-20% and 0%, respectively. This is in contrast to recent years in which the buffers have been provided by both sectors, yet used only by the recreational sector. Thus, we recommend that the Gulf Council use its ACL/ACT control rule to develop and evaluate limits for the red snapper fishery and establish management buffers to keep the fishery rebuilding.

Sincerely,



Pamela Baker  
Director, Gulf and Southeast Oceans Program



Daniel Willard, PhD  
Economist, Gulf and Southeast Oceans Program

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<sup>11</sup> Gulf of Mexico Fishery Management Council (2013). Standing and Special Reef Fish SSC Meeting Summary. May 29-31, 2013.

<sup>12</sup> Gulf of Mexico Fishery Management Council (2013). ACL/ACT Control Rule Applied to Red Snapper. Tab B, 4(c) June 2013.





June 14, 2013

Mr. Doug Boyd, Chairman  
Gulf of Mexico Fishery Management Council  
2205 North Lois Avenue, Suite 1100  
Tampa, Florida 33607

**RE: Red Snapper Catch Limits and Regional Management (Amendment 39)**

Dear Chairman Boyd:

On behalf of The Pew Charitable Trusts, we offer the following comments on red snapper catch limits following the review of the new stock assessment (SEDAR 31) and in light of the regional management approach proposed under Amendment 39 to the Gulf of Mexico Fishery Management Council's (Council) Reef Fish Fishery Management Plan. SEDAR 31 indicates that the population is strongly recovering from decades of overfishing. Although overfishing is no longer occurring, red snapper are still overfished. While an increase in catch levels is warranted, we recommend applying caution in setting annual catch limits (ACL), particularly considering both the lack of scientific certainty incorporated into the new allowable biological limits (ABC) from the Council's Scientific and Statistical Committee (SSC) and the substantial level of management uncertainty in the red snapper fishery. The proposed regional management plan (Amendment 39) introduces additional management uncertainty that should also be factored into the catch setting process. Moreover, we strongly encourage the application of post-season accountability measures (*e.g.*, overage payback provisions) as part of Amendment 39 to ensure that the regional management plan is set up in a way that will prevent overfishing and maintain rebuilding.

In short, we recommend:

- Adding sufficient buffers when setting red snapper ACLs for 2013 - 2015 to account for the fact that the new ABCs are set extremely close to the overfishing limit (OFL) and to account for the high level of management uncertainty. Specifically, at least a 20% buffer should be used to set the recreational ACL and at least a 5% buffer should be used to set the commercial ACL.
- Ensuring regional management operates under the federal umbrella to ensure continuity of the science-based rebuilding plan and recovery of this species, while giving each state authority to manage their percentage of the ACL.[Amendment 39, Action 1, Preferred Alternative #2].

- Applying state-based payback provisions when the Gulf-wide ACL is exceeded to keep the rebuilding plan on track [Amendment 39, Action 6, Preferred Alternative #3].
- States should consider use of an annual catch target (ACT) to further capture additional management uncertainty incurred by regional management.

## **Additional Buffers Needed in Setting Catch Limits**

The Council and the National Marine Fisheries Service (NMFS) are responsible for establishing management measures, including catch limits and accountability measures that enable rebuilding while preventing overfishing.<sup>1</sup> Overfishing levels (OFL) produced by the new assessment and accepted by the Council's SSC are designed to continue rebuilding the population towards the maximum sustainable yield (MSY) level, and function as the threshold to prevent overfishing. Exceeding the OFL level constitutes overfishing, and subsequent reductions in fishing and catch limits would be necessary. In general, ABC levels are intended to capture the scientific uncertainty in the OFL (*i.e.*, a measure of how well that OFL is estimated), with wide buffers representing high uncertainty and narrow buffers representing low uncertainty about OFL estimates. However, that is not the case with the SSC's recommended red snapper ABCs for 2013 – 2015 based on SEDAR 31.

The new ABC recommendations from the SSC illustrate the need to be cautious when setting new catch limits designed to keep rebuilding on track. As acknowledged by the SSC and the Southeast Science Center at the May 2013 SSC meeting, the ABC projections from the assessment underestimate uncertainty around the OFL estimates. Specifically, ABCs produced by these calculations of OFL, combined with application of the ABC control rule, do not fully capture scientific uncertainty and result in a very narrow buffer between OFL and ABC. Past buffers for red snapper have been set at 25% below the OFL, resulting in a 2.5 million pound (mp) buffer under the current limits. Under that relatively high buffer, setting the ACL equal to the ABC was fairly safe, even with large overages in the recreational fishery. This 25% buffer was a calculation of optimum yield based on NMFS technical guidance and was intended to capture both scientific and management uncertainty. However, the new assessment and SSC's ABC recommendations are just 1-2% below the OFLs, representing buffers of just 100,000 to 200,000 over the next three years.

NMFS technical guidance to implement ACLs (*i.e.*, National Standard 1 guidelines) specifies that ACL cannot be set equal to the ABC when ABC is equal to the OFL.

*If a Council recommends an ACL which equals ABC, and the ABC is equal to OFL, the Secretary may presume that the proposal would not prevent overfishing, in the absence of sufficient analysis and justification for the approach.<sup>2</sup>*

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<sup>1</sup> MSA § 303(a)(15)

<sup>2</sup> NS1 guidelines 600.310(f)(5)(i)

ABC must be set so the risk of overfishing is less than a 50% probability. Since the ABCs approved by the SSC are so close to the OFL estimates, a strong rationale would be needed to justify setting ACL equal to ABC.

In light of this very narrow scientific buffer, the Council must set ACL below the ABC based on the relative amount of management uncertainty estimated for both the recreational and commercial fisheries. Management uncertainty includes factoring in the ability to accurately estimate catch and the ability to maintain catch within the prescribed limits. With a difference in ABC and OFL of only 100,000 to 200,000 pounds, there is very little margin for error if the Council sets the ACL equal to the ABC, as has been the previous practice for red snapper. This is problematic given that the recreational overages over the past six years average 1.42 million pounds (excluding 2010, the year of the Deepwater Horizon disaster).

To buffer ACL from the ABC, the Council should use its ACL/ACT control rule adopted as a part of the 2011 Generic ACL Amendment to account for management uncertainty. However, the Council must ensure that the ACL calculated using this control rule provides a sufficient buffer for each fishery to prevent overages. For instance, the control rule calculates a 20% buffer for the recreational fishery, which is the equivalent of a 1.32 mp buffer in 2013, a 1.17 mp buffer in 2014, and a 1.04 mp buffer in 2015 (see Table 1 below). By comparison, recreational fishery overages since 2007 range from 0.73 mp (2011) to 2.18 mp (2009) and have been near to or greater than these 20% buffers in 4 out of 5 years of overages (see Table 2 below). Thus, buffers at least 20% to capture the full amount of management uncertainty in the recreational fishery and stronger accountability measures such as overage paybacks should be adopted. For the commercial fishery, which has not exceeded their portion of the red snapper ACL in recent years, a buffer of at least 5% should be used to set the ACL to provide a higher probability of not overfishing.

**Table 1.** Illustration of the recreational ACL reduced from the ABC by 20% and the actual amount of buffer (in million pounds).

(in million pounds)	OFL	ABC	Recreational ABC (49% allocation)	Recreational ACL (ABC reduced by 20%)	Actual Buffer at 20% reduction
current	11.11	8.46	4.15		
2013	13.69	13.50	6.61	5.29	1.32
2014	12.04	11.91	5.83	4.67	1.17
2015	10.72	10.58	5.18	4.15	1.04

**Table 2.** The recreational quotas and landed catch since 2007 with actual amount of the overages.

	Recreational ACL and Catch (in million pounds)		
Year	Quota	Actual landings	Overages
2007	3.185	4.443	1.26
2008	2.450	3.713	1.26
2009	2.450	4.625	2.18
2010	3.403	2.239	-1.16
2011	3.865	4.590	0.73
2012	3.959	5.660	1.70

### **Regional Management Should Incorporate Management Uncertainty in Establishing ACLs and Applying Accountability Measures**

Delegating management authority to the individual Gulf states under the Preferred Alternative #2 in Action 1 of Amendment 39 whereby the Gulf-wide ACL is apportioned to the states and each state is held accountable for not exceeding its ACL is the only way regional management will work to prevent overfishing and rebuild the red snapper population. Additionally, this regional approach also maintains federal oversight intended to ensure state management plans adhere to catch limit requirements under the Magnuson Stevens Fishery Conservation and Management Act (MSA).<sup>3</sup>

While regional management under Amendment 39, has some merit, is also adds further management uncertainty. Under the current Gulf-wide system, NMFS estimates the catch based on federal and state regulations, and projects season length accordingly. However, this process has not been effective in preventing recreational overages. Under Amendment 39, each of the five states will have their own individual process to project catch based on the management measures they select such as bag limits and season length. There will also be differing methods used to monitor and sample the fishery, and track catch to ensure state-based ACLs aren't exceeded.

Additionally, catch sampling and monitoring programs in some states may not be adequate to sufficiently track and estimate red snapper catch, adding further management uncertainty. Existing Gulf-wide data sampling and fisheries monitoring programs rely on data that already have a fair amount of associated error around catch estimates. Carving that data into state-based data means smaller sample sizes and higher margins of error. To improve these estimates to better track the recreational fishery and constrain catch to the prescribed limits, some states may have to increase or supplement red snapper sampling.

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<sup>3</sup> Ibid.

The apportionment of the Gulf-wide ACL to individual states should factor in these additional sources of management uncertainty accordingly. This means each state should consider its ability to adequately track catch, sufficiently constrain catch to adhere to its limit, and effectively project management effects and catch when adopting regulations. States should consider the use of an annual catch target (ACT) as an in-season accountability measure (AM), and set regulations to the ACT level, or an additional buffer, to explicitly build in this added management uncertainty.

Most importantly, management measures adopted in Amendment 39 should also include post-season accountability measures such as payback provisions when ACLs are exceeded. The Preferred Alternative #3 in Action 6 of Amendment 39 establishes state-based overage paybacks when the Gulf-wide ACL is exceeded, and paybacks should be adopted as part of the Amendment. State-based paybacks help ensure each state maintains its responsibility in rebuilding the red snapper population by preventing overfishing and making necessary adjustments when overages occur.

In summary, applying precautionary buffers to ACLs and instituting post-season payback provisions when state-based ACLs are exceeded are important elements to prevent overfishing and rebuild the red snapper population. Under the proposed new regional management plan, states will take on a higher level of responsibility to manage recreational fisheries while adhering to the MSA.

Thank you for accepting these comments regarding red snapper limits and regional management. We look forward to working with the Council, NMFS, and the States to ensure continued recovery of the red snapper population and effective management that allows for ample fishing opportunity while preventing overfishing.

Sincerely,



Chad Hanson  
Senior Science and Policy Analyst  
U.S. Oceans, Southeast  
The Pew Charitable Trusts



June 6, 2013

Chairman Doug Boyd  
Gulf of Mexico Fishery Management Council  
2203 North Lois Avenue, Suite 1100  
Tampa, Florida 33607 Phone: 813-348-1630  
Fax: (813) 348-1711

Dear Chairman Boyd:

Please accept the following comments from the Recreational Fishing Alliance Forgotten Coast Chapter (RFA Forgotten Coast Chapter) regarding the release of SEDAR 31 and necessary action items for the June 2013 Gulf of Mexico Fishery Management Council (Council) meeting. Though not accepted or rejected in the Review Panel Report, the SEDAR 31 report continues to support strong and continued growth of the Gulf of Mexico Red Snapper resource. A consistent trend of rebuilding as reflected through both total biomass and spawning stock biomass increases can be indisputably observed since the 1980's. Corresponding declines in fishing mortality can also be observed throughout this time series.

While the continued rebuilding of the Gulf of Mexico red snapper can be described as a conservation success, the increased availability of red snapper, particularly to the recreational sector, is proving to be a significant management challenge. Moreover, density dependant factors are becoming increasing important factor in achieving rebuilding objectives of the Reef Fish fishery management plan. The RFA Forgotten Coast Chapter hopes the Gulf Council takes swift and decisive action to confront these challenges and offers the following recommendations.

### **Move Toward Regional Management for Gulf of Mexico Red Snapper**

The findings of SEDAR 31 continue to support a two-stock model for the Gulf of Mexico red snapper. Observations in genetic testing, otolith micro-constituent analysis and life history characteristics clearly indicate distinctions between red snapper found in the eastern and western regions of the Gulf. Based on these findings and varying needs of the fishing communities throughout the Gulf, the RFA Forgotten Chapter encourages of the Gulf Council to finish voting on regional management at the June meeting in Pensacola, FL. It is important that implementation begin immediately for regional management; this would also include the rescinding of Amendment 30B.

### **Revisit Commercial/Recreational Allocation**

Successful rebuilding of the Gulf of Mexico red snapper fishery has afforded a 9.3-million pound quota for both the commercial and recreational sectors under the original 51%-49% allocation scheme. The RFA Forgotten Coast Chapter supports revisiting this allocation scheme; as the red snapper stock(s) continue to rebuild, there have been numerous statements made on-record by commercial representatives about the drop in market price for red snapper when the commercial quota exceeds 5 million pounds.

*Recreational Fishing Alliance Forgotten Coast Chapter*  
311 Nutmeg St, Port St Joe, FL 32456  
[www.joinrfa.com](http://www.joinrfa.com)

Considering the 51/49 allocation and the market loss experienced by the commercial fishing industry when more than 5 million pounds of red snapper floods the consumer market, the RFA Forgotten Coast Chapter would ask that the commercial sector be capped at the 5-million pound mark, and that all harvest above that threshold be allocated based on an allocation scheme that sets 90% of the quota to the recreational sector and 10% to the commercial sector.

The two tiered allocation approach will allow the commercial/recreational allocation to gradually shift toward the recreational sector as the stock rebuilds. Such an approach would protect the commercial sector from potential overages in the recreational sector while providing a mechanism that will address the growing concern about increased availability causing ever decreasing recreational red snapper seasons.

### **Setting Recreational Regulations**

RFA Forgotten Coast Chapter encourages the Gulf Council to set the recreational seasons at least 1 year in advance. This would provide some stability in the recreational red snapper fishery. SEDAR 31 projects that stock levels will go down over the next few years as the strong 2004, 2005, and 2006 year classes move out of the fishery. Long-term projections generated in SEDAR 31 however show continued long-term growth and rebuilding even without the influence of those strong year classes and with only average recruitment.

That is why we believe the Council should avoid managing the recreational sector in an impulsive, yo-yo manner that is tied to the year-to-year stock level. As the stock continues to rebuild, growth will not be in a straight line but the overall trend will be in an upward direction. The overall health of the recreational red snapper fishery is dependent upon stable and predictable regulations.

The RFA Forgotten Coast Chapter also encourages the Gulf Council to schedule an assessment update for red snapper in 2014 – obviously, a full stock assessment in 2014 would be preferable. The amount of new artificial reefs going out yearly and especially with BP restore money should help increase essential fish habitat for red snapper and will increase populations immensely. This mitigation could dampen stock level declines.

### **Oil Rig Removal**

SEDAR 31 indicates that density dependant factors are impacting the speed at which red snapper in the Gulf of Mexico rebuild. Predation and habitat are the two most important density dependant factors limiting red snapper rebuilding. Active reef building efforts throughout the Gulf continue to supply more available habitat for red snapper thereby increasing growth and overall stock productivity by reducing competition for habitat. Yet, removal of decommissioned oil rigs with explosives destroys red snapper habitat and kills fish.

RFA Forgotten Coast Chapter encourages the Council to request a status report from NOAA Fisheries on their evaluation of establishing oil rigs as essential fish habitat as defined under Magnuson. There is no question that oil rig removal with the use of explosives is having a negative impact on red snapper rebuilding. Even if the impact is minor, the Gulf Council should



pursue all options to stop this action because it is an avoidable and unnecessary source of mortality on red snapper and red snapper habitat.

It is important for the Council to include investigation into the magnitude of mortality associated with rig removal using explosives in the statement of work for the 2014 assessment update.

Until we can get the Magnuson-Stevens Act sensibly and responsibly amended on behalf of both the fish and our fishermen, our only hope is for better stock assessments (more frequent assessments as planned now for 2014), improved recreational data collection, regional management implemented at this meeting (including rescinding 30b), and to get the allocation right where the recreational charter for-hire and headboat sectors are once again fishing and supporting our coastal economies. RFA Forgotten Chapter believes these items must be the priority for the Council at their June 2013 meeting. These items must be discussed and voted on. All other items such as headboats exempted special permits, sector separation, for-hire days at sea, intersector trading and the likes can be postponed to future meetings if necessary.

It's time to prioritize, and it's imperative that members of the Gulf Council get these things finished –accomplish something, stop working on the same things over and over and adding more tasks to the agenda without finishing one damn thing. Please finish voting on these four critically important items at this next meeting in Pensacola.

Respectfully submitted,

Tom Adams



DEBBIE WILHITE  
SUMMER HUNTER CHARTERS  
136 WEST FIFTH AVE.  
GULF SHORES, AL 36542

May 15, 2013

RE: 30 B RULE

Dear Council Members,

I know its a rule but in my opinion it isn't fair nor fully understood when created.

I have Two Concerns - The First one is fairness of the rule.

Who does it **really** effect?

1. Charter for Hire with federal permits
2. Recreational fisherman that don't own a boat who rely on charters.

Out of all the fisherman in the gulf why choose these fisherman to restrict catch limits?

Why deny one fisherman access and give it to another when they both fall into the same recreational sector.

I never understood why this rule passed...

It only applies to only a small percentage of fisherman when compared to the total number of all the fisherman. It overly restricts a portion of "charter boats".... the ones with federal permits.

I also believe that since NMFS can close federal areas off state waters the end result is being accomplished without the 30B rule.

The emergency rule is a more effective way to restrict catch limits evenly than singling out a small portion of one sector.

The second concern is one of safety. Smaller boats without federal permits will be the "snapper fisherman" choice and these inshore or near shore boats will begin to venture out farther to snapper grounds ... while the boats that can handle the seas are tied to the docks. I see this happening when pressure to catch red snapper is heightened during the short season and these smaller boats are the only ones that can bring snapper back to the docks.

I would like the council to re-evaluate the 30B Rule as to be fairness to all fishermen. The emergency rule in place clearly is more effective than 30B and in my opinion does what 30B had planned to do.  
30 B is being over "restricted " and it should be rescinded.

Sincerely,  
Debbie Wilhite  
Summer Hunter Charters

There is a commercial fishery management plan, originally authorized by the George W. Bush administration with the goal of preserving America's fishing resources, that is catching on around the country. Individual fishing quota programs (IFQs) provide commercial fishermen the privilege to catch a predetermined amount of fish that are allowed to be harvested and sold to the public year round.

Instead of fishermen wastefully racing for the fish and then the entire season closing for the rest of the year, a portion of the commercial quota is allotted to individual commercial fishermen based on their historical participation in the fishery. Naturally, full-time fishermen receive a larger share than small- or part-time fishermen, but everyone receives whatever his historical average was, and like any other business, anyone can enter the fishery. Each commercial fisherman has an incentive to protect the fishery and thereby the value of his harvest privilege.

There are no winners or losers.

If there is a decline or even a disaster in his fishery, a stakeholder has something of value he can fall back on instead of being forced to become reliant on politicians in Washington, who arbitrarily hand out subsidies to some while denying them to others.

Congressman Steve Southerland has referred to our IFQ program as a system of winners or losers, yet Southerland and his tea party colleague Sen. Ted Cruz, R-Texas, voted no on the Hurricane Sandy Relief Bill (HR 152), which provides disaster relief to victims so they can rebuild their homes. Less than five months later, a man-made disaster in Texas involving a fertilizer plant explosion prompted Sen. Cruz to beg Washington for federal assistance. Are the lives and homes of his constituents more important than the people in New York and New Jersey, or is it just a matter of Washington picking winners or losers? Let's see who Congressman Southerland picks as winners or losers on this one.

Be careful. We are in a hurricane-prone area. What goes around comes around.

One of the main reasons cited by some congressmen for not voting yes on the Hurricane Sandy Relief Bill is that there was too much pork attached to it. Notwithstanding that people's lives and futures were at stake, if the pork attached to the bill benefited a congressman, it encouraged him to vote yes, while other congressmen voted no because there was no pork attached that would help them.

Winners or losers?

That is a perfect example of why Washington should stay out of our commercial and recreational fisheries and let our regional Gulf of Mexico Fisheries Management Council (GMFMC) decide how they should be managed.

At the April GMFMC meeting in Gulf Port, Miss., the council decided to let the five Gulf states manage the recreational red snapper fishery in their respective state waters. This could be a godsend for recreational fishermen. I certainly hope so.

The farther our fisheries are removed from Washington's influence, the better. The Gulf commercial fishermen have worked with the GMFMC and developed an IFQ program that works for them and rebuilds the fishery by never exceeding the commercial quota. Now recreational fishermen have the opportunity to work with their individual states to design a plan that benefits them and gives them more access to their fishery. When that happens all fishermen will be winners and the losers in Washington can stay out of our business.

**JIM CLEMENTS**  
**Carrabelle**

**Subject:** Re: News from Gulf of Mexico Fishery Management Council  
**Date:** Wednesday, April 24, 2013 7:12 AM  
**From:** Mesmerized1 <mesmerized1@embarqmail.com>  
**To:** Charlene Ponce <charlene.ponce@gulfcouncil.org>  
**Conversation:** News from Gulf of Mexico Fishery Management Council

Action #4 should be implemented for sure, not fair in south florida where we have to go a minumun of 70 miles out to catch red snapper we have such a short season. They are seriously becomming a nussiance fish out there. Thank you, capt jess mesmer

Sent from my Samsung Epic™ 4G

Gulf of Mexico Fishery Management Council <charlene.ponce@gulfcouncil.org> wrote:

## **Gulf of Mexico Fishery Management Council April 2013 Update**

The Gulf of Mexico Fishery Management Council met in Gulfport, Mississippi, April 15 - 18, 2013, to discuss a number of fishery issues, including several related to the management of red snapper. Here are some of the actions taken by the Council last week.

**Regional Management of Red Snapper** The Council continued its discussions regarding Reef Fish Amendment 39 - Regional Management of Recreational Red Snapper and selected preferred alternatives. The revised document, including preferred alternatives, will be presented to the public for review and comment before the Council takes final action. The

Council selected the following alternatives as preferred: **Action 1 - Regional Management Preferred Alternative 2:** Establish a regional management program that delegates authority to a state or states to set management measures for the harvest of an assigned portion of the recreational red snapper quota. **Action 2- Establish regions for regional management**

**Preferred Alternative 5:** Establish five regions representing each Gulf state. **Action 3-**

**Apportioning the recreational red snapper quota among regions Preferred Alternative 5:** To allocate the following percentages to the various states: Florida 38%, Alabama 30%, Mississippi 3%, Louisiana 14%, Texas 15%. **Action 4 - Regional Management Guidelines**

**Subject:** RE: News from Gulf of Mexico Fishery Management Council  
**Date:** Tuesday, April 23, 2013 5:52 PM  
**From:** Mike Wascom <wasco1@cox.net>  
**To:** Charlene Ponce <charlene.ponce@gulfcouncil.org>  
**Conversation:** News from Gulf of Mexico Fishery Management Council

Dear Gulf Council,

In return for this “ approach regional management by states” require states like Louisiana to step back from their legislation claiming three marine leagues in the Gulf?

When President Reagan signed his 1983/84 Executive Order recognizing a 12 mille territorial sea for the US, the order explained that the states maintained 3 mile territorial sea, except Texas, west coast of Florida, and Puerto Rico.

I love my state, and I understand this fisheries issue, , but unilateral extensions of state jurisdiction into the additional “9 mile federal territorial sea of the US claimed 12 nm TS” interfere with the conduct of US foreign policy.

I would support a 12 mile territorial sea for ALL US coastal states, but it must be for ALL coastal states and done by Presidential Executive Order and /or Congressional action.

It’s not enough for Louisiana, Mississippi, and Alabama to claim any extended seaward jurisdiction beyond 3 nautical miles for themselves. It’s unconstitutional.

Please accept these as my formal comments./

Mike Wascom  
1255 Aberdeen Ave.  
Baton Rouge, LA 70808  
(c)225-955-2491; (h) 225-344-4313  
E-mail: wasco1@cox.net  
coewas@lsu.edu

**From:** Gulf of Mexico Fishery Management Council [mailto:charlene@gulfcouncil.ccsend.com] **On**  
**Behalf Of** Gulf of Mexico Fishery Management Council  
**Sent:** Tuesday, April 23, 2013 4:02 PM  
**To:** coewas@lsu.edu  
**Subject:** News from Gulf of Mexico Fishery Management Council

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**Gulf of Mexico Fishery Management Council** Charlene Ponce  
<<mailto:charlene.ponce@gulfcouncil.org>> Public Information Officer  
888-833-1844 ext. 229

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Gulf of Mexico Fishery Management Council | 2203 N. Lois Avenue | Suite 1100 | Tampa | FL | 33607



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The Gulf of Mexico Fishery Management Council is one of eight regional Fishery Management Councils established by the Fishery Conservation and Management Act of 1976. The Council prepares fishery management plans, which are designed to manage fishery resources within the 200-mile limit of the Gulf of Mexico.

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<[http://r20.rs6.net/tn.jsp?e=001G1P6p8Ff23ub3t3rBCRniTPHJ8TTo3f-pT8LPK5DxVa2yeKtvKjtJ0xeUxXX11swzBxVYgGD39r3YTdSxBbbObpXnbu3mk5xsD0QVVtztr-wkROHnoPes-v4f5euFvSJOaKyD90TPb78sMzSsXEJ8i-QaViUbRrp](http://r20.rs6.net/tn.jsp?e=001G1P6p8Ff23u01jvLfBMSAxSESHYsTGOAY9WyEVproAJkdAAizXU2vq1Dos2niH9VVJGgnRPM88LY3OOLUFbq54shxDlzCwSwL3ibkouNS3KZKJtObISgR0P2YH4HYgbfyMzXFhRBiftee34QSalvt2XsbWmUvqsRdeladWJZBjpEE3NZNrpYoi1tXIM7UPiUloOlef5G7SfwGAQG4Sh3Rfq1_Mb0fNpCVPR T4DtwonCBGonKUY3giwHroGvriEumJFdvEjHc1Kuwiglu0RvLaSlynasOD6Sv4)>

**The Gulf Council has an APP for that - Download it for free!**

**iPhone** <

Droid <[http://r20.rs6.net/tn.jsp?e=001G1P6p8Ff23vzZhoi7rcHDMT53-DpOD-G0M17RdTjjhPgtNboHipaM6aWoBPI9utn8UpWU4wUCOJKZ-usq6N0wMA3fcKN-Btx1E9U2cFFkNEX0qd9bMuF\\_GOnJI2lq\\_BHzwV1Ybqqi5u5uAosWX327izv5RAbAAx2R69PLI7hGu-3gG2bkOeMndd2IWCn-Qf1p7NAH4B9DdPFCRC-zSf6OtejmtAzw5ibjsG1eJC1L9LNPNib5ZzLsJLNntY6R1KW52vPa\\_V3fbmLBQi1kz9EK1W4cgRUURth\\_GHqUzTPGa8o-auEmdMyVeS9YJoa0EWvYU\\_rc04EwPTUjt78YA9J6gGwU1-V\\_olnoZmVDTBk3dAclx4XvpnfiioudPVGef](http://r20.rs6.net/tn.jsp?e=001G1P6p8Ff23vzZhoi7rcHDMT53-DpOD-G0M17RdTjjhPgtNboHipaM6aWoBPI9utn8UpWU4wUCOJKZ-usq6N0wMA3fcKN-Btx1E9U2cFFkNEX0qd9bMuF_GOnJI2lq_BHzwV1Ybqqi5u5uAosWX327izv5RAbAAx2R69PLI7hGu-3gG2bkOeMndd2IWCn-Qf1p7NAH4B9DdPFCRC-zSf6OtejmtAzw5ibjsG1eJC1L9LNPNib5ZzLsJLNntY6R1KW52vPa_V3fbmLBQi1kz9EK1W4cgRUURth_GHqUzTPGa8o-auEmdMyVeS9YJoa0EWvYU_rc04EwPTUjt78YA9J6gGwU1-V_olnoZmVDTBk3dAclx4XvpnfiioudPVGef)>

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**Gulf of Mexico Fishery Management Council**

Charlene Ponce <<mailto:charlene.ponce@gulfcouncil.org>>

Public Information Officer

888-833-1844 ext. 229

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Gulf of Mexico Fishery Management Council | 2203 N. Lois Avenue | Suite 1100 | Tampa | FL | 33607

**RECEIVED**

FEB 19 2013

RESOLUTION NUMBER 2013 - 04

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF SANTA ROSA COUNTY, FLORIDA, SUPPORTING THE  
REGIONAL MANAGEMENT OF RED SNAPPER RECREATIONAL  
FISHING IN THE GULF OF MEXICO**

**WHEREAS**, marine recreational fisheries are vital components of a healthy food supply, recreation, and quality of life for the citizens of Santa Rosa County; and

**WHEREAS**, marine recreational fisheries provide renewable resources capable of sustainable production, while providing extractive and consumptive uses; and

**WHEREAS**, Florida Fish and Wildlife Conservation Commission and National Marine Fisheries Service regulate recreational fishing in state and federal waters off Santa Rosa County, Florida; and

**WHEREAS**, regional management of recreational red snapper fishing may provide increased opportunities for recreational anglers to harvest the recreational allocation of red snapper; and

**WHEREAS**, the Board of County Commissioners finds it is the best interest of the health, safety, welfare of the citizens of Santa Rosa County that the County support the regional management of red snapper recreational fishing in the Gulf of Mexico.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA AS FOLLOWS:**

**Section 1.** That the Board of County Commissioners finds the above recitals to be true and correct and incorporated herein by reference.

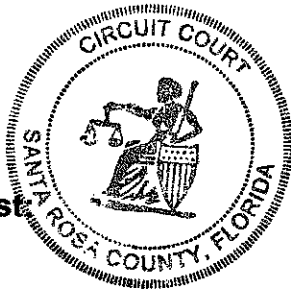
**Section 2.** That the Santa Rosa County Board of County Commissioners supports the regional management of red snapper recreational fishing in the Gulf of Mexico and requests the following:

- a. Set regional boundaries at state lines;
- b. Allocate regional harvest proportional to regional red snapper abundance;
- c. Include artificial reefs in determining regional red snapper abundance;
- d. Manage red snapper harvest via rolling closed areas;
- e. Track red snapper harvest via stamps, tags and angler reporting; and
- f. Establish a 10 year sunset on regional management of red snapper unless reauthorized.

**Section 3.** That the Santa Rosa County Board of County Commissioners hereby directs the Clerk to forward a copy of this resolution to Governor, Rick Scott; the Northwest Florida Legislative Delegation, Senator Don Gaetz, Senator Greg Evers, Representative Clay Ford, Representative Matt Gaetz and Representative Doug Broxson; Nick Wiley, Executive Director, Florida Fish and Wildlife Conservation Commission and Stephen Bortone, Executive Director, Gulf of Mexico Fisheries Management Council.

**Section 4.** That this resolution shall take effect immediately upon adoption by the Board of County Commissioners.

**PASSED AND ADOPTED** by the Board of County Commissioners of Santa Rosa County this 14<sup>th</sup> day of February, 2013.



Attest

**BOARD OF COUNTY COMMISSIONERS OF  
SANTA ROSA COUNTY, FLORIDA**

\_\_\_\_\_  
**ROBERT A. COLE, Chairman**

\_\_\_\_\_  
**Clerk**

# Registration for Public Comment

Your name (please print) <i>James D Hubbard</i>	Date of this meeting <i>1/22/13</i>
Telephone number (optional)	E-mail address (please print) <i>scam hunter 53@gmail.com</i>
Complete mailing address <i>931 2nd Street South St Pete, FL 33707</i>	Name of business or organization you represent <i>Hubbards Marina Crew</i>
Subject you wish to discuss <i>hew <del>is</del> ALL management is based on poor science &amp; poor stock assessments</i>	How should we contact you? Please let us know the best way to get information to you: E-mail <input checked="" type="checkbox"/> U.S. mail <input type="checkbox"/> I do not wish to receive information <input type="checkbox"/>

Please be advised:

Oral or written communications provided to the Council, its members, or its staff that relate to matters within the Council's purview are public in nature. These communications will be made available to the public in their entirety and maintained by the Council as part of its permanent record. Further, knowingly and willfully submitting false information to the Council is a violation of Federal law.

## Gulf of Mexico Fishery Management Council

2203 N. Lois Avenue • Suite 1100 • Tampa, FL 33607  
 Phone: 813-348-1630 • Fax: 813-348-1711 • E-mail: [gulfcouncil@gulfcouncil.org](mailto:gulfcouncil@gulfcouncil.org)  
[www.gulfcouncil.org](http://www.gulfcouncil.org)

# Registration for Public Comment

Your name (please print) <i>TOBY SWEENEY</i>	Date of this meeting <i>1/22/13</i>
Telephone number (optional)	E-mail address (please print) <i>TOBY.SWEENEY54@GMAIL.COM</i>
Complete mailing address <i>10405 LAKE BROOK DR. OROSSA, FL. 33556</i>	Name of business or organization you represent
Subject you wish to discuss <i>SEAPORS ARE TOO SHORT. TOO MANY REGULATIONS INVOLVED. ARE KILLING THE FL FISHING INDUSTRY AND FAMILY FISHING TRADITION.</i>	How should we contact you? Please let us know the best way to get information to you: E-mail <input checked="" type="checkbox"/> U.S. mail <input type="checkbox"/> I do not wish to receive information <input type="checkbox"/>

Please be advised:

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## Gulf of Mexico Fishery Management Council

2203 N. Lois Avenue • Suite 1700 • Tampa, FL 33607

Phone: 813-348-1630 • Fax: 813-348-1711 • E-mail: [gulfcouncil@gulfcouncil.org](mailto:gulfcouncil@gulfcouncil.org)

[www.gulfcouncil.org](http://www.gulfcouncil.org)

# Registration for Public Comment

Your name (please print) 1001502 Fort Howard	Date of this meeting 1/22/13
Telephone number (optional) 727-343-3483	E-mail address (please print) jms@diveshop@marshlink.net
Complete mailing address 5640 Poshing St. NE St. Petersburg, FL 33703	Name of business or organization you represent Jim's Dive Shop
Subject you wish to discuss Reclaim the shallows water gopher closure for Feb-March. each closure greatly affects business.	How should we contact you? Please let us know the best way to get information to you: E-mail <input checked="" type="checkbox"/> U.S. mail <input type="checkbox"/> I do not wish to receive information <input type="checkbox"/>

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# Pam Childers

Clerk of the Circuit Court and Comptroller, Escambia County

Clerk of Courts • County Comptroller • Clerk of the Board of County Commissioners • Recorder • Auditor

January 22, 2013

Dr. Stephen Bortone  
Executive Director  
Gulf of Mexico Fishery Management Council  
2203 North Lois Avenue, Suite 1100  
Tampa, Florida 33607

Dear Dr. Bortone:

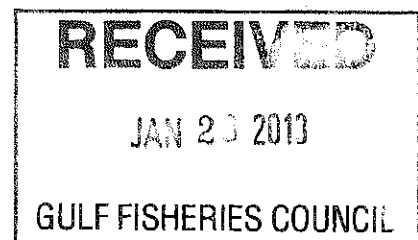
Enclosed, pursuant to Section 3 of the Resolution, is a copy of *A Resolution of the Board of County Commissioners of Escambia County, Florida, supporting the regional management of red snapper recreational fishing in the Gulf of Mexico; providing for transmittal; providing for an effective date*, as adopted by the Board of County Commissioners of Escambia County, Florida, on January 17, 2013.

Very truly yours,

Pam Childers  
Clerk of the Circuit Court and Comptroller

By: *Doris Harris*  
Doris Harris  
Deputy Clerk to the Board

DCH/  
Enclosure



1/17/2013 / Resolution No #3

RESOLUTION NUMBER R2013- 16

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, SUPPORTING THE REGIONAL MANAGEMENT OF RED SNAPPER RECREATIONAL FISHING IN THE GULF OF MEXICO; PROVIDING FOR TRANSMITTAL; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, marine recreational fisheries are vital components of a healthy food supply, recreation, and quality of life for the citizens of Escambia County; and

**WHEREAS**, marine recreational fisheries provide renewable resources capable of sustainable production, while providing extractive and consumptive uses; and

**WHEREAS**, Florida Fish and Wildlife Conservation Commission and National Marine Fisheries Service regulate recreational fishing in state and federal waters off Escambia County, Florida; and

**WHEREAS**, regional management of recreational red snapper fishing may provide increased opportunities for recreational anglers to harvest the recreational allocation of red snapper; and

**WHEREAS**, the Board of County Commissioners finds it is in the best interest of the health, safety, welfare of the citizens of Escambia County that the County support the regional management of red snapper recreational fishing in the Gulf of Mexico.

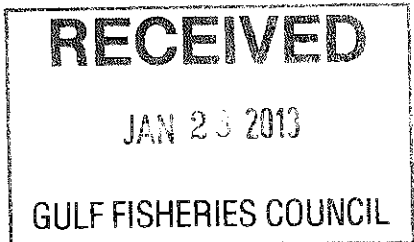
**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA AS FOLLOWS:**

**Section 1.** That the Board of County Commissioners finds the above recitals to be true and correct and incorporated herein by reference.

**Section 2.** That the Escambia County Board of County Commissioners supports the regional management of red snapper recreational fishing in the Gulf of Mexico and requests the following:

- (a) Set regional boundaries at state lines;
- (b) Allocate regional harvest proportional to regional red snapper abundance;
- (c) Include artificial reefs in determining regional red snapper abundance;
- (d) Manage red snapper harvest via rolling closed areas;
- (e) Track red snapper harvest via stamps, tags, and angler reporting; and
- (f) Establish a 10 year sunset on regional management of red snapper unless reauthorized.

Date: 1/22/2013 Verified By: D. H. ...

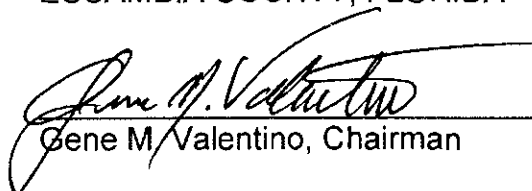


**Section 3.** That the Escambia County Board of County Commissioners hereby directs the Clerk forward a copy of this resolution to Nick Wiley, Executive Director, Florida Fish and Wildlife Conservation Commission, and Stephen Bortone, Executive Director, Gulf of Mexico Fisheries Management Council.

**Section 4.** That this resolution shall take effect immediately upon adoption by the Board of County Commissioners.

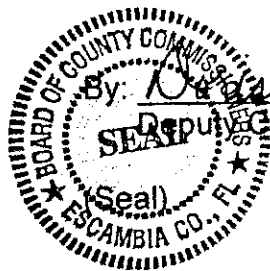
ADOPTED this 17<sup>th</sup> day of January 2013.

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

  
Gene M. Valentino, Chairman

ATTEST: Pam Childers  
Clerk of the Circuit Court

BCC Approved 1-17-2013



By: [Signature] Harris  
Deputy Clerk

This document approved as to form  
and legal sufficiency.

By: [Signature]

Title: FCF

Date: 1/17/13

**Subject:** fish limits and states rights  
**Date:** Tuesday, January 22, 2013 7:21 PM  
**From:** Lee Whitton <auldgoat1@verizon.net>  
**To:** John Milner <GulfCouncil@gulfcouncil.org>  
**Conversation:** fish limits and states rights

I guess the Florida doesn't qualify to regulate it's fisheries. The feds are up to their usual tricks by telling us what we can or can't do as sport fishermen. In the meantime the commercial fishing entities can catch all the "regulated" fish the restaurants and grocers can sell. I can eat commercially caught grouper in a restaurant every night of the week but I can't bring one home that I caught after spending \$\$\$ for license, tackle and everything else that constitutes expenses to go fishing in Florida waters. How about taking back our resources and tell the feds to go to hell. This is our state and we fishermen know what it takes to keep a healthy fish population. One in three grouper that are caught and released make it back to the bottom. Predator fish and injuries kill two out of three of these fish. Loosen up a little and let the fishermen keep a couple of these fish rather than condemning them to death on the way back to the reef. It's a senseless waste and every fisherman knows it. Lee Whitton/ Wesley Chapel

# Registration for Public Comment

Your name (please print) <i>Lee Williams</i>	Date of this meeting
Telephone number (optional)	E-mail address (please print) <i>lee@laHerblum.com</i>
Complete mailing address <i>1141 Woodstone Dr, Baton Rouge, LA 70808</i>	Name of business or organization you represent <i>CCA</i>
Subject you wish to discuss <i>I wish to show support for STATE Mgmt of Louisiana's Red Snapper fishery.</i>	How should we contact you? Please let us know the best way to get information to you: E-mail <input checked="" type="checkbox"/> U.S. mail <input type="checkbox"/> I do not wish to receive information <input type="checkbox"/>

**Please be advised:**

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## Gulf of Mexico Fishery Management Council

2203 N. Lois Avenue • Suite 1100 • Tampa, FL 33607

Phone: 813-348-1830 • Fax: 813-348-1711 • E-mail: [gulfcouncil@gulfcouncil.org](mailto:gulfcouncil@gulfcouncil.org)

[www.gulfcouncil.org](http://www.gulfcouncil.org)

# Registration for Public Comment

Your name (please print) Austin Johnson	Date of this meeting 1-14-2013
Telephone number (optional) 225-	E-mail address (please print) a.w.johnson1201@gmail.com
Complete mailing address 37327 Commerce Ln. Parrish, FL 70764	Name of business or organization you represent Retiree
Subject you wish to discuss Longer snapper season, more formal allowable catch, realize that snapper are over populated, use real science to analyze the number of snapper allowable	How should we contact you? Please let us know the best way to get information to you: E-mail <input type="checkbox"/> U.S. mail <input type="checkbox"/> I do not wish to receive information <input checked="" type="checkbox"/>

Please be advised:  caught.

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[www.gulfcouncil.org](http://www.gulfcouncil.org)

# Registration for Public Comment

Your name (please print)	Date of this meeting
Telephone number (optional)	E-mail address (please print)
Complete mailing address	Name of business or organization you represent
Subject you wish to discuss	How should we contact you? Please let us know the best way to get information to you:

*NOEL TOPALC*

*850-837-8720*

*4886 OLD BAYVIEW TRAIL  
DORTH, FL 32541*

*RED  
CURRENT SWAPPER*

*RESTRICTIVE SEASON  
FLORIDA SHOULD MIMIC TEXAS*

*1/17/2013*

*WALKER@hotmail.com*

*Kelly Plantations Fishery Club*

E-mail  
 U.S. mail  
 I do not wish to receive information

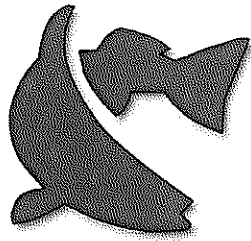
*STATE MIMIC SWAPPING SEASON*

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Gulf of Mexico Fishery Management Council

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[www.gulfcouncil.org](http://www.gulfcouncil.org)



# CCA Florida

*Conserving and protecting Florida's marine resources*

## **Gulf of Mexico Fishery Management Council Scoping Workshops on Regional Management of Red Snapper**

The concept of regional management of red snapper in the Gulf of Mexico has been born out of the frustration felt by many anglers towards federal management. By almost any account, red snapper are more abundant now than perhaps any point in history. Management has finally worked and no one wants to go back to the days when red snapper were small and hard to find. On the other hand, no one should be content with a management regime that is unable to find a way to reap the benefits of success.

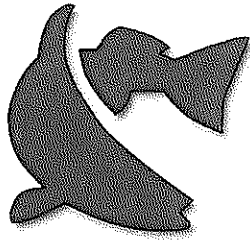
CCA supports driving management of marine resources to the lowest level of government possible. That position is staked in the belief that the states simply have a better grasp of how to manage these resources in ways that ensure their health and stability. At the same time, state agencies have proven their expertise in providing the greatest access to those resources and maximizing the benefits of those resources for their citizens. Almost every one of this country's great marine conservation success stories has been engineered by the states.

Contrast that against our experiences with NOAA Fisheries. After decades of management, participants in the red snapper fishery are being rewarded with a 27-day season and a two-fish bag limit. Proposals have been made that may yet reduce it to a one-fish bag limit in a desperate effort to increase the number of days in the recreational season and prevent a widespread revolt against federal management. While season length is indeed crucial to the recreational sector, days alone do not make a quality fishery. The current situation is unacceptable, and that is with a fishery that by all accounts is recovering wildly. Rather than hoping that NOAA Fisheries will someday figure out how to copy the success of the states, we believe that proposals to allow the states to take greater control of management deserve serious consideration.

The transfer of management responsibility would be no easy task, and countless details remain to be fully explored. Issues over enforcement, monitoring, state boundaries and compliance will have to be resolved. However, CCA believes that the best results will be achieved through negotiations between the states themselves, with as little federal influence as possible. Additionally, in the development of this proposal it should be specified that states have the ability to manage the entire fishery – both recreational and commercial – as they see fit.

As pointed out at the Gulf Council's recent Reef Fish Committee meeting in Tampa, regional management as it is being considered is not a panacea to the current problems facing red snapper. However, recreational anglers have more faith in the ability of the states to successfully manage our marine resources than in NOAA Fisheries. CCA views regional management as a





# CCA Florida

*Conserving and protecting Florida's marine resources*

promising path to achieving our overriding goal of healthy marine resources and increased access to them for the greatest benefit of the public.

## **Bullet Points on Regional Management**

- States can do and have done a better job of managing fisheries;
- States (regions) can establish seasons/limits that fit their recreational/charter objectives better than the federal government;
- Local interested participants are more receptive of being directed by their own states than the federal authorities;
- Local socio-economic needs can be better managed at the state/region level;
- Local fishers feel that they can have better impact and more effective input at the state level.

## Gulf of Mexico Fishery Management Council Scoping Workshops on Regional Management of Red Snapper

The concept of regional management of red snapper in the Gulf of Mexico has been born out of the frustration felt by many anglers towards federal management. By almost any account, red snapper are more abundant now than perhaps any point in history.

Management has finally worked and no one wants to go back to the days when red snapper were small and hard to find. On the other hand, no one should be content with a management regime that is unable to find a way to reap the benefits of success.

CCA supports driving management of marine resources to the lowest level of government possible. That position is staked in the belief that the states simply have a better grasp of how to manage these resources in ways that ensure their health and stability. At the same time, state agencies have proven their expertise in providing the greatest access to those resources and maximizing the benefits of those resources for their citizens. Almost every one of this country's great marine conservation success stories has been engineered by the states.

Contrast that against our experiences with NOAA Fisheries. After decades of management, participants in the red snapper fishery are being rewarded with a 27-day season and a two-fish bag limit. Proposals have been made that may yet reduce it to a one-fish bag limit in a desperate effort to increase the number of days in the recreational season and prevent a widespread revolt against federal management. While season length is indeed crucial to the recreational sector, days alone do not make a quality fishery. The current situation is unacceptable, and that is with a fishery that by all accounts is recovering wildly. Rather than hoping that NOAA Fisheries will someday figure out how to copy the success of the states, we believe that proposals to allow the states to take greater control of management deserve serious consideration.

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As pointed out at the Gulf Council's recent Reef Fish Committee meeting in Tampa, regional management as it is being considered is not a panacea to the current problems facing red snapper. However, recreational anglers have more faith in the ability of the states to successfully manage our marine resources than in NOAA Fisheries. CCA views regional management as a promising path to achieving our overriding goal of healthy marine resources and increased access to them for the greatest benefit of the public.

## Bullet Points on Regional Management

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- States (regions) can establish seasons/limits that fit their recreational/charter objectives better than the federal government;
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- Local socio-economic needs can be better managed at the state/region level;
- Local fishers feel that they can have better impact and more effective input at the state level.
- States are more capable of real-time data collection to ensure compliance that will maximize the harvest that would be allowable.

Conservation & Mgmt measures:

NS #1 Prevent over fishing, while achieving optimum yield

NS #2 Best science available

NS #3 mgmt?

NS #4 Allocation - not discriminate - fair & equitable

**Subject:** regional fisheries management  
**Date:** Monday, January 21, 2013 7:59 PM  
**From:** Daniel Folk <danielfolk@hotmail.com>  
**To:** John Milner <GulfCouncil@gulfcouncil.org>  
**Conversation:** regional fisheries management

I vote and I fish. I am against sector separation. The idea of regional management makes a great deal of sense. In west central Florida it is a large expense to get to red snapper territory approx 40 miles offshore. You have to pick your days fishing depending on the weather. Windy you don't go. I work in my own business so during the week is almost impossible. That leaves me with what six days to snapper fish based on the proposed 27 day open season. Last year 2012 we had tropical storm Debby that killed the snapper fishing. I simply do not understand if we are catching more fish and larger fish( almost impossible solely because of last years weather) why is the season so short? I have been grouper fishing almost thirty years and I have yet to have someone survey me about the days catch. There was a survey online I believe from a Michigan State professor that was active until December in which I participated in. I have talked to numerous fellow fish people and no one has been surveyed at the dock, boat ramp etc. Where is your information coming from? I certainly hope that NMFS is not attempting to force us into not fishing because of there unwillingness to use rational and accurate science .

Captain Daniel Folk

Hello Emily,

Thank you for your presentation on Amendment 39 in Corpus Christi, Texas. Please find below my thoughts on Amendment 39.

I am happy to see that finally the idea of splitting the gulf into regions is coming about. This has been something I have been in favor of for many years. I would like to see a SIMPLE plan that would work without too many problems SIMPLE being the key word here.

The state of Texas should have its own region. The other states should be able to determine how they want to be grouped together. I live and work in Texas so Texas is my main concern. Going back to Keeping it SIMPLE let the states decide on how the regions should be established. The regions should extend all the way to the EEZ boundaries. The EEZ boundaries are already in place I would think that would be the SIMPLE thing to do.

The Allocating of Quota among the regions should be based on historical landings data that should go back ten years with a starting date of 2010 so that data is complete.

The biological abundance would be a complicated system that would require study and many hard to answer questions of where to sample when to sample just not an easy method.

The angler abundance well that should speak for itself at not working unless many changes are made in the way the state sells its licenses and the data collected .

Historical landings are the simplest way to go hands down SIMPLE

Management guidelines should be minimal by the federal government .

The regions should have an established plan of action that will work for them. Let each region work on its own accord. Texas has a fine record of helping its fisheries over the years and keeping an eye on the stocks of many species and implementing plans that has made Texas fishing great. Give the regions their quota make each region accountable for their own quota NO runover to other regions if a region overruns their quota then shut down that region and take it away from the overrun regions next years quota. Do Not punish the other regions for one region mistake. Something that I have not seen even considered is how to increase the quota for good management of species. This should be an important consideration in this amendment as that is the entire goal of all of this is it not????????????? This is also something that can be accomplished with a simple system. Let the regions stand on their own for increase in quota not by taking from another region but an actual increase in quota from the NMFS when data is submitted showing an increase in the stock for that region.

The federal government should have minimal control over the regions letting the

regions work out their own best plan of action. The overrun of quota should be regional shut down not gulf wide shut down with a punishment for that region of losing it off next years quota even if it means no season for that region the next year. The punishment should be enforced as the doing good should be rewarded.

Emily,

I hope this makes since if you have any questions as I have not made something understandable in the email please call me and I will try to explani my thinking. 361-332-8595.

Thank You,  
Mary Ann Heimann

**Subject:** New message from your mobile website, 03609da.mynetworksolutions.mobi  
**Date:** Thursday, January 17, 2013 1:42 PM  
**From:** Mobile Alerts <alerts@site.mobi>  
**Reply-To:** <atl1slb@windstream.net>  
**To:** John Milner <GulfCouncil@gulfcouncil.org>  
**Conversation:** New message from your mobile website, 03609da.mynetworksolutions.mobi

**Subject:** Snapper season meeting in Orange Beach Al

**Message:** I was present at the NOAA meeting in Orange Beach last night. I am a certified captain but do my fishing with myself and friends out of Orange Beach. I am very concerned with the direction of the federal government in respect to our fisheries resource. Dr. Bob Shipp had several good ideas including the creation of 5 regions within the Gulf for the regulation on the fishing industry. However, I do not feel the fact that the snapper allotment being divided with the commercial sector being allocated 51 percent and recreational fishermen being left with 49 percent was discussed fully. It is a fact there are many times more recreational fishermen than commercial. The recreational fishermen create many hundreds times the number of jobs through the purchase of tackle, food ,motel rooms boat sales and fishing charters than do the commercial industry. So since we are considering snapper a federal regulated fish why should we suppress the Alabama economy by giving the commerc  
ial fish

ermen a greater division of the total snapper allotment. I feel a split of 75 percent to recreational and 25 to commercial a much better solution to the problem. Thank you  
Steve L Buckner

Email: atl1slb@windstream.net  
Phone: 770-653-2313

**Subject:** REFF FISH AMENDMENT 39  
**Date:** Thursday, January 17, 2013 2:14 PM  
**From:** Chris Price <chrisp@bwssal.com>  
**To:** John Milner <GulfCouncil@gulfcouncil.org>  
**Conversation:** REFF FISH AMENDMENT 39

Each state as own region to control its share of the Federal Quota from state waters out to the 200 nautical mile EEZ Federal line. The states having the ability to set their own season and bag limits independent of the other gulf states and each state not to be penalized if other states exceed their quota.

TKS CP

*Chris Price*  
*Blue Water Ships Stores of AL.*  
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**Subject:** Scoping Meeting for Amendment 39 (Regional Management for Recreational Red Snapper) Biloxi, MS

**Date:** Tuesday, January 15, 2013 9:02 PM

**From:** Dave Scott <scottcompany@cablone.net>

**To:** John Milner <GulfCouncil@gulfcouncil.org>

**Conversation:** Scoping Meeting for Amendment 39 (Regional Management for Recreational Red Snapper) Biloxi, MS

01-15-2013

To All Council Members

My name is Daven W. Scott I reside in Gulfport MS. I am an avid recreational Red Snapper fisherman. I just attended my very first Gulf of Mexico Fishery Management Council meeting in Biloxi, MS. The reason that I attended this meeting is to try and have a better understanding of why our season continues to be shortened while I am seeing more Red Snapper than I have ever seen in my life. I have been fishing since I was nine years of ages I am now forty two years old.

I definitely gathered one thing from this meeting that most everyone there does not understand the science by how the limit is set in our area. I also believe that regional management has the potential to better serve our area. I think the State of Mississippi Should have control over our Red Snapper Fishery and be allowed to set limits that best suit our State, however the allowable part of the quota that Mississippi receives could be debated on many factors as discussed in the meeting.

In conclusion there are more Red Snapper populations than I have ever seen in my life. The science however you may conclude it must be adjusted to better accommodate the recreation Red Snapper fisherman. I would like to see immediate changes in our area.

Sincerely

Daven W. Scott

1750 Courthouse Rd

Gulfport, MS 39507