



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

August 14, 2016

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 New Orleans, Louisiana this week.

Amendment 36a (Commercial IFQ Modifications).

- **Action 1 - We support the expansion of hail requirements.** Measures like this will improve enforcement and close loopholes that undermine the individual fishing quota (IFQ) program. We'll continue to work with the Gulf Council and other industry groups to determine how extensive this should be.
- **Action 2.1 - We support the closing of red snapper/grouper-tilefish IFQ accounts that have never been activated (Alternative 4).** Allowing commercial access to this allocation will help achieve optimum yield and will provide economic benefit to the commercial sector and seafood-consuming public.
- **Action 2.2 – We support redistribution of shares from accounts that have never been activated.** To that end, we support maximizing the value/impact of these shares by using them to address a clearly-defined fishery problem. Red snapper discards and fishery transition to the next generation have been identified as concerns with the current IFQ systems. If the Gulf Council agrees, we hope this body will explore viable, efficient, and effective means for applying these shares to address this problem. Industry-run quota banks have demonstrated success throughout the country in addressing fishery problems through the creative and cooperative use of allocation/shares. The Gulf of Mexico Reef Fish Quota Bank is an example that exists in this region that can publicly demonstrate a track record of reducing red snapper discards and assisting the next generation of red snapper fishermen. Please see Tab B, #6 in the Gulf Council briefing book for more information about this program. **We strongly encourage the Gulf Council to include an alternative in this Action to distribute the annual allocation associated with the shares in question to participants through an industry-run quota bank** and we look forward to working with the Gulf Council to develop a plan that details how this program would achieve its stated goals and meet the needs of the Gulf Council and the National Marine Fisheries Service (NMFS).

Flower Garden Banks National Marine Sanctuary Draft Environmental Impact Statement (DEIS).

- We believe that habitat protection and selective commercial fishing activities are not mutually exclusive activities. To that end, **we continue to support the inclusion of a regulatory alternative in the DEIS document that would detail a comprehensive commercial endorsement and certification program**

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that would allow qualifying commercial fishermen to continue to operate within proposed boundaries. Please see Appendix 1 for more details on this proposed program.

- The DEIS falls short in a number of other areas, including:
  - The document states that “NOAA considered but eliminated from further evaluation regulatory alternatives including fishery closures or permit requirements...” (p. 3-2) yet provides no detail for why these ideas were rejected. These details should be provided.
  - NOAA is required to look at a reasonable range of alternatives for a management action. The DEIS states that NOAA has “developed a reasonable range of *spatial* alternatives...” (p. 3-1, emphasis added) which is not equivalent. Limiting the range of alternatives to only spatial ones excludes any other reasonable alternatives from being considered, which may violate the National Environmental Policy Act (NEPA) and would certainly overly restrict the analysis.
  - The DEIS states that its purpose is to “expand, as appropriate, the network of protected areas...” (p. 2-1) which indicates that expansion is a foregone conclusion. This is reiterated on page 5-37 where the document states “Alternative 1, the ‘No Action’ alternative, would not fulfil the purpose described in Section 2.1 or the need described in Section 2.2.” In our opinion, a legitimate Purpose would set the stage for a determination of whether an expansion is necessary, not prematurely dictate this determination.
  - There are 153 pages in the document (excluding the Appendices), yet there is only one page of commercial fishing analysis in the “Affected Environment” section and two pages of analysis in the “Analysis of Environmental Consequences.” This hardly seems sufficient.
  - None of the maps of the proposed areas include coordinates or depth contours (p. 3-3 through p. 3-14). How can commercial fishermen give input on the impacts of these closures if they don’t know exactly where the boundaries are?
  - Page 5-19 of the DEIS states that the negative impact on commercial fishing is “less than significant... due to its low level of intensity in the context of the total commercial fishing industry activity in the north central Gulf of Mexico, and considering the mitigating factors identified below (i.e. potential for gear substitution, mooring buoy installations).” The paragraph goes on to say “Effort by boats fishing with bandit reel or hand gear would be affected to a lesser degree than effort by bottom longliners or shrimp trawlers...” and “As described in Chapter 4, many boats carry multiple permit types.” It sounds like NOAA has determined that some of the harm imposed on commercial fishermen will be alleviated if they just switched gear types. However, there is no analysis whatsoever of the economic, social, regulatory, and biological cost/benefits for fishermen to switch gear types.
- Given that the Advisory Council has not had a formal opportunity to comment on the most recent boundary changes and the new information that led to these changes, **we strongly recommend that the Advisory Council be convened as soon as possible to review this information** and that a subsequent round of public hearings be conducted throughout the Gulf of Mexico that inform another DEIS prior to the Final EIS being developed.

#### Ad Hoc Private Angler Advisory Panel (AP).

- **We support the Gulf Council continuing to move forward with this AP.** We are glad to see the cycle of delay finally broken and we look forward to seeing these anglers finally given a seat at the table and a direct voice in management by the January 2017 deadline. We encourage the Gulf Council to choose candidates that not only recreationally fish, but who are committed to collaboratively and creatively solving problems and working with the Gulf Council and staff to ensure that this happens.

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Charter/For-Hire Management (Amendments 41 and 42)

- **We support the Gulf Council continuing to move 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.

Amendment 33 (Reef Fish LAPP).

- **We continue to support the Gulf Council directing staff to proceed with the Amendment 33 document.** While not specifically on the agenda for this meeting, we hope that the Gulf Council will consider convening the Reef Fish AP to address management improvements for reef fish species not presently included in the IFQ systems. For example, greater amberjack continues to fail to meet its rebuilding requirements, remains overfished, has experienced commercial quota overages in seven of the last eight years, and has undergone commercial fishery closures prior to September every year since 2009 (the season closed on March 1 in 2012). There must be a better way to manage the commercial amberjack fishery. At this point, it's unclear whether or not an IFQ program would best solve some/all of these problems; but we do believe that the Reef Fish AP deserves the chance to review an updated document to decide whether or not to recommend moving forward and to start discussing IFQ issues for this and other applicable species. Please see Appendix 2 for more details on this proposal.

H.R. 3094

- We strongly encourage the Gulf Council to demonstrate its commitment to improving recreational red snapper management by defending itself against harmful federal legislation that strips it of its Congressionally-created authority. **We ask the Gulf Council to send a letter to Congressman Garret Graves' (R-LA) to inform him that you have initiated a private angler AP and a recreational red snapper management strategy in order to address shortened seasons and reduced angler access.** Not only is H.R. 3094 an unfunded mandate that's being imposed on commercial fishermen against their will or consent, it has now become a pointless waste of taxpayer time and money. We continue to believe that the Gulf Council – comprised of committed recreational, charter, and commercial fishing representatives as well as scientific and state agents - should be managing the nation's federal fishery resources, not solely 3 state bureaucrats. We hope you will defend yourselves from this bold and reckless attack on your credibility by letting Congressman Graves know that H.R. 3094 is unnecessary.

Thank you for the opportunity to comment.

Sincerely,



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

## APPENDIX 1

### Flower Garden Banks Commercial Fishing Endorsement Program Proposal

<b>Problem Statement</b>	Existing proposals for the expansion of the Flower Garden Banks National Marine Sanctuary incorporate heavy restrictions on commercial fishing activities that impose economic hardship on commercial fishing businesses and could disrupt the seafood supply chain.
<b>Solution</b>	We are seeking the development of a comprehensive commercial fishing endorsement program that would allow continued responsible commercial access to the proposed closures while at the same time protecting important habitat structures.
<b>Goal &amp; Objectives</b>	<p>The goal of this program is to demonstrate that habitat protection and commercial fishing operations are not mutually exclusive. The objectives of this program are to:</p> <ul style="list-style-type: none"><li>• Maintain continued commercial fishing access to proposed closure areas.</li><li>• Identify and codify commercial fishing operations protocols that minimize harmful habitat impacts.</li><li>• Develop a comprehensive training course for fishermen to attend.</li><li>• Educate commercial fishermen on the ecological importance of complex benthic habitat.</li></ul>
<b>Eligibility Criteria</b>	<p>Program standards will be developed through a series of public workshops and other opportunities for public input. These may include but would not be limited to:</p> <ul style="list-style-type: none"><li>• Completion of a comprehensive training course that details sustainable harvesting and vessel operational practices that minimize habitat impact.</li><li>• Receipt and maintenance of a program certification that would permit approved commercial fishing operations to occur within the areas in question.</li><li>• Use of a working VMS.</li></ul>
<b>Best Practices</b>	<p>An Operations Plan and Agreement will be developed through a series of public workshops and other opportunities for public input. This document must be signed by anyone who wishes to participate in the program, and may include but would not be limited to:</p> <ul style="list-style-type: none"><li>• Agreement to operate with higher levels of accountability including mandatory observer coverage and/or operation of a working electronic video monitoring system.</li><li>• Agreement to minimize habitat impacts through adjustments in fishing behavior or gear configuration.</li><li>• Agreement to increased data collection and reporting.</li><li>• Agreement that fishing opportunities in these areas could be revoked at any time if program standards are not achieved.</li></ul>
<b>Administration</b>	This regulatory program would be administered by the NOAA Office of National Marine Sanctuaries as coordinated with other federal agencies (e.g. NOAA Office of Law Enforcement, U.S. Coast Guard) and appropriate state agencies (e.g. Texas Parks and Wildlife, Louisiana Department of Wildlife and Fisheries).

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## APPENDIX 2

### Gulf of Mexico Reef Fish IFQ Development

#### Executive Summary

The use of commercial trip limits and seasons as primary management tools often leads to quota overages or foregone economic profitability. This is especially true in the Gulf of Mexico with the management of greater amberjack and gray triggerfish. Fishermen and decision-makers should initiate an Advisory Panel conversation about whether a commercial individual fishing quota (IFQ) could address some of the biological, economic, and social problems in the fishery, and evaluate the tradeoffs of such a management shift. Fishing industry participation in these discussions and ultimate support is paramount.

#### Problem Statement

The Gulf of Mexico Reef Fish fishery is managed under two fundamentally different regulatory programs – one that utilizes outputs (e.g. quotas) and one that utilizes inputs (e.g. trip limits and seasons) to control fishing mortality. Red snapper, red grouper, other grouper species, and tilefish are managed under an IFQ while trip limits on landings and season lengths are in place for greater amberjack, vermillion snapper, red porgy, gray triggerfish, and others. IFQ and non-IFQ species are often caught on the same trip, which also presents conflicts and confusion for commercial fishermen.

The use of trip limits and seasons as primary fishing mortality tools is relatively inefficient and often results in quota overages (conservation risk) or quota underages (foregone economic yield). Managers must devote time and resources to regularly respond to these problems (capacity limitations) by adjusting these measures which alters impacts on fishermen and fishing communities (social disruption).

Amendment 33 to the Gulf of Mexico Reef Fish Fishery Management Plan proposes to consider IFQ management for a number of reef fish species that are currently managed under trip limits and fishing seasons. A number of these species consistently fail to achieve optimum yield or stable year-round fishing seasons, including:

- *Greater Amberjack*
  - Stock status: overfished.
  - Commercial quota overages in seven of the last eight years.
  - Commercial fishery closure prior to September every year since 2009.
- *Gray Triggerfish*
  - Stock status: overfished.
  - Commercial quota overages in two of the last five years including by 40% in 2012.
  - Foregone yield at a level of -25% to 35% in the last two years.

#### Solution

If developed properly and with considerable industry input, we believe an IFQ could address these biological, economic, social and logistical concerns through a stable, profitable, and accountable management system. IFQs can help rebuild fish stocks, maintain year-round fishing access, and substantially increased the value of the fishery and fishermen's businesses. This is evident in the two successful IFQ programs currently operating in the Gulf of Mexico – the Red Snapper IFQ and the Grouper/Tilefish IFQ.

**The Gulf of Mexico Reef Fish Shareholders' Alliance (Shareholders' Alliance) proposes that the Gulf Council consider restarting discussions on Amendment 33 for the purpose of evaluating whether or not an IFQ system could address some of the pressing biological, economic, social, and management concerns with a number of reef fish species today.**

As the Council acknowledged in its Scoping Document for Amendment 33, “the establishment of an incentive-based management program such as an IFQ is anticipated to reduce overcapitalization of the fleet, extend the fishing season and lower operating costs by affording IFQ participants more flexibility in their input choices and trip planning. An IFQ program is also expected to improve market conditions through a steadier supply of fresh fish, increased ex-vessel prices, and, improved safety at sea.”

#### Recommendations

1. **Acknowledge biological, economic, and social benefits and limitations of existing management measures (e.g. define problem).**
  - a. A proper evaluation of the success/shortcomings of existing input-controlled commercial fisheries is essential to the development of a strong Purpose and Need statement.
  - b. Such evaluation will provide necessary context for the subsequent Advisory Panel (AP) discussion.
2. **Convene the Reef Fish AP to discuss alternative reef fish management measures (e.g. initiate a vehicle for solution).**
  - a. With input from the Gulf Council, the AP should conduct a thorough analysis of management solutions.
  - b. Components of an IFQ system that should be discussed include:
    - i. Goals, Objectives, Purpose and Need (E.g. *What problem are we trying to solve? What do we want this fishery to look like in the future? How do we want the fishery to operate in the future?*)
    - ii. Species
    - iii. Program Participation (eligibility, involvement)
    - iv. Define and Assign the Privilege (form, length, units, transferability, dispersal, allocation formula)
    - v. Administrative System (allocation management, monitoring, reporting, operations)
3. **Engage in immediate and regular outreach with reef fish fishermen (e.g. ensure transparency).**
  - a. Given the controversial nature of IFQ development, a premium should be placed on maintaining open and transparent communication with industry.
4. **Advance Amendments 36a and 36b with an eye towards IFQ expansion.**
  - a. Legitimate concerns and justifiable shortcomings of the existing IFQ programs should be addressed in a way that applies this knowledge to the development of future IFQ programs.
  - b. Given that the development timeline for Amendment 33 could be lengthy, it would not be unreasonable to initiate the Amendment 33 discussion now and allow it to run on a parallel track with (and be informed by) Amendments 36a and 36b.



Kevin Anson, Chairman

January 24, 2016

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 Orange Beach, Alabama this week.

Amendment 36 (Red Snapper IFQ Modifications)

- **We believe that many of the potential actions in this Amendment 36 scoping document will impose undue economic and social harm on commercial reef fish fishermen and therefore we must oppose most of these items.** Restrictions on program eligibility, caps on allocation and share holdings, restrictions on share and allocation transfer, forced divestment and mandated redistribution of future allocation gains run counter to the goals of the individual fishing quota (IFQ) program and the results of the Five Year Review. These complicated and controversial proposals often result in actions that do more harm than good, frequently hurting more individuals than expected, especially a full decade into a successful and relatively stable management program. We urge the Gulf Council to consider whether these “solutions” really solve the intended “problem” at hand (and whether such a problem actually exists), and to articulate the unintended/intended consequences of these disruptive proposals.
- **If Amendment 36 moves forward, we could support inclusion of actions to improve enforcement of IFQ species (Action 7) and to close and redistribute accounts that have never been activated (Action 5), and strongly suggest additional Reef Fish Advisory Panel (AP) input on these actions.** We would recommend that in order to truly address regulatory discards, any redistributed allocation be put to use by industry-funded Quota Banks that promote conservation and accountability and are built around a specific goal of reducing red snapper regulatory discards in the Gulf of Mexico. These two proposed measures align with the goals of the IFQ program and the Five Year Review, as well as improve enforceability of management actions, promote conservation and accountability, should be simple to implement, and foster collaborative problem-solving within the industry.

Amendment 33 (Reef Fish LAPP).

- **We support the Gulf Council directing staff to proceed with the Amendment 33 document.** At this point, it's unclear whether or not an IFQ program would solve some of the problems seen with various reef fish species or that it would improve the performance of certain components of the fishery. But we do believe that the Reef Fish AP deserves the chance to review an updated document to decide whether or not to recommend moving forward and to start discussing IFQ issues like an updated list of appropriate species, allocation baselines, reporting requirements, access, leasing, monitoring, and enforcement.

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Amendment 39 (Regional Management).

- **We continue to 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 AP. The charter/for-hire fleet wants to remain under federal management and the protections it affords their businesses; they should not have this program imposed on them against their will.
- **We also support any move to eliminate the Sector Separation sunset provision, either through Amendment 39 or a separate stand-alone measure.** We believe this successful, lawful program should continue to demonstrate gains to the fishery.

Red Snapper ACT Buffer.

- **We support the continuation of the 20% buffer accountability measure (AM) as required by law.** The recreational sector has substantial sources of uncertainty, including but not limited to the thirteen factors addressed in the Gulf Council document Tab B No. 4(b). That, coupled with the fact that there has only been one year of data on the buffer effectiveness and that the second year of data predicts a recreational ACT overage, demonstrates the need to maintain this necessary provision.

Reef Fish Amendments 41 and 42.

- **We support the Gulf Council continuing to move 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.

Shrimp Permit Moratorium (Amendment 17A).

- **We support the continuation of the Gulf's shrimp permit moratorium for 10 years (Preferred Alternative 2b).** Expansion of the shrimp fleet at this time could have negative consequences in the reef fish fishery, especially with bycatch, that could jeopardize rebuilding and protection of reef fish species.

Ad Hoc Private Angler Advisory Panel AP.

- **We support the immediate development, implementation, and population of this AP.** The chance for private anglers to come together in an organized, public and transparent setting to discuss solutions for their fishery is long overdue. We've been told that there have been a series of meetings outside the Gulf Council process to discuss private angler options; however, not knowing when these meetings were happening, where they were happening, who organized them, how they came together, who was in the room, why those individuals were chosen, who chose them, what the charge was, what the goals and objectives of this group are, and what the results of these meetings are, it's not really possible to tell whether progress is being made or not. We look forward to the AP vetting these and any other legitimate ideas through a public, transparent, and accountable Gulf Council AP process.

Thank you for the opportunity to comment.

Sincerely,



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

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January 24, 2016

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

**RE: Ocean Conservancy's Comments on Actions Before the January, 2016 Gulf of Mexico Fishery Management Council Meeting in Orange Beach, Alabama**

Dear Mr. Anson,

Ocean Conservancy<sup>1</sup> is writing to provide comments on a number of issues that will be discussed by the Gulf of Mexico Fishery Management Council ('GMFMC', 'the Council') at its upcoming January meeting in Orange Beach, Alabama. The specific items and our recommendations are summarized below, and are expounded upon in greater detail in the following sections:

- **Amendment 39** – The Council should **select Action 2, Alternative 2 as preferred and vote to finalize Amendment 39**. Applying regional management solely to the private recreational component of the fishery will allow state managers to develop regulations that are tailored to the private recreational component and will create accountability, facilitate rebuilding, and increase access for private recreational fishermen.
- **Red Snapper Recreational Annual Catch Target ('ACT') Adjustment** – The Council should heed the advice of the Scientific and Statistical Committee ('SSC') and **make no changes to the existing 20% buffer** between the recreational red snapper Annual Catch Limit ('ACL') and ACT. This buffer is crucially important to the continued rebuilding success of red snapper and should not be changed until suitable accountability measures are implemented for the recreational fishery.
- **Ad Hoc Private Recreational Advisory Panel** – The Council should **form this Advisory Panel ('AP') without delay**. This AP will provide the Council necessary advice and direction for better achieving management and fishermen objectives.
- **Amendment 33** – The Council should **resume work on creating Limited Access Privilege Programs ('LAPPs')** for reef fish not currently under such a program, including greater amberjack and gray triggerfish, as this would promote greater accountability in the commercial fishery and would ensure continued rebuilding progress for these stocks.

Please note that we have also submitted a separate letter detailing our support for and recommended changes to the Modifications to Charter Vessel and Headboat Reporting Requirements Amendment.

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<sup>1</sup> Ocean Conservancy is a non-profit organization that 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.

**Amendment 39 – Regional Management of Recreational Red Snapper: Council should select Action 2 Alternative 2 as preferred and vote to finalize Amendment 39.**

Ocean Conservancy recommends that the Council selects Action 2 Alternative 2 as preferred, making regional management apply exclusively to the private recreational fishing component while also eliminating the three-year sunset provision instituted under Amendment 40 (Sector Separation).

Regional management provides a real and meaningful chance for private recreational fishermen from throughout the five Gulf states to fish under regulatory conditions that cater directly to their local needs. Fishermen from each state fish at different times of year, with different techniques and different local knowledge, out of ports that range in character and culture from Naples to Venice to Brownsville. Allowing the states to develop individual conservation equivalent plans that are customized to the unique fishing traits of private fishermen in their waters could ultimately result in more days on the water for anglers, greater accountability from the private recreational component, and decreased likelihood that the recreational component will exceed its share of the overall red snapper quota season after season. Fewer quota overruns and greater stability in the fishery means rebuilding stays on track and catch limits can increase as the stock rebounds.

Approving Amendment 39 with any alternative other than Action 2 Alternative 2 as preferred jeopardizes the important management progress that has been made for recreational red snapper fishing. Any other alternative in Action 2 would in essence remove the management framework that is showing signs of management success, including more fishing opportunities and greater accountability in the Charter-for-Hire fishery.

In addition, Sector Separation provides the potential for additional improvements in conservation and economic performance of the Charter-for-Hire fishery via development of new management approaches. The Council has recognized this by developing Amendments 41 and 42 with the goal of implementing specific management measures for the Charter-for-Hire and Headboat segments of the recreational red snapper fishery. These amendments are currently underway, and removing Sector Separation would in essence render the potential conservation gains that could be realized through unique Charter-for-Hire and Headboat management provisions null and void.

Furthermore, selecting Action 2 Alternative 2 removes the three-year sunset provision set out in Amendment 40, which will allow for the long term benefits of Sector Separation to be realized by both components of the recreational fishery. As each component works to implement component specific management measures that are narrowly tailored to their unique needs, fishermen, whether they are clients on charter vessels or members of the boat-owning public, should see greater access in increased seasons as quota overruns are reduced and rebuilding progress continues.

**Red Snapper Recreational ACT Adjustment: Council should not make any changes to the current buffer for recreational red snapper at this point.**

Ocean Conservancy recommends that the Council heeds the advice of the SSC by maintaining the current buffer in place for the recreational red snapper fishery. Further analysis and additional data is needed to determine what sort of adjustment could be made to fine tune the buffer, however it is clear that to do so now, especially in light of the SSC's clear recommendations, would be premature.

The ruling in *Guindon v. Pritzker* mandated that accountability measures be developed and applied to the recreational red snapper fishery in order to comply with the MSA.<sup>2</sup> Council responded to this ruling in 2014 by implementing a 20% buffer by way of emergency rule. For 2015 and onward, Council

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

implemented a 20% buffer and a post-season payback measure for longer term compliance with the *Guindon* ruling and with the MSA.<sup>3</sup>

As a result of the 2014 emergency rule, that season was the first since 2011 that recreational catches stayed below the ACL.<sup>4</sup> While the 2015 season data is not yet complete, there are indications that the overall recreational ACL will not be exceeded, however it does seem possible that the private recreational component of the fishery has already exceeded the ACT.<sup>5</sup> These results are promising, however based on the history of quota overages there is still lingering uncertainty that overages could persist notwithstanding these early results.

In light of this residual uncertainty as highlighted by the SSC, the Council should wait for more data from upcoming seasons before adjusting the recreational buffer. This approach will also allow time for critical analysis to be conducted that could determine which component of the recreational fishery under Sector Separation might be responsible for any fishing down of the buffer that could be occurring, which would allow for reliable calibration of the buffer for future seasons.

The is echoed by the SSC, which reported at its January, 2016 meeting that “with only one year of Sector Separation, there is little data on which to base any analysis” and that the buffer should be “re-evaluated in 3 or 4 years when there will be more data under sector separation.”<sup>6</sup> This is prudent advice from the SSC, and we recommend that the Council follows it on this issue.

**Ad-Hoc Private Recreational AP: Council should populate and charge this AP without haste.**

Ocean Conservancy urges the Council to officially form this AP so that it may begin work as soon as possible to develop solutions that will work to increase access and promote achievement of management goals in the private recreational fishery. This AP will give citizen-fishermen from the private boat owning public the opportunity to recommend directly to the Council management options and alternatives that can make a difference for their fishery, with the ultimate objective of increasing the length of the existing 10-day season while ensuring that rebuilding of important recreational stocks continues.

**Amendment 33 – Reef Fish Limited Access Privilege Program: The Council should resume work and develop LAPPs for Greater Amberjack, Gray Triggerfish, and other reef fish stocks not currently under a LAPP**

Ocean Conservancy recommends that the Council reinitiates consideration of LAPPs for stocks not currently under a LAPP under the reef fish Fishery Management Plan (‘FMP’). The conservation benefits of LAPPs in conjunction with the red snapper rebuilding plan have been well documented in the commercial snapper-grouper fishery, where for example quota overruns for commercial red snapper have not occurred and bycatch was reduced since the Individual Fishing Quota (‘IFQ’) program for that stock was implemented in 2007.<sup>7</sup> In contrast, greater amberjack and gray triggerfish

<sup>3</sup> Gulf of Mexico Fishery Management Council, *Recreational Accountability Measures for Red Snapper*, <http://gulfcouncil.org/docs/amendments/Final%20Recreational%20AMs%20for%20Red%20Snapper%2010-6-2014.pdf> (accessed January 19, 2016).

<sup>4</sup> NOAA Fisheries, *Gulf of Mexico Recreational Landings and Annual Catch Limits 2014*, [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/acl\\_monitoring/recreational\\_historical/gulf\\_recreational\\_historical/2014/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/acl_monitoring/recreational_historical/gulf_recreational_historical/2014/index.html) (accessed January 19, 2016).

<sup>5</sup> NOAA Fisheries, *Gulf of Mexico Recreational Landings and Annual Catch Limits 2015-2016*, [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 19, 2016).

<sup>6</sup> Gulf of Mexico Fishery Management Council, *Briefing Materials for January 2016 – Standing and Special Reef Fish SSC Meeting Summary*, at 14 [http://gulfcouncil.org/council\\_meetings/BriefingMaterials/BB-01-2016/B%20-%20204\(a\)%20Standing%20%20Reef%20Fish%20SSC%20Meeting%20Summary%2001-2016.pdf](http://gulfcouncil.org/council_meetings/BriefingMaterials/BB-01-2016/B%20-%20204(a)%20Standing%20%20Reef%20Fish%20SSC%20Meeting%20Summary%2001-2016.pdf) (accessed January 19, 2016).

<sup>7</sup> Gulf of Mexico Fishery Management Council, *Amendment 40 at 36*, [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/acl\\_monitoring/commercial\\_gulf/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/acl_monitoring/commercial_gulf/index.html) (accessed January 19, 2016).

have been managed utilizing traditional management measures including trip limits and seasonal closures. Both fisheries have often exceeded their ACLs – the commercial greater amberjack fishery exceeded its quota seven of the eight years between 2008 and 2015, while the commercial gray triggerfish fishery has exceeded its quota in just two of eight seasons between 2008 and 2015.<sup>8</sup>

Furthermore, both species are currently failing to meet rebuilding objectives and deadlines. Greater amberjack is overfished and undergoing overfishing, and recently concluded a ten-year rebuilding plan without being rebuilt.<sup>9,10</sup> Although the Council has implemented regulations that will ostensibly rebuild the stock by 2019,<sup>11</sup> a new Magnuson-Stevens Fishery Conservation and Management Act ('MSA') mandated rebuilding plan has not been formalized, and based on historical rebuilding failures there is considerable uncertainty as to whether or not the stock will indeed rebuild. Similarly, gray triggerfish, which is under a rebuilding plan ending in 2017, is also not making adequate rebuilding progress and Council has been charged with developing a new rebuilding plan by November 2, 2017.<sup>12</sup>

The persistent quota overruns for greater amberjack and gray triggerfish could be curbed by developing a well-designed LAPP and implementing effective rebuilding measures for these stocks. A LAPP for these stocks will have the added benefit of potentially eliminating or reducing annual quota closures, preventing derby fishing, reducing market gluts, minimizing price volatility, and curtailing effort shifting.

To ensure Amendment 33 applies equitably to all commercial fishermen that target these species, Ocean Conservancy recommends as an initial action the Council sends the amendment to the Reef Fish Advisory Panel. By sending the amendment directly to the stakeholders that will be impacted, the Council will obtain important insight and advice that will make sure these LAPPs are developed fairly and result in the greatest benefit to all.

We appreciate the opportunity to give comment, and please feel free to contact the undersigned with any comments or questions.

Best regards,

**s/ Jon Paul (J.P.) S. Brooker, Esq.**

Policy Analyst, Fishery Conservation Program  
727.286.0338  
jbrooker@oceanconservancy.org

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<sup>8</sup> NOAA Fisheries, *Gulf of Mexico Commercial ACL Monitoring*, [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/acl\\_monitoring/commercial\\_gulf/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/acl_monitoring/commercial_gulf/index.html) (accessed January 19, 2016).

<sup>9</sup> NOAA Fisheries, *Status of the Stocks as of September 30, 2015*, [http://www.nmfs.noaa.gov/sfa/fisheries\\_eco/status\\_of\\_fisheries/archive/2015/third/final\\_fssi\\_quarterly\\_map\\_q3\\_2015.pdf](http://www.nmfs.noaa.gov/sfa/fisheries_eco/status_of_fisheries/archive/2015/third/final_fssi_quarterly_map_q3_2015.pdf) (accessed January 19, 2016).

<sup>10</sup> Southeast Data Assessment and Review, *SEDAR 33*, [http://sedarweb.org/docs/sar/SEDAR%2033%20SAR-%20GAJ%20Stock%20Assessment%20Report%20FINAL\\_sizereduced\\_5.15.2014.pdf](http://sedarweb.org/docs/sar/SEDAR%2033%20SAR-%20GAJ%20Stock%20Assessment%20Report%20FINAL_sizereduced_5.15.2014.pdf) (accessed January 19, 2016).

<sup>11</sup> Gulf of Mexico Fishery Management Council, *Modifications to Greater Amberjack Allowable Harvest*, at 11, <http://gulfcouncil.org/docs/amendments/Greater%20AJ%20FINAL%20VERSION%207-10-15.pdf> (accessed January 19, 2016).

<sup>12</sup> Southeast Data Assessment and Review, *SEDAR 43*, [http://sedarweb.org/docs/sar/S43\\_SAR\\_FINAL.pdf](http://sedarweb.org/docs/sar/S43_SAR_FINAL.pdf) (accessed January 19, 2016).



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". The signature is written in a cursive, slightly slanted style.

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

Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
3/29/2012 12:22:37	James Posey	jposey@gulftel.com	An IFQ fairly implemented for those of us in the Northern Gulf who basically were shut out of the Red Snapper fishery, it could make a big difference in the ability to continue .Those of us with the old 200lb Red Snapper per trip lisc. have been losing conservatively, 15,000 dollars per year.We are small businesses , primarily one or two vessel owners.	Gulf Shores Al. 36542	Commercial Fisher
4/21/2012 10:47:41	Deborah Jane Polk	shfishes210@gmail.co,	ir/Ma'am,  I strongly oppose the Exempted Fishing Permit submitted by the Gulf Headboat Cooperative (Cooperative).  The Gulf of Mexico fishery resource belongs to the the general public and should not be allocated to any specific group with special privileges granted to that group. Since this Cooperative purports to service the the recreational fisherman this cooperative should be subject to the exact same rules and regulations every other recreational fisherman must abide by - especially management closure of the season.  Further, I disagree with the benefit of the stated goals of the Headboat project, in particular goal 2. I fail to see how this meager data collection effort can effectively be extrapolated to assess the impact of the entire recreational fishing group on the overall Gulf of Mexico fishery.	Gulf breeze FL, 32561	Private Recreational Angler
4/24/2012 14:22:53	charles weaver	hweaver@sswce.com	went to the steps this weekend and saw at least 6 longliners working the area my catch is way down in the area this year already. now you plan to give headboats a quota so i can watch them fish out the reefs i put out and paid for while i cant fish? and then split the quota for recreational into parts?. i bet i know who gets the short end of that deal. why not let me have a quota for the year and report after each trip? i would be happy to participate in a pilot program charles	auburn al 36830	Private Recreational Angler
4/24/2012 15:54:26	John Martin	amarcafina@aol.com	Fish are a natural resource and belongs to the people, If at any time that resource in in jeopardy then Commercial fishing of that resource should be the first to be Shut Down . John Martin	Orange Beach Al.	Private Recreational Angler
4/25/2012 4:39:46	Tim Phillips	nogappa_71@hotmail.com	I understand the commercial fishermen want have the seasons staggered and spread out so they can stay in business. But, by doing this an enormous amount of fish are being killed and wasted so they can stay in business. If you were to have have the Snapper and Grouper seasons together I know the limits could be raised. What amazes me when I talk to people about this, they understand. Why can't anyone with the authority to change these regulations? Just let the corporations take over and in a few years they can ruin the fishing industry just like they have everything else in the US.	Lynn Haven FI 32444	Private Recreational Angler
4/25/2012 5:24:19	Ken Karr	ken.karr.beacehes@gmail.com	Please use true facts not assumptions to determine the fate of the fish industry. The "almost", "maybe" and "could have" are not scientific terms to determine the facts. They are words that prey on the feelings of man not facts.	Panama City Beach, FI 32408	Private Recreational Angler
4/25/2012 6:33:24	Curt Gwin Jr	Billfishintimecg@gmail.com	There is no reason for an IFQ system for the listed fisheries. They are not being over fished. All an IFQ program would do is let people sit at the dock and make more money than the actual people fishing for these fisheries. It's not right, it's like playing stock market with fishing and fishing is hard enough to make a living in now. Please think about the lives of the fisherman before you think about yourselves.	Destin,FI,32541	Charter/Headboat For-Hire, Commercial Fisher



Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
4/25/2012 10:39:34	Glenn Flowers	mrflowers4u1982@yahoo.com	<p>The vermillion snapper are in trouble, we have noticed a major decline in there stocks in the last few years, it could be a verity of reasons, over fishing, Bp oil spill, high populations of red snappers taking over natural bottoms where the vermillion's live and breed. We thought that maybe it would pick up during April for the spring run, unfortunately it has not.</p> <p>Boats normally catch 5-9000lbs a trip during April are now coming in with less than 2000lbs and are worried about there lively hoods some are catching even less than that.</p> <p>The IFO program could save the fishery if implemented immediately just like it did for the snappers.</p>	pensacola,FL 32526	Commercial Fisher
4/27/2012 11:08:07	Nicholas Patzig	pmsbigred1@yahoo.com	<p>The red snapper ifq and the grouper ifq has placed a huge burden on the small individual commercial fisherman in that those ifq programs divided the resource in a very unfair way that the small business fisherman is having to buy shares or lease allocation in order to continue to make a living for himself and his family. This is highly unfair to the fishermen who have maintained their permits for many years and doesn't allow that fisherman to use those permits when it becomes necessary when situations change in the fisheries he normally participates in. If you are a commercial fisherman then that means you have devoted your life to the food fish industry in order to produce wild caught fish to the citizens of this nation.. We all have a stake in this industry not just the ones that target and exploit one certain fishery at the detriment of the other fishermen and the fish causing regulators to have to restrict fisheries due to overfishing. Just because a fisherman decides to hammer one specie of fish shouldn't give him any more right to those fish than the other permitted vessels. We all have invested our lives and wealth to continue to be fishermen. There should never be an IFQ placed on any fishery and the ones that are already IFQ should be changed back to the way it was. Trip limits and TAC's are the way to end overfishing. NMFS just needs to keep diligent track of the landings with electronic trip tickets. There is nothing more unfair than an IFQ, it makes a select few rich men have control of a fishery and makes the great majority of the other fishermen have to buy a resource from one of the very few rich fishermen just to try to make a living. Stop this insane practice and never consider it again.</p>	Fort Walton Beach, FL 32548	Private Recreational Angler, Charter/Headboat For-Hire, Commercial Fisher

Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
4/27/2012 12:19:39	Nicholas Patzig	pmsbigred1@yahoo.com	<p>IFQ's cause mor problems than they correct. Unintended consequences are increases in dead discards resulting in uncorrected lose of perfectly good fish not accounted for and reducing the stock causing the regulators to compensate for the lose of the resource. If one fisherman has Red Snapper shares and has none or very little Porgy, Trigger, Vermillion, etc and he doesn't feel the cost of the shares or allocations cost verses net yield is not worth keeping gutting and iceing those bycatch then he will cut it up for bait or throw it back possibly dead. If I have to by vermilion snapper allocation from someone else for \$1.50 lb just to be able to keep vermilion snapper that fish grosses \$2.75 of which 3% has to go back to the government and what do you tell your crew. Are you going to tell them that their crew share will be of the \$2.75 from the dealer or \$2.75 - 3% or the \$ 1.16 that is the net? No crew will ever stick around for long if he knows he is only going to share on the \$1.16. Leasing allocation is an expense like 3% to you guys and bait at \$1.50 lb, Tackle, ice, groceries, fuel, slip rent, repairs etc. and if I,m not going to benefit from keeping the by catch then what incentive do I have to want to keep it. Furthermore what damage has been done to the fisheries fleet and the livelihoods you have hurt? What will you tell them? I don't think you all have looked at any of the unintended consequences. The Red Snapper IFQ is a great example. Allocation leases for \$3.25 lb and groses \$4.00 to \$4.50 which means the person leasing the allocation nets between \$0.63 and \$1.11 respectively after expences and crewshare the boat makes nothing. Where does the owner and captain get paid. Is this what you want to reduce the fishery down to? Is this your idea of fair?</p>	Fort Walton Beach, FL 32548	Private Recreational Angler, Charter/Headboat For-Hire, Commercial Fisher

Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
5/5/2012 4:40:17	Chris McCaffity	freefish7@hotmail.com	<p>I support Mr. Harper's comments and suggest using Trip Poundage Limits to MANAGE the quotas rather than catch shares to allocate the resource to a few big corporations.</p> <p>Subject: stop funding new catch share program NOW</p> <p>To Whom it may Concern:  My name is Don Harper, my wife Laura and I have four sons, all of them are commercial fishermen and boat captains. Our son Donnie Harper owns and captains the "Miss Stacie" and we have two commercial fishing boats the "Miss Evelyn Orene and the "Big Jim II", myself, my wife Laura and my son Daniel Harper are partners in these boats. Our son Billy Harper captains the commercial fishing boat the "St. Andrews Bay" for captain Tom Harris. We make our living fishing the waters of the Gulf of Mexico and have been all our lives.</p> <p>My family has a long history in the fishing industry. There is a book called "Man in the Everglades" written by Charlton W. Tebeau. There is a chapter in this book that talks about my Great Grandfather, Capt Duncan C Brady. Capt Brady was the captain of a whaling vessel out of Nova Scotia. In the late 1800's during a storm, his ship went down off the coast of Savanna. Ga. Capt Duncan C. Brady did not go back to whaling. He made is way down to the bottom of southwest Florida around 1885, settling in the Ten Thousand Islands area. Capt Brady was the prime mover in naming Flamingo in 1893. This area, where my people called home, is now called Everglades National Park. Between my ancestors, myself and my sons we have caught millions of pounds of fish in the Gulf of Mexico. With all this history of commercial fishing in the Gulf, my sons and myself should have a big say in what goes on in the gulf fisheries.</p> <p>I feel very strongly that IFQ's are not about fish management, but are about power, control and money. The Gulf Council is talking about turning all reef fish into IFQ'S fish. I am very opposed to this. Fish house owners with big money behind them have access to buying up permits from commercial fishermen getting out of the business, some of these permits have old history that the fish house owners have had nothing to do with catching and if it goes to all reef fish IFQ's they will own more of the Gulf Fisheries. What you all are doing is putting a lot of the smaller fishermen out of business and giving it to the fish houses with the big money and they do not even catch the fish. We get \$1.50 per pound if we catch Red Snapper for the IFQ holders, while they make \$3.50 per pound for doing nothing. Don't you all see how lopsided this is? We pay for fuel, ice, bait, tackle, and men out of our \$1.50 and people can say this a good thing for our fishing community? We know it is not helping, we are living the truth.</p> <p>Everyone on the Gulf Council need to think about this. This one thing, going to IFQ's on reef fish could collapse the whole Gulf Fisheries. Who is going to catch the fish when most of the fishing boats are put out of business? It takes experienced captains to catch reef fish, so when you put us out of business there will be none left. Don't be fooled, there is not enough money to be made by leasing IFQ's to stay in business. This is a very hard business and only the very best can make it work.</p> <p>If you go to IFQ's on the rest of the reef fish, this fish industry will be over. Greg Abrams is one of the biggest fish buyers in the south as you all on the Gulf Council know, and he is also telling you the same thing I am. So does Bob Spaeth, another big fish house owner, he too has seen how IFQ's are putting so many fishermen out of business. These people that want IFQ's are not wanting what is best for the fishing industry but what is best for their pockets. Do not let us down, vote NO on more IFQ's. If you do decide to go to IFQ'S catch shares on all reef fish, please make it fair and</p>	Morehead, NC, 28557	Commercial Fisher

Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
5/5/2012 4:40:17	Chris McCaffity	freefish7@hotmail.com	<p>If you do decide to go to IFQ's catch shares on reef fish, please make it fair and move the control date up to our present year that you decide to start the IFQ's on these fish and let us fishermen pick out our best five years or how ever many years you decide to use. You should use newest years to present and oldest years to make it fair for all of us in the Gulf Fishery.</p> <p>Like I told you in previous letters, there are not many Bandit Boats that target reef fish, we need to be able to stay in business and you need us in business also.</p> <p>They are not making any more captains that can fish reef fish, it is a dying art. It takes years and years of fishing with a captain that knows how to fish the bottom, to make a living from it. There are more people getting out of this fishery than getting into it, do not be fooled by these fish houses and captains that want it all for themselves.</p> <p>Please, if you do go to IFQ's on reef fish make it fair for all of the Bandits Boats and let use choose old years and new years to present, lets be fair to all and not just a chosen few.</p> <p>I hope we can all act accordingly with this IFQ problem to keep us all fishing in the Gulf Fishery. Again, there are no new captains out there "none", what is left is all we have. There is no new blood wanting in the fishery. What is out there now is it, once that experience is gone it will be gone forever.</p> <p>Sincerely  Captain Don Harper  Fourth generation fisherman</p>	Morehead, NC, 28557	Commercial Fisher

Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
6/13/2012 14:13:52	Claudia Friess	cfriess@oceanconservancy.org	<p>Dear Mr. Gill,</p> <p>On behalf of Ocean Conservancy, we submit the following comments regarding the Gulf of Mexico Fishery Management Council's (Council) development of Amendment 33 to the Reef Fish Fishery Management Plan (Amendment 33) to develop an individual fishing quota (IFQ) program for red porgy, vermilion snapper, gray triggerfish, greater amberjack, and the jacks complex. The Council decided at its April 2012 meeting to discontinue work on Amendment 33 until after it had heard further public comment on the issue by the June 2012 Council meeting. We write to express our support for the further development of Amendment 33. Well-designed catch share programs are an essential tool for the responsible management of living marine resources, and an IFQ program for the above mentioned species deserves at least full consideration in the form of fishery management plan alternatives and analyses. We encourage the Council to move forward with the development of Amendment 33 for the reasons outlined below.</p> <p>Management Background and Need for Action</p> <p>The first species to be put under an IFQ system in the Gulf of Mexico was red snapper in 2007. The IFQ program eliminated the derby fishery for red snapper, has been extremely successful in preventing quota overages and reducing red snapper discards, and has also increased the value of landed red snapper. As a consequence of the red snapper IFQ program and other management controls that have been enacted in recent years, there has been a shift of fishing effort to less tightly regulated fisheries, most notably red porgy and vermilion snapper for which commercial landings have been increasing markedly in recent years. Red porgy was in the original Reef Fish fishery management plan (FMP) but was removed in from the FMP 1998. Due to the increased targeting of red porgy over the past decade, this species should be added back into the FMP and managed with ACLs that prevent overfishing. Without an ACL, the landings increase trend for red porgy can be expected to continue until the population becomes depleted and restrictive measures will have to be put in place. Landings for vermilion snapper will likely also continue to increase, and the Council itself has been concerned about the vermilion snapper ACL being reached and exceeded. Red porgy and vermilion snapper are, therefore, good candidates for inclusion in an IFQ program due to concerns of increasing fishing effort and mortality that could lead to population depletion, derby fisheries, and early closures and other restrictions if inadequately managed.</p> <p>Greater amberjack and gray triggerfish are both subject to rebuilding plans that have recently had to be revised or are currently being revised because the Council and NMFS have missed rebuilding deadlines and targets partially due to quota overages, particularly for greater amberjack. The gray triggerfish commercial quota was just reduced by over 40 percent in an interim rule, and the fishery will probably close early this year. Amendment 37, modifications to the gray triggerfish rebuilding plan, is currently under development and considers a range of additional commercial management measures to achieve the desired reductions in landings. Both greater amberjack and gray triggerfish are great candidates for an IFQ program from an ACL management and accountability standpoint. IFQ programs are very effective at eliminating quota overages and early fishery closures, and they make measures like overage paybacks unnecessary. It makes sense to include the other jacks in an IFQ</p>	Austin, TX 78701	NGO

Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
6/13/2012 14:13:52	Claudia Friess	cfriess@oceanconservancy.org	<p>average paybacks unnecessary. It makes sense to include the other jacks in an IFQ program for greater amberjack due to species misidentification and misreporting issues.</p> <p>The Potential of an IFQ Program to Achieve Management Objectives</p> <p>As described above, an IFQ program can help meet National Standard 1 of the Magnuson-Stevens Fishery Management and Conservation Act by preventing ACL overages and providing for individual accountability. Additional biological benefits of a well-designed IFQ program that can be expected if ACLs are set appropriately are biomass increases for the managed species due to a better control of fishing mortality. Furthermore, IFQ programs can help control discards if designed correctly and used with other tools such as catch observing (via on-board observers or electronic monitoring systems). With the right kinds of catch-quota balancing mechanisms in place, fishermen will be able to match their quota holdings with catches, and discards due to insufficient IFQ shares can be minimized.</p> <p>In addition to the biological benefits, there are also economic gains that could be achieved with a well-designed IFQ program. An IFQ system eliminates derby fishing and prevents early fishery closures which eliminates market gluts and allows fishermen to get the best and most stable price for their catch. Even though the species proposed for inclusion in an IFQ program in Amendment 33 are not as valuable as the ones already in IFQ programs, there is no reason not to expect the prices for these species to increase, just as they did for the other Gulf IFQ species. An IFQ program would also provide fishermen the benefit of running a predictable business and not having to go fishing in dangerous conditions, promoting National Standard 10 of the MSA.</p> <p>Conclusion</p> <p>Ocean Conservancy appreciates your consideration of our comments on Amendment 33 to the Reef Fish FMP. We hope that we provided sufficient rationale for the Council to reconsider its decision to halt the development of the amendment. IFQ programs, if properly designed and used along with other proven fishery management tools, can achieve biological, economic, and social management goals. The use of an IFQ system for vermilion snapper, red porgy, gray triggerfish, greater amberjack and the jacks complex should be carefully evaluated via the FMP process. We look forward to providing further input as the Amendment is developed.</p> <p>Sincerely,</p> <p>Claudia Friess  Ocean Conservancy  Fisheries Scientist  106 E. 6th St, Suite 400  Austin, TX 78701</p>	Austin, TX 78701	NGO

Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
6/16/2012 7:12:27	Betty R Adams	betty@floridagulfcoast.com	I am 100% against sector separation for the Gulf of Mexico. As a Real Estate Broker it is hurting our tourism, prospective buyers, and every aspect of our economy. I live in a fishing village where you only have a little over a month to fish for snapper. Gas is high and thus going fishing is expensive. Only allowing two fish/person is unaffordable. Our area thrives on the fishermen.	Beacon Hill, FI 32456	Private Recreational Angler, Other
6/16/2012 21:58:56	john Farley	commercialfisher11@yahoo.com	Chis made a point lets have a trip poundage. With all the new ways the electronic trip program works. IT should be easier maintain a level that fills each quota without any long closure are giving certain people a higher share % The council should MANAGE the quotas rather than using catch shares schemes. The only ones I see likeing the IFQ's is the people who eneded up with alot of shares. They are the only ones making the money!! (example Red grouper shares 12 dollars a pound it would take years for me to get my money back), You have new and old boat owners that are trying to make living. but are unable to fish because of the IFQ. system. It seems like one thrid of my gross goes to buying IFQ allocation So I can go fihing! Please figure out a new system, Because this ain't working...Thank you	Palm Harbor, FI	Commercial Fisher
8/10/2012 9:58:19	Robert Gravolet	RMST70124@aol.com	I am an avid recreational fisherman, both inshore and offshore. I spend considerable money supporting, storing and operating my small boats. Why should any part of the "recreational" catch be given to the charter businesses that run commercial fishing operations? They may not be selling the fish directly, but they are making money by fishing. Those are clearly commercial operations. The take limits for charter fishermen should be included in the commercial limits. As it stands now, the tight limits on recreational fishermen make it almost impossible to make a worthwhile offshore trip. The limits are tight and seasons are often closed. If you don't catch your targeted fish there are often few options to "save the day" by catching other species. Those trips generally cost from \$500 to \$1000, even for small boats like mine. It's becoming too costly to justify the limited catch. Please do not give any part of the recreational catch allotment to the charter operations. Their catch should be part of the commercial catch. Let common sense and not politics rule for a change!	New Orleans, LA 70124	Private Recreational Angler

Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
8/10/2012 11:40:25	chris Brupbacher	chris@albachco.com	<p>I have been fishing inshore and offshore as a recreational fisherman since I was 6 years old. I am now 55. I can't begin to tell you what I spend and have spent on fishing off the louisiana coast. I have a camp and 45 ft. sportfishing boat in Venice. I have watched the charter boat fishing industry take over the entire area. Fishing every day with 3 or more clients catching limits for all on the boat more often than not. If you really want to help the fish and in turn the recreational fisherman you should be setting lower limits on the Charterboat fisherman and the commercials. They are the ones taking more than their share. Every commercial fisherman and now charter boat captains have one goal "Catch as much as you can as long as you can". Regardless of what's left for the next generation. I know that all commercial fisherman and Charter boat captain look at us as intruders into their territory and their business but the truth is we are the only reason there's any fish left. They are reaping the benefit of our hard work and money spent and work to support the CCA and other organizations that fight for us and the fish. So in response to this legislation I would have to say not only do I not support it nor should you but HELL NO. As it stands right now I have to watch the commercials spend days at one of my favorite rigs and catch all that is there and I cannot keep any of what they are catching. How fair is that?? Now I'm supposed to sit back and watch all these Charter boats do the same. When hell freezes over. So again please vote in favor of the recreational fisherman.</p> <p>Thank you</p> <p>chris Brupbacher</p>	new orleans la. 70124	Private Recreational Angler
9/22/2012 13:48:01	Nicholas Patzig	pmsbigred1@yahoo.com	<p>NOT NO, BUT HECK NO, NOT EVER. We would rather compete with all the other fishermen and catch what we can catch than have a very select few win and all the rest lose. Equal opportunity for all. We want no more quota systems that gives a natural resource to one or a select few individuals. IFQ's are the most unfair systems ever devised. The average diversified fishermen who fish in several different fisheries and spreads out his effort loses and the fishermen who target one specie and exploits them and ultimately causes the overfishing is the winner. The diversified fishermen spreads out the pressure on the resource and ultimately should be the fishermen that should be the preferred alternative.</p>	Fort Walton Beach, FL 32548	Private Recreational Angler, Charter/Headboat For-Hire, Commercial Fisher



Subject: Stop IFQ's

Date: Tuesday, July 24, 2012 9:02 AM

From: captbigjim2@mchsi.com

To: Info <Info@gulfcouncil.org>, gaetz <gaetz.don.web@flsenate.gov>, Bob Gill <bgillbgill@embarqmail.com>, captbudd <tsapp22334@aol.com>, Charlene Ponce <charlene.ponce@gulfcouncil.org>, Chris Blankenship <chris.blankenship@dcnr.alabama.gov>, Douglass Boyd <douglassboyd@yahoo.com>, Roy Crabtree <roy.crabtree@noaa.gov>, evers <evers.greg.web@flsenate.gov>, Pamela Dana <fish@surelurecharters.com>, Kay Williams <hkaywilliams@hotmail.com>, info <info@superstrikecharters.com>, intimidatorcharters <intimidatorcharters@yahoo.com>, islamoradasailfish <islamoradasailfish@gmail.com>, Jessica McCawley <jessica.mccawley@myfwc.com>, James McCraw <jtmccraw@hookedondestin.com>, Kevin Anson <Kevin.Anson@dcnr.alabama.gov>, Larry Abele <label@fsu.edu>, melissa <melissa.thompson@mail.house.gov>, Myron Fischer <mfischer@wlf.la.gov>, Harlon Pearce <nolrah@aol.com>, Phil Steele <phil.steele@noaa.gov>, Rebecca <Rebecca.Prado@dep.state.fl.us>, rpausina <rpausina@wlf.louisiana.gov>, Bob Spaeth <rspaeth8@aol.com>, Tom McIlwain <tom.mcilwain@usm.edu>

Cc: <4adagio@gmail.com>

Conversation: Stop IFQ's

Captain Don Harper  
7441 Jefferson Ave  
Southport, Fl. 32409  
850-896-3232  
captbigjim2@mchsi.com

The Gulf Council is talking about turning vermillion snapper, red porgy and king fish into a catch share program. I am very opposed to this. These fish are now managed by trip limits and or quotas, this type of management has been very sufficient. I told you all at the last meeting how I felt about the Gulf Councils new plan to target these reef fish and how this one decision will put the rest of the Bandit Boats out of business. How many did we lose when the council went to catch share's on the Red Snapper and Grouper? Sure, fish house owners with big money behind them will buy up permits from the commercial fishermen that will be pushed out of business if this happens, some of these permits have old history that the fish house owners have had nothing to do with catching these fish and if you go to IFQ's they will benefit while you put the remaining Bandit Boats out of business, there will not be enough left to catch the fish. We get \$1.50 per pound if we catch Red Snapper for the IFQ holders, while they make \$3.50 per pound for holding the IFQ'S and at no cost to them. We pay for maintenance on the boat, dockage, ice, bait, tackle, deckhands and now considerable higher fuel prices out of our \$1.50, this is not cost

efficient for anyone. This is lunacy, don't be fooled, there is not enough money to be made by leasing IFQ's to stay in business.

Make no mistake Vermillion Snapper are not as easy to catch as Red Snapper. They are very picky fish, sometimes they bite, sometimes they don't. Captains would not want to take chances leasing Vermillion Snapper not knowing if they would be able to use the IFQ's after they paid for the leasing them. Catch shares on Vermillion Snapper and our other reef fish is a lose, lose situation for us all! Like I told you previously there are not many Bandit Boats that target vermillion snapper, we need to be able to stay in business and you need us in business. I feel very strongly that IFQ's are not about fish management, but are about power, control and money.

My family has a long history in the fishing industry. There is a book called "Man in the Everglades" written by Charlton W. Tebeau. There is a chapter in this book that talks about my Great Grandfather, Capt Duncan C. Brady. Capt Brady was the prime mover in naming Flamingo in 1893. This area, where my people called home, is now called Everglades National Park. Between my ancestors, myself and my sons we have caught millions of pounds of fish in the Gulf of Mexico. We make our living fishing the waters of the Gulf of Mexico

Commercial fishing is a tough job, it takes years of fishing to get the discipline and experience it takes to catch reef fish, you have to have knowledge of the fish species and the skills required to catch them. The commercial fishermen today are under heavy pressure with the IFQ'S situation now, just to catch enough fish to survive! They are not making any more captains that can catch reef fish, it is a dying art. It takes years and years of fishing with a captain that knows how to fish the bottom, to make a living from it. There are more people getting out of this fishery business than getting into it.

If you go to IFQ's on the rest of the reef fish, this fish industry will be over. Greg Abrams is one of the biggest fish buyers in the south as you all on the Gulf Council know, and he is also telling you the same thing I am. So does Bob Spaeth, another big fish house owner, he too has seen how IFQ's are putting so many fishermen out of business. These people that want IFQ's are not wanting what is best for the fishing industry but what is best for their pockets. Do not let us down, vote NO on this new catch share program.

If you do decide to go to catch shares on all reef fish, please make it fair and move the control date up to our present year that you decide to start the IFQ's on these fish and let us fishermen pick out our best five years or how ever many years you decide to use. You should use oldest years to present years to make it fair for all of us in the Gulf Fishery.

I hope we can all act accordingly with this catch share problem to keep us all fishing .

Sincerely  
Captain Don Harper  
Fourth generation fisherman

Subject: Supporting my fellow fishermen and our freedom to fish.  
Date: Saturday, May 5, 2012 7:46 AM  
From: Chris McCaffity <freefish7@hotmail.com>  
To: Info <Info@gulfcouncil.org>  
Conversation: Supporting my fellow fishermen and our freedom to fish.

Council Members,

I support Mr. Harper's comments. I also suggest using split seasons and Trip Poundage Limits that are adjusted after 75% of a quota has been caught to a level that fills each quota without any long closure. The council should MANAGE the quotas rather than using catch shares schemes to allocate our resources to a few big corporations.

Sincerely,  
Chris McCaffity

.  
Subject: stop funding new catch share program NOW

To Whom it may Concern:

My name is Don Harper, my wife Laura and I have four sons, all of them are commercial fishermen and boat captains. Our son Donnie Harper owns and captains the "Miss Stacie" and we have two commercial fishing boats the "Miss Evelyn Orene and the "Big Jim II", myself, my wife Laura and my son Daniel Harper are partners in these boats. Our son Billy Harper captains the commercial fishing boat the "St. Andrews Bay" for captain Tom Harris. We make our living fishing the waters of the Gulf of Mexico and have been all our lives.

My family has a long history in the fishing industry. There is a book called "Man in the Everglades" written by Charlton W. Tebeau. There is a chapter in this book that talks about my Great Grandfather, Capt Duncan C Brady. Capt Brady was the captain of a whaling vessel out of Nova Scotia. In the late 1800's during a storm, his ship went down off the coast of Savanna. Ga. Capt Duncan C. Brady did not go back to whaling. He made is way down to the bottom of southwest Florida around 1885, settling in the Ten Thousand Islands area. Capt Brady was the prime mover in naming Flamingo in 1893. This area, where my people called home, is now called Everglades National Park. Between my ancestors, myself and my sons we have caught millions of pounds of fish in the Gulf of Mexico. With all this history of commercial fishing in the Gulf, my sons and myself should have a big say in what goes on in the gulf fisheries.

I feel very strongly that IFQ's are not about fish management, but are about power, control and money. The Gulf Council is talking about turning all reef fish into IFQ'S fish. I am very opposed to this. Fish house owners with big money behind them have access to buying up permits from commercial fishermen getting out of the business, some of these permits have old

history that the fish house owners have had nothing to do with catching and if it goes to all reef fish IFQ's they will own more of the Gulf Fisheries. What you all are doing is putting a lot of the smaller fishermen out of business and giving it to the fish houses with the big money and they do not even catch the fish. We get \$1.50 per pound if we catch Red Snapper for the IFQ holders, while they make \$3.50 per pound for doing nothing. Don't you all see how lopsided this is? We pay for fuel, ice, bait, tackle, and men out of our \$1.50 and people can say this a good thing for our fishing community? We know it is not helping, we are living the truth.

Everyone on the Gulf Council need to think about this. This one thing, going to IFQ's on reef fish could collapse the whole Gulf Fisheries. Who is going to catch the fish when most of the fishing boats are put out of business? It takes experienced captains to catch reef fish, so when you put us out of business there will be none left. Don't be fooled, there is not enough money to be made by leasing IFQ's to stay in business. This is a very hard business and only the very best can make it work.

If you go to IFQ's on the rest of the reef fish, this fish industry will be over. Greg Abrams is one of the biggest fish buyers in the south as you all on the Gulf Council know, and he is also telling you the same thing I am. So does Bob Spaeth, another big fish house owner, he too has seen how IFQ's are putting so many fishermen out of business. These people that want IFQ's are not wanting what is best for the fishing industry but what is best for their pockets. Do not let us down, vote NO on more IFQ's.

If you do decide to go to IFQ'S catch shares on all reef fish, please make it fair and move the control date up to our present year that you decide to start the IFQ's on these fish and let us fishermen pick out our best five years or how ever many years you decide to use. You should use newest years to present and oldest years to make it fair for all of us in the Gulf Fishery.

Like I told you in previous letters, there are not many Bandit Boats that target reef fish, we need to be able to stay in business and you need us in business also.

They are not making any more captains that can fish reef fish, it is a dying art. It takes years and years of fishing with a captain that knows how to fish the bottom, to make a living from it. There are more people getting out of this fishery than getting into it, do not be fooled by these fish houses and captains that want it all for themselves.

Please, if you do go to IFQ's on reef fish make it fair for all of the Bandits Boats and let use choose old years and new years to present, lets be fair to all and not just a chosen few.

I hope we can all act accordingly with this IFQ problem to keep us all fishing in the Gulf Fishery. Again, there are no new captains out there "none", what is left is all we have. There is no new blood wanting in the fishery. What is out there now is it, once that experience is gone it will be gone forever.

Sincerely  
Captain Don Harper  
Fourth generation fisherman

Subject: More IFQ's?

Date: Thursday, April 19, 2012 10:33 AM

From: Mike Holmes <mikewriter@surfsidetx.net>

To: John Milner <GulfCouncil@gulfcouncil.org>

Conversation: More IFQ's?

The recreational fishermen - both private and for-hire - I talk to and represent are opposed to and question the need for any further IFQ's in the Gulf of Mexico fishery.

Capt. Mike Holmes

Freeport, Texas

## To the Gulf Council Members and Advisory Board

My name is Don Harper, my wife Laura and I have four sons. All of them are commercial fishermen and boat captains. Our son Donnie Harper owns and captains the “Miss Stacy” and we have two commercial fishing boats the “Miss Evelyn Orene and the “Big Jim II”, Laura and my son Daniel Harper and myself are partners in these boats. Our son Billy Harper captains the commercial fishing boat the “St. Andrews Bay” for captain Tom Harris. We make our living fishing the waters of the Gulf of Mexico and have been all our life. We started taking our boys out on our fishing boats at a very young age. They fished with us all through the years, learning how to fish and later becoming commercial boat captains. My sons are very good at catching fish and running boats. This is a business that you have to be in for many years and have a lot of experience before you can be a good commercial boat captain and even then most can not become a good captain.

My family has a long history in the fishing industry. There is a book called “Man in the Everglades” written by Charlton W. Tebeau. There is a chapter in this book that talks about my Great Grandfather, Capt Duncan C. Brady. Capt Brady was the captain of a whaling vessel that whaled out of Nova Scotia. In the late 1800’s during a storm, his ship went down off the coast of Savanna, Ga. Capt Duncan C. Brady did not go back to whaling. He made his way down to the bottom of southwest Florida around 1885, settling in the Ten Thousand Islands area. Capt Brady was the prime mover in naming Flamingo in 1893. This area, where my people called home, is now called Everglades National Park. My grandfather was born on one of the Island around Flamingo. He and his cousin, Glen Simmons grew up in the glades, commercial fishing and killing gators with his dad Capt Duncan C. Brady. They killed gators for their hides and commercial fished to make their living. So you can see from my mothers grandfather, her dad and brother, down to me and my sons, we have been commercial fishing the Gulf of Mexico for five generations. Between my ancestors, my self and my sons we have caught millions of pounds of fish in the Gulf of Mexico. With all this history of commercial fishing in the Gulf, my sons and myself should have a big say in what goes on in the gulf fisheries.

I feel very strongly that IFQ’s are not about fish management, but are about power, control and money. The Gulf Council is talking about turning all reef fish into IFQ fish. I am very opposed to this. It is being influenced by people that want the entire Gulf Fisheries give to them and most of them already have, a big chunk of the Gulf Fisheries, that should not have happened to begin with.

Fish house owners with big money behind them that have access to buying up permits from commercial fishermen getting out of the business, some of these permits have old history that the fish house owners have had nothing to do with catching and if it goes to IFQ’s they will own more big shares of the Gulf Fisheries. So what you all are doing is putting a lot of the one boat fishermen out of business and giving it to the fish houses with the big money that didn’t even catch the fish and what is going to happen is there will not be enough boats left in the fleet to even catch the fish in the gulf. You and all on the Gulf Council need to think about this. This one thing, going to IFQ’s on reef fish could collapse the whole Gulf Fisheries. Who is going to catch the fish when most of the fishing boats are put out of business? It takes experienced captains to catch reef fish, when you put us out there will be none left. Don’t be fooled, there is not enough money



to be made by leasing IFQ's like a lot these guys that are greed and want it all for their selves are telling you. This is a very hard business, only the very best can make it in this business.

If you got IFQ's on the rest of the reef fish this fish industry will be over. Greg Abrams is one of the biggest fish buyers in the south as you all on the Gulf Council know, he is also telling you the same thing I am. Greg see's the writing on the wall about IFQ's. So does Bob Spaith, another big fish house that has learned how bad IFQ's are putting to many fishermen out of business. Please look at the truth of this matter. These people that want IFQ's are not wanting what is best for the fishing industry but what is best for their pockets. Do not let us down, vote no on more IFQ's.

I am fourth generation commercial fisherman, I have fished all my life. I hope we can all act accordingly with this IFQ problem to keep us all fishing in the Gulf Fishery. Again, there are no new captains out there "none" what is left is all we got. There is no new blood wanting in the fishery. What is out there now is it, once that experience is gone it will be gone forever. Let us keep what we got and we will be able to live and make a living in what we know how to do, what we know best.

Sincerely  
Captain Don Harper  
Fourth generation fisherman

P.S.

We get \$1.50 per pound if we catch Red Snapper for the IFG holders, while they make \$3.50 per pound for doing nothing. Don't you all see how lopsided this is? We pay for fuel, ice, bait, tackle, and men out of our \$1.50 and people can say this a good thing for our fishing community? Yea, for their pockets. We know it is not helping, we are living the truth.

Capt Don Harper

Gulf Council and constituents,

Thank you for your time in reading this and allowing me to voice some of my concerns and opinions pertaining to current and future fisheries management, as well as informally introduce myself.

My name is Dean Cox, owner of Cox Fisheries inc. which consists of two commercial fishing vessels that are involved in the gulf reef fish fishery. My business is based out of Destin Fl. I was professionally fishing on commercial or charter boats since 1986. Prior to fishing professionally, I would spend boyhood summers working on my grandfathers charter boat as he as well was a commercial and or charter fisherman most of his life. NMFS catch records will verify that I've been a captain on various boats from 1993 to present day.

I represent F.F.F.F. which is an abbreviation for, Fishermen For Fishing Future; a self proclaimed organization not yet formed, consisting only of myself at this time. I chose this as the name because many combinations of F.F.F.F . will have the same meaning. In lieu of this , I would not be opposed to joining the Gulf of Mexico Reef Fish Shareholders Alliance (as a voting member,) if monies allowed. I feel they best represent most of my opinions , of fisheries issues and are on a great path to ensuring Gulf reef fish, fishing remains a viable, equitable, sustainable industry.

As a captain, my mainstay in the reef fish fishery has historically been Vermillion Snapper. As a matter of fact, out of necessity, I was one of the innovators of harvesting Vermillions with greater technical, efficiency than known in years prior. I was also an integral part in designing ,testing ,and modifying the fishing gear that is used today to target Vermillion's .

I think most Vermillion Snapper fishermen would agree that the Vermillion fishery in the Gulf is, volatile as compared to other reef fishes. Through much time & study, My expertise and experience tell me that Vermillions tend to be temperamental and more finicky than other reef fish. They are also smaller compared to other reef fish and in most cases tend to add up at a slower rate when fishing for them. I also feel more variables affect them than any other reef fish I've tried to target. A number of insights should support my beliefs in this matter, and I encourage others to engage me as to why I feel this way.

Now for my conundrum... I've been a captain in the reef fish industry for 18 years, yet I am having increasing difficulty earning a living, perhaps to the extent of bankruptcy. I understand that that

there are possibly infinite factors influencing this but I'll point out the ones I feel relate to my circumstance and current fishery management.

1. Lack of adequate Red Snapper shares or allocation to maintain a profitable CPUE.
2. Lack of capital to invest in said Red Snapper shares or allocation.
3. Decreased natural capital.
4. Shrinking habitat in which to fish for my targeted species.
5. Open access to my historical fishery.
7. Waning capital services.
8. Slow adaptive fishery management processes.

I'll stop at those listed for now so not to be redundant, if I haven't already done so.

At this juncture I was preparing to take readers on a lengthy, insightful, and disheartening, virtual trip on one of my boats during this year to further my cause, however this would be rather time consuming, so I'll cut to the chase and entertain the offer at a later date. The most pressing issues I feel need to be addressed in the commercial reef fish sector are as follows:

– First and foremost, MSY, OY, and catch shares need to be established for the remaining reef fish. Correct me if I'm wrong but I think there is framework in the process for this now. If not, please let me express that time is of the essence in this matter. It has recently come to my attention that others without my credibility in the Vermillion Snapper fishery, are trying to impress upon the council that the Vermillion Snapper fishery is fine the way it is. I won't argue with the vermilion, stock assessment that concluded Vermilions were not over fished or undergoing over fishing, however I will point out that they are being overexploited which in turn creates a negative externality on my business, due most in part to sector shift. In the past two or three years I've seen more unfamiliar boats targeting vermilion than in the decade previous. Instead of waiting until the vermilion stock assessment, concludes vermilion are over fished, how about the Council being proactive on this stock ?

– Next, historical Gulf Reef fish fishermen without capital to invest in Red Snapper shares, need shares or access to adequate allocation to sustain their business'. This needs to be addressed

during the five year comprehensive review. To elaborate on this matter, I believe that the Council is under the impression that all current Gulf Fishermen have capital to invest in shares and also have access to adequate Red Snapper allocation. I want to assure The Council this is not the case for not only myself, but for other persons struggling through my same situation.

I believe the following things are also important and are currently being addressed by the council now: i.e. Public outreach and participation, ease of public access to issues affecting fishermen, more fisheries studies, and adaptive management plans.

The following are suggestions of mine on how the Red Snapper issue mentioned above, could be addressed .

1. Inactive accounts need to be absolved and given to historic Gulf fishermen without shares.
2. Future increases in TAC that exceed the benchmark set at the inception of the Red Snapper IFQ program need to be given to historic Gulf fishermen without shares.
3. Unused allocation that was not sanctioned needs to be given to historical Gulf fishermen without shares. In the following year. Perhaps even retroactively would be nice. I understand the later probably wont happen, and I respect that.
4. When shareholders are deceased and unless direct descendants are involved in fisheries, a portion of their share's need to be divided among gulf fishermen without shares.

It is my personal belief that there are no limits, the waters are always calm, the weather always fair and the fish are always biting in a fisherman's afterlife.

Now then, at the end of 2007, 2008, and 2009, combined there was a quota of 247,826 lbs left unused. The data on this number for 2010 was not available to me at the time I composed this letter. Correct me if I'm wrong but I also think NMFS sets a 2% cushion on the TAC to address overages. And also there was a portion of the TAC set aside for discrepancies. I don't know about other gulf fishermen but I for one could have used a portion of this quota, or cushion, at full shareholder price or otherwise, especially given the fact that I was and continue to incur more costs than current shareholders. I was also discarding hundreds if not thousands of lbs. per trip, which is both disheartening and wasteful to myself, my crew, and others. I suppose there could be a bright side to this

unused quota, in the aspect that it allowed for more rapid rebuilding of stocks, and in turn hopefully be of benefit to me and others in my situation.

It is of detrimental importance to myself and others in my particular situation that I ask the Council if it has not already been done to set a motion or develop framework to address the concern's listed above.

Being I am way behind the learning ,curve, I urge any or all of those involved to help me understand and participate in the fisheries management process; Via email: [deancox@mchsi.com](mailto:deancox@mchsi.com) or by phone: (850)-259-8782I would also like to offer the Gulf Council to consider me for future advisory panels or perhaps for job opportunities, such as public outreach, or otherwise, as the fishing business doesn't seem to be paying my bills at this time.

Once again let me thank you Council members and constituents in reading this. I hope it enlightened, intrigued, and works as a catalyst in helping develop equitable, sustainable, and adaptive, fisheries management practices now and in the future.

Dean Cox

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**Subject:** FW: Control Date

**Importance:** High

**Subject:** Control Date

April 10, 2012

To Gulf Council Members:

My name is Don Harper, we have the commercial boats, Miss Evelyn Orene and the Big Jim II. Our son Don Harper Jr. has the Miss Stacie. While we hope and pray that you on the council decide not to go to anymore IFQ'S catch shares on our commercial reef fish, including Vermillion Snapper and King Fish, we know that there is a possibility that you will.

If you do decide to go to IFQ'S catch shares on all reef fish, please make it fair and move the control date up to our present year that you decide to start the IFQ's on these fish and let us fishermen pick out our best five years or how ever many years you decide to use. You should use newest years to present and oldest years to make it fair for all of us in the Gulf Fishery.

Like I told you in the previous letter, there are not many Bandit Boats that target reef fish, We need to be able to stay in business and you need us in business also.

They are not making any more captains that can fish reef fish, it is a dying art. It takes years and years of fishing with a captain that knows how to fish the bottom, to make a living from it. There are more people getting out of this fishery than getting into it, do not be fooled by these fish houses and captains that want it all for themselves.

Please, if you do go to IFQ's on reef fish make it fair for all of the Bandits Boats and let use choose old years and new years to present, lets be fair to all and not just a chosen few.

I am fourth generation commercial fisherman and my sons are fifth generation commercial fishermen, we go back to 1885, my great grandfather Capt Duncan C, Brady was a fisherman in the Gulf and named Flamingo in 1892 where Everglades National Park is now.

I represent many commercial fishermen and fish houses in what I am saying in this letter.

Thank you for your time,

Capt Don Harper

Subject: Stop funding new IFQ's NOW

Date: Wednesday, May 2, 2012 9:42 AM

From: captbigjim2@mchsi.com

To: Bob Gill <bgillbgill@embarqmail.com>, Douglass Boyd <douglassboyd@yahoo.com>, Roy Crabtree <roy.crabtree@noaa.gov>, Charlene Ponce <charlene.ponce@gulfcouncil.org>, Chris Blankenship <chris.blankenship@dcnr.alabama.gov>, Pamella Dana <fish@surelurecharters.com>, Kay Williams <hkaywilliams@hotmail.com>, John Greene <intimidatorcharters@yahoo.com>, Jessica McCawley <jessica.mccawley@myfwc.com>, Kay Williams <hkaywilliams@hotmail.com>, Kevin Anson <Kevin.Anson@dcnr.alabama.gov>, Larry Abele <labele@fsu.edu>, Myron Fischer <mfischer@wlf.la.gov>, Pamella Dana <fish@surelurecharters.com>, Phil Steele <phil.steele@noaa.gov>, Randall Pausina <rpausina@wlf.louisiana.gov>, Bob Spaeth <rspaeth8@aol.com>, Tom McIlwain <tom.mcilwain@usm.edu>  
Conversation: Stop funding new IFQ's NOW

To the Gulf Council Members and Advisory Board

My name is Don Harper, my wife Laura and I have four sons, all of them are commercial fishermen and boat captains. Our son Donnie Harper owns and captains the "Miss Stacie" and we have two commercial fishing boats the "Miss Evelyn Orene and the "Big Jim II", myself, my wife Laura and my son Daniel Harper are partners in these boats. Our son Billy Harper captains the commercial fishing boat the "St. Andrews Bay" for captain Tom Harris. We make our living fishing the waters of the Gulf of Mexico and have been all our lives.

My family has a long history in the fishing industry. There is a book called "Man in the Everglades" written by Charlton W. Tebeau. There is a chapter in this book that talks about my Great Grandfather, Capt Duncan C. Brady. Capt Brady was the captain of a whaling vessel out of Nova Scotia. In the late 1800's during a storm, his ship went down off the coast of Savanna. Ga. Capt Duncan C. Brady did not go back to whaling. He made is way down to the bottom of southwest Florida around 1885, settling in the Ten Thousand Islands area. Capt Brady was the prime mover in naming Flamingo in 1893. This area, where my people called home, is now called Everglades National Park. Between my ancestors, myself and my sons we have caught millions of pounds of fish in the Gulf of Mexico. With all this history of commercial fishing in the Gulf, my sons and myself should have a big say in what goes on in the gulf fisheries.

I feel very strongly that IFQ's are not about fish management, but are about power, control and money. The Gulf Council is talking about turning all reef fish into IFQ'S fish. I am very opposed to this. Fish house owners with big money behind them have access to buying up permits from commercial fishermen getting out of the business, some of these permits have old history that the fish house owners have had nothing to do

with catching and if it goes to all reef fish IFQ's they will own more of the Gulf Fisheries. What you all are doing is putting a lot of the smaller fishermen out of business and giving it to the fish houses with the big money and they do not even catch the fish. We get \$1.50 per pound if we catch Red Snapper for the IFQ holders, while they make \$3.50 per pound for doing nothing. Don't you all see how lopsided this is? We pay for fuel, ice, bait, tackle, and men out of our \$1.50 and people can say this a good thing for our fishing community? We know it is not helping, we are living the truth.

Everyone on the Gulf Council need to think about this. This one thing, going to IFQ's on reef fish could collapse the whole Gulf Fisheries. Who is going to catch the fish when most of the fishing boats are put out of business? It takes experienced captains to catch reef fish, so when you put us out of business there will be none left. Don't be fooled, there is not enough money to be made by leasing IFQ's to stay in business. This is a very hard business and only the very best can make it work.

If you go to IFQ's on the rest of the reef fish, this fish industry will be over. Greg Abrams is one of the biggest fish buyers in the south as you all on the Gulf Council know, and he is also telling you the same thing I am. So does Bob Spaeth, another big fish house owner, he too has seen how IFQ's are putting so many fishermen out of business. These people that want IFQ's are not wanting what is best for the fishing industry but what is best for their pockets. Do not let us down, vote NO on more IFQ's. If you do decide to go to IFQ'S catch shares on all reef fish, please make it fair and move the control date up to our present year that you decide to start the IFQ's on these fish and let us fishermen pick out our best five years or how ever many years you decide to use. You should use newest years to present and oldest years to make it fair for all of us in the Gulf Fishery.

Like I told you in previous letters, there are not many Bandit Boats that target reef fish, we need to be able to stay in business and you need us in business also.

They are not making any more captains that can fish reef fish, it is a dying art. It takes years and years of fishing with a captain that knows how to fish the bottom, to make a living from it. There are more people getting out of this fishery than getting into it, do not be fooled by these fish houses and captains that want it all for themselves.

Please, if you do go to IFQ's on reef fish make it fair for all of the Bandits Boats and let use choose old years and new years to present, lets be fair to all and not just a chosen few.

I hope we can all act accordingly with this IFQ problem to keep us all fishing in the Gulf Fishery. Again, there are no new captains out there "none", what is left is all we have. There is no new blood wanting in the fishery. What is out there now is it, once that experience is gone it will be gone forever.



Sincerely  
Captain Don Harper  
Fourth generation fisherman

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**Subject:** FW: Stop the Funding for the Catch Share Program

**Subject:** Stop the Funding for the Catch Share Program

Don Harper  
7441 Jefferson Ave.  
Southport, Fl. 32409  
850-896-3232  
[captbigjim2@mchsi.com](mailto:captbigjim2@mchsi.com)

My name is Don Harper, my wife Laura and I have two commercial fishing boats the "Miss Evelyn Orene" and the Big Jim II. We make our living fishing the waters of the Gulf of Mexico.

My family has been fishing in the Gulf of Mexico for five generation. My Great Grandfather Capt Duncan C. Brady was the captain of a whaling vessel out of Nova Scotia in the late 1800, so my family has a long history in the fishing industry. Between my ancestors, myself and my sons, we have caught millions of pounds of fish in the Gulf of Mexico.

I feel very strongly that IFQ's are not about fish management, but are about power, control and money. The Gulf Council is now trying to target the vermillion snapper, red porgies and other reef fish currently not managed by a IFQ. Vermillion snapper are not over fished and red porgy are not even in a fishery management plan.

Everyone needs to be aware that this new proposed catch share program could lead to tragedy for the smaller fleets, because if there are Red Snapper lease available we get \$1.50 per pound, while the lease holders make \$3.50 per pound. We also have to pay for ice, bait, tackle, deckhands and now considerably higher fuel prices out of our \$1.50. There is not enough money to be made by leasing IFQ's from other people, to stay in business.

What you all are doing is putting a lot of the smaller fishermen out of business and giving it to the fish houses with the big money and they do not even catch the fish.

Like I told you in previous letters, there are not many Bandit Boats that target reef fish, we need to be able to stay in business and you need us in business also.

Everyone on the Gulf Council need to think about this. This one thing, going to IFQ's on all reef fish could collapse the whole Gulf Fisheries. Who is going to catch the fish when most of the fishing boats are put out of business.

Do not let us down, vote NO on more IFQ's,

Please, if you do decide to go to catch shares on all reef fish, please make it fair and move the control date up to our present year that you decide to start the IFQ's on these fish and let us fishermen pick out our best five years or however many years you decide to use. You should use newest years to present and oldest years to make it fair for all of us in the Gulf Fishery.

I hope we can all act accordingly with this IFQ problem to keep us all fishing in the Gulf Fishery. There are no new captains out there "none", what is left is all we have, once that experience is gone it will be gone forever.

Sincerely  
Captain Don Harper  
Fourth generation fisherman

----- End of Forwarded Message

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**Subject:** Amberjack IFQ

**From:** Stephen Maisel <[maiseltown@live.com](mailto:maiseltown@live.com)>

**Date:** Tue, 12 Jun 2012 16:41:33 -0400

**To:** Info <[Info@gulfcouncil.org](mailto:Info@gulfcouncil.org)>

**Subject:** Amberjack IFQ

Dear Gulf Council Members,

I would like to encourage you to add amberjacks to the IFQ program. I have fished the Gulf of Mexico commercially full time since 1984. Amberjacks once were a regular portion of our catch. This has not been the case in recent years due to depleted stocks and short seasons. I think an IFQ program for amberjacks would be a great success as it has been in the red snapper and grouper fisheries. We have seen stocks rebound dramatically and prices increase with year round access to the stocks. Please take this into serious consideration at your June meeting. This would be a perfect opportunity to save another over fished resource.

Sincerely,

Stephen J. Maisel, Jr.  
Clearwater Beach, FL

----- End of Forwarded Message