

April 2017

Emily—by the way we are AGAINST expanding sector separation to include other species---for state management and FOR revoking sector separation for Red Snapper.. Thanks have a good day!!

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## **Introduction**

Charter Fisherman's Association (CFA), the largest federally-permitted for-hire industry association in the Gulf of Mexico, aims to establish an allocation based management plan to increase the stability of fishing businesses, provide access for the non-boat owning public, and ensure fishing occurs at sustainable levels while improving accountability. The charter for-hire (CFH) industry has unique characteristics and designing such a system will require novel solutions and approaches. The following identifies key aspects that should be addressed or considered in the design of an allocation based program, and, where possible, offers guidance on how to tackle them. When specific guidance could not be identified, we suggest lines of inquiry which could yield the necessary specifics. Our proposal is a compilation of positions and recommendations on the direction and design of Amendment 41 to the Gulf of Mexico Reef Fish FMP, informed by the meetings of the charter for-hire (CFH) Advisory Panel (AP), the recent joint AP meeting between the CFH AP and Headboat AP, Gulf Council discussions and presentations, and extensive discussions within the industry and with technical experts.

***Guiding statement: The CFH fishery should be managed under a catch share program that provides the best opportunity for active charter captains throughout the Gulf to have stable and profitable businesses and enhances customer access while ensuring the sector fishes sustainably and accountably.***

## **Program Goals**

1. Increase fishing opportunities for anglers who use the federally managed charter for-hire fishing fleet.
2. Retain the character of the fishery and the number of active fishermen, avoiding consolidation and shareholding by non-active participants.
3. Reduce management uncertainty through improved catch and discard accounting.
4. Ensure fair and equitable allocation for all participating permit holders.
5. Promote fleet stability.
6. Enhance sustainability by improving catch monitoring, adhering to quotas, and reducing dead discards.
7. Contain sufficient flexibility for stakeholders and the Council to address social, economic, and environmental priorities that arise during the execution of the program (for instance, allowing for new entrants into the fishery, addressing discard concerns as stocks shift or expand in range, etc.)

## **Program Type: Permit Fishing Quota (PFQ)**

***Position: CFA recommends a PFQ-style system with limited tradability and with shares of fish assigned to the for-hire permit.***

*Rationale:* Many in the CFH industry are concerned about two issues that have arisen in Individual Fishing Quota (IFQ) programs: consolidation and shareholding/leasing by people who do not actually fish. To avoid these potential issues, we recommend pursuing a Permit Fishing Quota system. Since the shares in a PFQ system cannot be held separately from the permit they are assigned to, a shareholder would not be able to accumulate "investment" shares

and add them to a single permit, which would invite consolidation. This prohibition on accumulating shares also would help to prevent individual shareholders from acquiring more shares than they are able to fish solely in order to lease out the associated allocation for profit. Although there are additional measures that should be put in place in order to address these issues, we believe that a PFQ system is better aligned with the goals of preserving the character of the fleet and ensuring that the allocation-based system benefits the industry as a whole.

We realize that tradability becomes more challenging under a PFQ system, but we encourage NMFS and the Council to continue to engage with the industry on what types, and the extent to which trading can occur to alleviate concerns over initial allocation, geographic needs of share distribution and the uncertainty about active vs. inactive permits.

### **Single Species vs. Multi-species Program:**

***Position: The CFH program should include multiple species of reef fish.***

*Rationale:* At the January 2017 joint meeting of the CFH and Headboat Advisory Panels, the most broadly-supported consensus item advisors issued was a need for the CFH program to include five species of reef fish that are instrumental to the CFH industry in the Gulf: red snapper, greater amberjack, gray triggerfish, red grouper and gag grouper. The reasons for this are varied, but most critically:

1. Geographic differences in targets. Fishermen across the Gulf region have different needs, variable access, and selective preferences for different species, largely dependent upon geography. A multispecies program for these key reef fish will enable fishermen to work within the CFH industry to access the fish they need and redistribute the fish they do not.
2. Equity across the for-hire fleet. The Landings History Vessels included in Amendment 42 are expected to have a multispecies program, which the CFH industry supports. However, a one-species program for one segment of the for-hire fleet and a multispecies program for the other subcomponent will create an unbalanced playing field, favoring those fishermen who participate in the program under Amendment 42. A multispecies program for the CFH and headboat subcomponents will foster a stable, fair, well-functioning for-hire industry in the Gulf.
3. Reduced bycatch/increased efficiency. One of the most challenging problems currently facing our industry is short seasons. Amberjacks closing on March 24 and trigger fish being closed all year are a perfect example. Under a multispecies program, fishermen will be able to manage our businesses to reduce the impact of these closed seasons and to target species that our customers want. We will also be able to keep and account for fish we catch. This will help prevent overfishing, provide more stable access and create a more satisfying experience for our customers.

**The CFH AP should be reconvened as soon as possible to discuss the contents of the Council's Reef Fish Management for Federally Permitted Charter Vessels (White Paper), including the Annual Catch Limit Allocation (2.1) section. We request that the Council/NMFS incorporate data for gray triggerfish, greater amberjack, red grouper and gag into the initial allocation decision tool produced**

**for Amendment 41 in advance of the next CFH AP meeting, so that the CFH AP can assess the various per-permit initial allocation scenarios of the species other than red snapper.**

### **Eligibility**

***Position: All federal reef fish permit holders are eligible to participate in the program.***

*Rationale:* From the beginning, CFA has operated on the principle that any program must be fair to all permit holders. We are committed to that principle and we urge the Council and NMFS to continue to develop Amendment 41 with that fairness in mind.

### **Initial Allocation**

Distribution of initial allocations is always the most challenging aspect of any catch share program. For amendment 41 this is particularly the case due to the lack of per-vessel landings history.

Regional recreational landings data is available to use as a proxy, but is inexact and in some cases does not reflect historical catch well. Its application alone would not be “fair and equitable” in the eyes of many in the industry. The Council presented a mixed approach to an initial distribution formula for red snapper, which includes regional data from MRIP, passenger capacity “tiers”, and equal distribution.<sup>1</sup> Altering the weight given to each component of this formula did not substantially change the initial allocations; again, when diluted over the unknown number of inactive permits, the initial distribution is viewed as inadequate by many who depend upon red snapper. To address this issue, it is recommended that the Council and NMFS:

1. Continue to examine allocation formulas that take into consideration MRIP regional landings, tiered-passenger capacity, and biomass concentrations of reef fish species.
2. Explore cyclical redistribution. At the Joint AP meeting in January the advisors were split on the decision whether to launch the CFH program using an allocation formula for initial distribution followed by cyclical redistribution, or to first wait for electronic logbook (ELB) data to identify active vs. inactive permits prior to initial distribution of shares. **CFA recommends proceeding with the CFH program exploring a variety of the proxies previously mentioned for initial allocation, followed by cyclical redistribution of shares based on the determination of “active” vs. “latent” (“latent reclamation”).** If prior to the implementation of the CFH program the ELB program is implemented and active permit data becomes available through the submission of log book reports, this information should be taken into consideration in the initial distribution of shares.
3. Establish a mechanism for permit holders to trade in ***fish***, so that CFH operators who depend heavily on one species of fish can trade their allocations of the other reef fish species for species and vice versa. In this way, regional needs for allocation can be addressed. A

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<sup>1</sup> Establishing employment in harvesting, investments and dependence on the fishery and participation of fishing communities, required to be considered under the Magnuson-Stevens Act (MSA), is similarly difficult for the CFH industry. Suggestions by the CFH Advisory Panel to utilize documents such as tax returns, state guide licenses, etc. to demonstrate investment and activity were rejected by NMFS.

mechanism that would allow the “barter” of allocation without the need for money to change hands is preferred.

### **Share Maintenance**

***Position: Shares should be redirected over time to active permits through latent reclamation and proportional cyclical redistribution, on cycles to be determined.***

*Rationale:* We strongly support cyclical redistribution of shares, intended to move quota off of latent permits and on to active permits and accommodate regional needs. Based on an initial assessment of the White Paper (and subject to more discussion by the CFH AP), we believe our position accomplishes several goals:

1. Latent reclamation will a. give active fishermen access to the fish they need; b. prevent inactive permit holders from perpetually leasing out allocation for profit; and c. facilitate the achievement of OY. Latent reclamation (as opposed to comprehensive reclamation) also does not unfairly divest active fishermen of shares.
2. Proportional cyclical redistribution works to direct fish where they need to go by a. redirecting the quantities of shares to those who fish the most; b. redirecting types of shares of particular species to those who target those species in the regions where they are available; c. increasing the shares of those who obtain allocation through leasing, which can accommodate new entrants and business expansion.

Additional decisions need to be made, and should be explored by the Council, including:

- a. Establishing a threshold number of fish that would need to be landed in order to qualify a permit as an “active” for-hire permit;
- b. Establishing the reclamation percentage;
- c. Determining the appropriate timetable of cycles (set vs. progressive, intervals of years, etc.);
- d. Exploring the consideration of passenger capacity in redistribution;
- e. Creating an appeals process for inactive permits that did not fish due to documented health hardships, serious equipment failure, or other appropriate factors;
- f. Setting aside a small percentage of divested shares to establish a share reserve, for grievances in allocation, new entrants, shifting stock distributions, research, etc.

### **Transferability Parameters**

***Position: The CFH program should allow the transfer of allocation only, between eligible reef fish permits (White Paper Action 2.3, Alternative 2b).***

*Rationale:* The ability for fishermen to transfer or trade portions of their annual allocation can be useful for addressing bycatch, ensuring allocations can move to where the species is most needed, and for responding to unexpected business needs and problems which would prevent fishermen from fishing temporarily. Many CFH operators do have concerns about the possibility that shareholders in a CFH allocation-based program could decide not to fish, retain their shares, and perpetually lease allocation to active fishermen, which could make it difficult for new entrants or smaller businesses to grow their investments. CFA opposes such action and is encouraged by the clarification in the White Paper that, through proportional redistribution, those who obtain and use allocation by leasing from another permit holder would be able to

claim that use as landings history, and qualify for increased shares.<sup>2</sup> To further address this concern, we request the Council to:

1. Clarify that permit holders that lease out allocation to other permit holders are not considered to have “landed” those fish, and so will not be credited with those landings for redistribution purposes (except in verified cases of hardship);
2. Explore allocation transfer maximums to restrict the amount of allocation each permit holder is allowed to temporarily transfer to another permit holder to a percentage of the overall allocation holdings each year. (For example, only 25% of a permit holders’ allocation could be transferred each year)
3. Develop a preference for barter or fish-trading over allocation transfer for cash. The White Paper makes clear that in a multispecies program, barter in species is possible using existing mechanisms. To further disincentivize perpetual leasing by inactive permit holders, NMFS should consider methods to make barter for species easier or more advantageous to fishermen.

### **Appeals Process**

The Magnuson-Stevens Act requires that NMFS establish a process for appeals concerning initial allocation in a LAPP program<sup>3</sup>. The CFH industry recommends establishing appeals processes for each major decision point which impacts fishermen, including those related to the divestment and cyclical redistribution of shares and limits on leasing allocation. Appeals should be available to ensure that the program is meeting the social goals of the program.

### **Share Caps**

The Magnuson-Stevens Act requires that LAPP programs include a percentage-based share cap to prevent any particular shareholder from acquiring an “excessive share” of the overall privileges.<sup>4</sup> We strongly support this requirement but do not have enough information to suggest an appropriate number for this – it will need to be determined through modeling. A share cap should be set that is high enough to ensure that high-liners (those who catch the most fish) can ultimately continue to fish at their previous levels and expand within reason, but also prevent the risk of too much consolidation. **We request that the NMFS and Council explore a range of permanent share cap options that will address the social and economic goals of the program to prevent consolidation and retain the social fabric of the fishery.**

### **Monitoring & Validation**

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<sup>2</sup> “Transferability of shares and/or allocation could allow fishermen to trade shares or allocation for species not common in their area with fishermen in different areas where the species is common. Particularly with a cyclical program, transferability could allow fishermen to have more landings of a species, and therefore, receive more shares at the beginning of the next cycle, depending on how the cyclical program is designed. Thus, over time, allowing transfers would help accommodate regional differences in species distribution.” (Reef Fish Management for Federally Permitted Charter Vessels, 3/23/17, page 12).

<sup>3</sup> 16 U.S.C. 1853a, § 303A(c)(1)(I).

<sup>4</sup> 16 U.S.C. 1853a, § 303A(c)(5)(D).

1. ***Participants should be required to use a NMFS-approved reporting device.*** CFH program participants should report landings electronically in a time frame that enables NMFS to track catch and allocation usage.
2. ***Participants should be required to hail in and hail out.*** Hailing in and out ensures NMFS is alerted to fishing activity and that what a fisherman reports on the water can be validated at the dock by law enforcement. This is crucial to make sure that the allocation-based program is working as intended to keep the sector to its quota and keep the fishery sustainable.
3. ***Participants should be required to use a NMFS-approved landing site.*** In order to ensure catch reports can be validated, participants should be required to use NMFS-approved sites that are verified as accessible to law enforcement.

### **Future decisions**

As the current version of Amendment 41 recognizes, several other decisions will need to be made, including the method for determining cost recovery fees, eligibility criteria for a referendum, how to manage quota adjustments, and accountability measures in the event the CFH industry were to exceed its quota. As these issues have not been thoroughly explored by the AP or the Council at this point, we recommend including these considerations in future CFH AP agendas and Gulf Council presentations for discussion and deliberation.

### **Conclusion**

Status quo, derby management of the CFH industry can result in unstable, precarious businesses and reduce the viability of future investments by new entrants to the industry. While we commend the Gulf Council for its progress toward improving data collection in the for-hire industry during its most recent Council meeting, data collection alone does not go far enough. Charter operators need flexible, predictable access to the reef fish that are most important to the success of our businesses and the memorable experiences of our customers. An allocation-based management system for our sector is a proven way to stabilize our businesses, deliver quality, flexible access to our customers, and ensure sustainable fish stocks for our nation's future.



January 25, 2017

Mr. Leanne Bosarge, Chairwoman  
Gulf of Mexico Fishery Management Council  
2203 North Lois Ave  
Tampa, FL 33607

Dear Chairwoman Bosarge,

The Charter Fisherman's Association is the largest federally permitted charter for-hire organization in the region. Our organization is focused on working respectfully within the fishery management process toward realistic solutions to problems facing the recreational fishery and charter for hire industry. We appreciate the opportunity to provide input and comments on a variety of fishery issues before the Gulf Council:

#### Modifications to Generic Charter Vessel and Headboat Reporting Requirements

First, it is finally time for the council to finalize and implement the modifications to charter vessel and headboat reporting requirements. Electronic logbook reporting has been a priority within the charter boat industry for many years and the opportunity to improve data timeliness and the quality of data while also building stakeholder buy-in is much appreciated. The electronic reporting program should include hail-out/hail-in provisions for both charter and headboats, prior to returning to the dock via a NMFS approved reporting device with minimum archival GPS permanently affixed to the vessel. ***This would be accomplished through the current preferred alternatives: Action1-alternative 4, Action2-alternative 4, Action 3-alternatives 2 and 3, Action 4- alternative 2.***

#### Amendment 41 and Amendment 41 - Charter and Headboat Management

Following the October Gulf Council meeting, there were some differences identified between the charter and headboat management amendments that needed to be addressed before moving forward. The primary differences were in species composition and development/implementation timelines. These were discussed at great length in the joint CFH/Headboat Advisory Panel meeting by members of a broad panel; but through these discussions, the group was able to develop and arrive at a few very good consensus statements. The Charter Fisherman's Association



supports moving forward with 2 multi-species, allocation based management amendments to be passed and implemented at the same time. Council staff needs direction from the council to move forward with development of both amendments according to the AP consensus statements for further discussion at the April council meeting. ***Next steps for Amendment 41 should include conversion of the program to include not only red snapper, but gray triggerfish, greater amberjack, gag grouper and red grouper, consistent with Amendment 42.*** The Council and NMFS staff also presented, at the joint AP meeting, ideas for “cyclic redistribution” of shares that are not used initially being allocated, to make sure fish ultimately go to those who are actively fishing as charter for-hire operators. The panel seemed very interested in this strategy, ***and we recommend “cyclic redistribution” as outlined by staff should be included in the Amendment 41 document for further analysis and consideration. We encourage the Council staff to work with NMFS to develop a suite of alternatives that address the details of how this redistribution could be operationalized.***

#### Carryover Provision for Unharvested Recreational Red Snapper ACL

Over the past few meetings, there has been discussion on a carryover provision of unharvested red snapper ACL to the following year to provide relief and access to the recreational fishery. While this is an excellent idea in principle, the council should proceed with caution throughout the development process to ensure accomplishment of the desired outcome. The current structure of the recreational fishery allows for two subsectors operating under combined accountability measures; in other words, accountability measures triggered by one subsector have consequences for both subsectors. In order to achieve an appropriate carryover provision, ***CFA recommends the council develop and pursue implementation of subsector-specific accountability measures for each segment of the recreational fishery.*** According to the latest landings data, and data since Amendment 40, the charter for-hire component has been held consistently and significantly within its portion of the ACL while the private angler component has significantly exceeded its portion of the ACL, despite being held to the same accountability measures. Implementation of any carryover provision, without the use of subsector-specific accountability, would allow for de facto reallocation to the private angler component causing undue economic harm to federal permitted charter for-hire businesses.

#### Amendment 46 - Gray Triggerfish Rebuilding Plan

Despite the current 2017 season closure for gray triggerfish, we look forward to working with the council to getting this critical species back on track for rebuilding; enabling us to offer these fish to charter for-hire customers to harvest again in the near future. ***The current preferred alternatives and management measures, albeit delayed in implementation, are encouraging and should provide increased***

*opportunity for harvest with reasonable confidence to ensure rebuilding the stock as required under the Magnuson Stevens Act (MSA).*

Amendment 47 - Modify Vermillion Snapper ACLs and MSY Proxy

In the process of ACL adjustments and establishment of proxies for rebuilding for vermillion snapper in Amendment 47, ***CFA would like to express support in moving forward with a constant catch yield stream in Action 2.*** Additionally, CFA would like further discussion and explanation of the expected impacts to season lengths within the recreational fishery for vermillion snapper as this amendment progresses. It is critically important to charter for-hire businesses that reasonable regulatory certainty and business planning opportunities be made available our businesses.

Thank you for your consideration of these comments.

A handwritten signature in black ink, appearing to read "Shane Cantrell".

Shane Cantrell  
Executive director, Charter Fisherman's Association

**From:** [Gordon Burdette](#)  
**To:** [Meetings](#)  
**Subject:** My Public Statement comment on todays Meeting in New Orleans  
**Date:** Wednesday, August 17, 2016 6:18:28 PM

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I am Gordon Burdette, Captain/Owner of Charter boat Alibi II. I am on the board of directors of the Alabama Charter Fishing Association and have been for several terms. I live and fish out of Orange Beach Alabama.

I was unable to physically be at today's meeting but did listen on Webinar. Thank you for providing this service.

I would like to comment on the possibility of a Tagging System. I would like everyone to look at and implement a Tagging system for Snapper AND Trigger Fish. This system would allow the boats to fish when we have a trip and weather is good, not just during a specified season. I surely want to get Trigger fish back and Amber Jack. I enjoy having a long day of fishing AJ's after the summer Red Snapper season has ended. We make several of these trips in the fall usually.

Again, I have sent in my comment on Amendment 41 as I SUPPORT IT. I did that on your comment form. Please read and take consideration this email also as I feel these comments do help in your decision making.



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 Brazier, Deputy Director  
Gulf of Mexico Reef Fish Shareholders' Alliance

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

January 25, 2016

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

Dear Mr. Anson:

Thank you for the opportunity to comment on Gulf of Mexico fisheries. Here are our comments and recommendations on recreational reef fish issues before the Council this week:

**1. Simplify red snapper regional management by devoting it to the private angling component – select Alternative 2 in Action 2 as preferred.**

Regional management for red snapper has been endorsed primarily by private anglers and the Gulf states. Many recreational for-hire operators across the Gulf of Mexico have voiced a preference for a Gulf-wide federal management plan, and we agree that the for-hire component should be removed from any consideration of a regional management plan. Amendment 39 provides an opportunity for states to design management measures that work best for the private anglers in each region, and we suggest that the Council consider the potential benefits of management tools like tags and angler management organizations for private anglers. These approaches could provide year-round fishing opportunities, better data on fishery performance that could reduce uncertainty buffers, and reduced risk of overages that undermine the rebuilding of red snapper.

**2. Continue progress on allocation-based management plans in Amendment 41 and 42.**

Amendment 42:

The Gulf Headboat Collaborative pilot program demonstrated that an allocation-based management plan for headboats can be a significant improvement over status quo. Allocated the same proportion of red snapper and gag their customers would normally catch in derby seasons, headboats participating in the pilot program.<sup>1,2</sup>

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

<sup>2</sup> NMFS Southeast Regional Office (2015). "Headboat Collaborative Pilot Program 2014 Annual Report." March 2015.

- Spread out their allocations of red snapper and gag over the year to allow year-round fishing and improved economic stability for headboat operators;
- Provided more than twice as many anglers (+100%) with opportunities to fish for red snapper and gag;
- Significantly reduced discards of red snapper and gag (by 43% and 59%, respectively);
- Successfully stayed under catch limits and facilitated superior monitoring and enforcement by using daily electronic logbooks, vessel monitoring systems, and quota transferability within the pilot program.

The headboat pilot program was a success for headboat businesses, their angler customers, and conservation. While the two year pilot expired on December 31, 2015, the Council now has an opportunity to build on this success and extend a similar management approach to all 68 Gulf of Mexico headboats participating in the Southeast Region Headboat Survey (i.e., Beaufort Survey).

We recommend that the Council **move forward Amendment 42** as quickly as possible with these features:

- Species to include: Amendment 42 should develop a multispecies allocation-based management approach, consistent with recommendations from the Council's Reef Fish Headboat Advisory Panel. At a minimum this should include the five major reef fish species for which there are recreational allocations (red snapper, red grouper, gag, greater amberjack, and gray triggerfish). These species are important to headboat businesses and their angler customers, and many are facing the same management challenges as recreational red snapper.
- Initial allocations: Headboats have reported their landings through trip-level logbooks for many years, so it will be straightforward to establish initial allocations based on their own landings histories.
- Structure: Quota shares and allocation should be distributed to individual headboat operators with for-hire reef fish permits. A cooperative structure made sense for 19 headboats in a pilot program, but going forward on larger scale individual allocations and accountability will make management and enforcement more simple, effective, and efficient.
- Transferability: Shares and allocation should be freely transferable and divisible among permitted headboats. Quota transfers allowed pilot program headboats the flexibility to reduce discards and extend fishing seasons over the year. Amendment 42 should extend these benefits to all Gulf of Mexico headboats.

#### Amendment 41:

The benefits demonstrated by the headboat pilot program should also be extended to the charter component of the recreational reef fish fishery. Amendment 41 lays out four goals: increased flexibility, reduced management uncertainty, improved economic conditions, and increased fishing opportunities for charter customers. These goals are critical to reversing the failure of status quo management and are the right guideposts for developing a successful management plan for the charter for-hire component.

We recommend that the Council **move forward Amendment 41** with these considerations:

- Management approach: The two fishing quota programs listed in Action 1, Alternative 2 (Individual Fishing Quota and Permit Fishing Quota) are likely to provide the most benefits to participants and the most efficient management for regulators and law enforcement. A cooperative structure is impractical given the large number of charter operators across the Gulf, and stand-alone tag management would forfeit the predictability and efficiency of individual allocations.
- Initial allocations: Given the lack of vessel-level landings history, Amendment 41 lays out several equitable means of distribution. We do not recommend one alternative over any other, but the Council should consider all of the implications of weighting allocations by estimated regional landings from prior years. Weighting allocations by estimated regional landings may result in uneven initial allocations across the Gulf, but not doing so may mean that initial allocations are less representative of recent fishing trends.
- Transferability: For any initial allocation scenario selected, quota transferability will be advantageous to rebalance fishing opportunities, extend fishing seasons, and reduce discards. The Gulf Headboat Collaborative pilot program demonstrated clear benefits of quota transferability. We recommend that Amendment 41 provide these benefits to the charter component.

We recommend that the Council reconvene the reef fish headboat and red snapper charter for-hire advisory panels before the April 2016 Council meeting to provide more detailed guidance on these management options.

### **3. Move forward on populating and convening the Private Angler Advisory Panel.**

A federal court upheld the creation of the private angling and for-hire subsectors in the red snapper fishery. The Council should focus on improving management to benefit anglers in both. As was done in the commercial sector and is now on-going in recreational for-hire efforts, the gathering of stakeholder input and development of options should be done in an inclusive and transparent process. Closed door meetings by self-selected stakeholders cannot replace the advisory panel process. We strongly encourage the Council to move forward with a robust process to engage a wide cross-section of anglers across the Gulf in an open, inclusive and constructive advisory panel.

Thank you for considering our comments and recommendations.

Sincerely,



Robert E. Jones

Director, Gulf of Mexico Oceans Program





January 14, 2016

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

**RE: Red Snapper Recreational Management and For-Hire Electronic Reporting**

Dear Chairman Anson,

On behalf of The Pew Charitable Trusts (Pew), please accept these comments on management and accountability of recreational fisheries in the Gulf of Mexico. It is important to maintain the conservation and legal requirements of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) while providing sufficient access to fishing and the ability to operate stable businesses. At the January 2016 meeting, the Gulf Council can take significant steps to implement data collection and management systems that have the potential to more effectively meet the needs of stakeholders, while promoting sound conservation of the resource. With that in mind, we urge the Council to:

- **Remove the charter for-hire sector from Amendment 39 (Regional Management) before taking final action (Action 2, Alternative 2).** We support final approval of Amendment 39 only if this plan applies specifically and solely to the private recreational component of the red snapper fishery. This provides a means to design tailored management plans that address data needs and include strong accountability measures for each sector, which fosters conservation and maximizes flexibility.
  - **Alternative 3 in Action 2, which would give individual states the option to manage the for-hire and private angler sectors separately, is not a workable solution** for the for-hire component. It would make monitoring of the Gulf-wide recreational fishery much more difficult, and could negate plans for an electronic reporting system for the charter for-hire sector.
- **Approve the Generic Charter Electronic Logbook Amendment with the current preferred alternatives.** Requiring electronic reporting of all catch and bycatch by the for-hire fleet is an important part of an overall move towards a more accountable management system for this sector.

- **Continue to move forward with Amendments 41 and 42 to establish new management programs for the for-hire fleets** that have the potential to improve accountability, reduce discards<sup>1</sup>, and provide more stability to these businesses.

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

The Council initiated Amendment 39 in 2012, after several years of discussing the regional management concept, to allow each Gulf state to manage aspects of the red snapper recreational fishery. The amendment may provide some benefits for private anglers, many of whom already work closely with their state managers. State-run programs under development could be specifically designed to collect data from private anglers and monitor that type of fishing. Moreover, the current plan maintains requirements for compliance with the Magnuson-Stevens Fishery Conservation and Management Act.

However, if charter for-hire operators are included in this amendment in any way, it will nullify proposals for new management programs under development for the charter and headboat sectors. Many members of the charter for-hire industries have been working with the Council to create management and data collection plans for their sector through the ad hoc advisory panels established by the Council for this purpose. Amendments 41 and 42 propose management approaches for the charter and headboat industries that, together with a properly implemented electronic logbook program, have the potential to provide improved accountability; better catch monitoring and data on landings and discards; and more stability for these businesses. If Amendment 39 passes with the charter fleet included in any way it will render Amendments 41 and 42 null, and make implementation of the proposed charter electronic logbook amendment overly complex and thus unlikely to succeed. Therefore, **we support final approval of Amendment 39 only if Alternative 2 in Action 2 is selected as the preferred alternative.** This action removes the federally permitted for-hire boats from the amendment, and allows the Council to continue working with stakeholders to develop management strategies and data collection and monitoring programs that suit their specific and unique needs.

Alternative 3 in Action 2 of Amendment 39, which would allow each state to decide whether to manage the for-hire sector, is not a workable solution for the for-hire fleet. Having some, but not all, states manage their for-hire boats separately from the private boats for one out of a suite of reef fish would make monitoring and accountability of the catch from the entire fleet much more difficult. This would likely result in even more uncertainty associated with the catch data. It could also increase the level of management uncertainty that is the basis for the buffer between the annual catch limit and the annual catch target (ACT). In other words, there may be fewer fish available to catch if the Council were to choose Alternative 3, Action 2 as the preferred alternative. This runs counter to the goal of decreasing management uncertainty and the associated buffers.

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<sup>1</sup> The Gulf Headboat Collaborative: Preliminary Findings from Year 1. Joshua Abbott. Arizona State University School of Sustainability. March 31, 2015. Agenda item B-5, March 2015 Gulf Council briefing book.

Additionally, this action would prevent the entire for-hire fleet from being included in a Gulf-wide electronic reporting and management system. This strikes counter to achieving one of the few goals upon which nearly all stakeholder agree: improving data. Furthermore, maintaining red snapper under federal management for the entire for-hire fleet sustains continuity of management for the entire reef fish complex. This makes more sense since the for-hire reef fish permit requirements apply to other reef fish species besides red snapper.

**If the charter for-hire fleet is included in Amendment 39, we cannot support final approval.**

If that is the case, we urge the Council to vote it down, and to develop alternative management strategies that can better meet the unique needs of private anglers, in partnership with members of that sector and other stakeholders.

**We further encourage the Council to continue developing Amendment 41 for charter vessels and Amendment 42 for headboats with industry input and support.** Implementing strategies for the separate components of the recreational fishery has the potential to more effectively maintain catch within sustainable limits for each component; better align fishing opportunities to the needs of each sector; reduce the 20% accountability buffer for each facet; and ultimately, keep the red snapper rebuilding plan on track.

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

**We support approval of the generic plan amendment modifying charter and headboat reporting requirements with all of the current preferred alternatives.** This action would require all federally permitted for-hire vessels to submit trip and catch information electronically prior to returning to the dock. “Trip level” reporting offers the most accurate and timely application of electronic logbooks, as it reduces “recall bias”<sup>2</sup> and provides for a strong validation component of the data program. Law enforcement officers and biological samplers can effectively check the electronic logbook data for each trip to ensure accuracy. A well-designed electronic logbook program, coupled with management strategies under development in Amendments 41 and 42, can provide maximum flexibility and accountability. It can also improve data used for catch monitoring and stock assessments for all federally managed species caught by charter vessels and headboats, not just red snapper. Specifically, the data obtained through the electronic reporting program may:

- Improve catch monitoring, which should also reduce the uncertainty regarding retained and discarded fish in stock assessments.
- Allow for responsive in-season management.
- Lead to stability in the for-hire fleet in conjunction with properly designed management plans offered in Amendments 41 and 42.

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<sup>2</sup> Recall bias is the amount of error or uncertainty to an event relative to the gap in time in reporting that event.

- Increase user confidence in the data and management.

However, many practical details remain undefined. We urge the council and staff to continue working with NOAA Fisheries staff and other technical experts, as well as representatives from the for-hire industry and other stakeholders, to develop data elements and protocols that will ensure this system works well to monitor and manage the for-hire fishery.

## **Conclusion**

We urge the Council to remove the charter for-hire sector from Amendment 39 before taking final action, and to continue developing Amendments 41 and 42. In addition, we encourage adoption of the generic plan amendment requiring electronic logbook reporting for the for-hire industry with the current preferred alternatives. Thank you for considering these comments. We look forward to continuing to work with the Council and stakeholders on these and other important issues.

Sincerely,



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



October 7 2015

Dear Chairman Anson and Gulf Council members:

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

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

Amendment 39

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

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

Amendments 41 and Amendment 42

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

Gag Grouper

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

Gray Triggerfish

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

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

#### Electronic Logbooks

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

Sincerely,

A handwritten signature in black ink, appearing to read "Shane Cantrell".

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



October 2, 2015

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

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

Dear Chairman Anson,

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

Recreational Management and Accountability

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

Sustainability and Recovery of Popular and Important Species

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

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

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

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

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

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

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



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

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

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

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

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

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

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

## Designing Gag Management for Full Recovery

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

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

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

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

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

## Gray Triggerfish Rebuilding

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

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

Sincerely,



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

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

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



October 4, 2015

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

Dear Chairman Anson,

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

Amendment 39 (Regional Management)

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

Gray Triggerfish

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

Joint Amendment to Require Electronic Reporting for Charter Vessels and Headboats

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

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### 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

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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 fluid and cursive, with a clear "E" and "B".

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