



PUBLIC HEARING GUIDE

11/27/18

Reef Fish Amendment 50: State Management of Recreational Red Snapper



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Photo: Dylan Hubbard

What is a Public Hearing?

A public hearing gives you an opportunity to comment on a fishery management plan or amendment that the Gulf of Mexico Fishery Management Council (Council) is developing. Public hearings are conducted later in the amendment development process, after the Council has begun selecting preferred alternatives for proposed actions, but before taking final action. Suggestions, issues, and concerns expressed during the public hearings will be presented to the Council for review and consideration before final action is taken. Focusing your comments on the pros and cons of specific alternatives in each action provides the most useful guidance to the Council. If you are unable to attend a public hearing in person, you are encouraged to submit your comments online. For online comment forms, video presentations, and full amendment documents, visit our website at www.gulfcouncil.org and click the thermometer icon on the homepage.

How does a public hearing affect fisheries management?

Comments provided during the public hearing process are reported to the full Council prior to final action. Your input is considered as the Council deliberates and chooses the most appropriate management measures to address the issue(s) at hand.

How else can I get involved?

There are many ways you can help the Council identify fishery management needs and develop reasonable management alternatives, each dependent on how actively involved you want to become. The first step to becoming involved is to educate yourself about the management process by visiting our website at www.gulfcouncil.org, signing up to receive our communications, and contacting Council members and staff to discuss management concerns. You can attend meetings, serve on panels and committees that advise the Council on fishery issues, and even apply to become a Council member.





Introduction to Amendment 50

Why are we here?

Despite regular increases in the recreational annual catch limit (ACL) in recent years, the recreational red snapper fishing season grew progressively shorter. Fishermen have requested more flexibility in recreational red snapper management so that regulations provide greater social and economic benefits to anglers across the Gulf of Mexico. The Council is considering establishing a program structure that would allow the Gulf states to manage the recreational harvest of red snapper and provide their anglers with state-specific regulations.

Currently, the recreational sector is divided into a private angling component and a federal for-hire component. The private angling component includes anglers fishing from private vessels and for-hire vessels without a federal permit. The federal for-hire component consists of anglers fishing from vessels with a federal charter/headboat permit for Gulf reef fish. The two components are managed with separate ACLs and seasons through 2022.

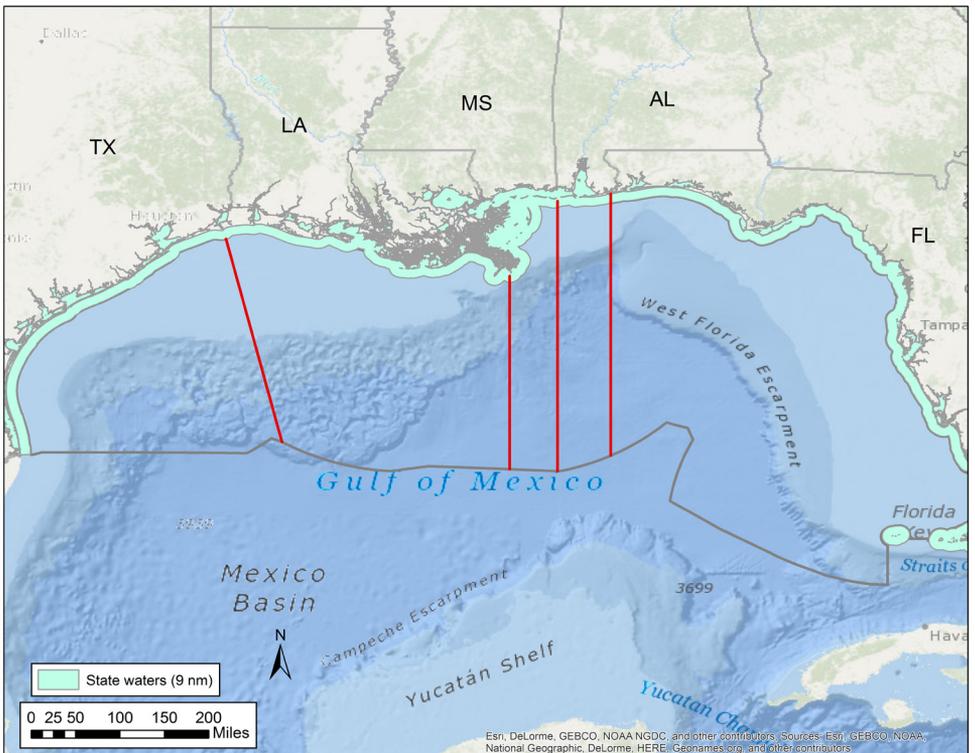
Current federal recreational red snapper regulations constrain harvest with a 2-fish bag limit, 16-inch minimum size limit, and a season opening of June 1 which closes once the annual catch target (ACT) is projected to be met. The 2018 and 2019 private angling component fishing seasons are set by each Gulf state through exempted fishing permits (EFPs) while the federal for-hire component season continues to be set by the National Marine Fisheries Service (NMFS).

*Note: Amendment 50 is separated into a program document and separate state-specific documents. Program Actions 1-3 address issues that will affect the program structure for all five states. State Actions 1 and 2 will address the individual state programs.

What is State Management?

State Management programs would allow states to set some of the recreational regulations in federal waters. The recreational ACL, or a portion of it, would be divided among the states and each state would be allowed to manage its portion of the ACL under an approved state management plan. Federal ACLs, allocations, and accountability measures would still apply.

In the event that not all five states have an approved state management plan, some red snapper fishing would still be managed with default federal regulations. In this case, lines would be used to define the federal waters adjacent to each state. Within these boundaries, either federal default regulations or state management regulations would apply.



*Note: Red lines define the borders in federal waters between each state.

Program Action 1.1: Components of the Recreational Sector to Include in State Management

The Council could choose to allow state management programs to manage only the private angling component or to manage both private angling and federal for-hire components of the recreational sector. Under state management, landings would have to be constrained to the state's component ACLs. If both components of the recreational sector are included in state management, the states would still manage the component ACLs separate of one another and the component landings would have to be constrained to their separate ACLs. Also, it's important to note that under all circumstances, a federal reef fish for-hire permit would still be required to operate as a **charter or headboat** vessel in federal waters.

Alternative 1: No Action – Retain federal management of private angling and for-hire components.

Preferred Alternative 2: A state with an approved management plan will manage only its private angling component of the recreational sector.

Alternative 3: A state with an approved management plan will manage its private angling and federal for-hire components of the recreational sector.

Alternative 4: A state with an approved management plan will choose whether to manage its private angling component only, or to manage both its private angling and federal for-hire components of the recreational sector.

If Alternatives 2 or 4 are selected in this action, the sunset on the separate management of private angling and federal for-hire components, which is scheduled to occur after 2022, will be removed. If Alternative 3 is selected, state management would end at the same time that sector separation ends (end of 2022).

Program Action 1.2: Mechanism to Implement Optional For-Hire Management

*This action only applies if **Alternative 4** is selected in Action 1.1*

For the federal for-hire component of the recreational sector, which fishes under a federal permit that is not state-specific, state management areas would be defined by the boundaries that extend outward from each state into federal waters. Meaning, federally permitted vessels would be confined to the federal waters adjacent to their state, as some could be managed under state programs and others under federal default regulations. This action considers a way to allow federally permitted for-hire vessels to fish in all federal waters, not just those adjacent to their own states.

If a state is managing its federal for-hire vessels, state-specific red snapper endorsements could be established to allow federal for-hire vessels to possess red snapper in federal waters. Having an endorsement would enable federal for-hire vessels to fish in any federal waters, even those off other states. If a state is not managing its federal for-hire component, an endorsement would be required to designate those vessels to which the federal default regulations would apply.

Alternative 1: No Action.

Alternative 2: Establish a state-specific red snapper endorsement to allow federally permitted vessels to possess red snapper in federal waters. Vessels in states with approved state management plans for the federal for-hire component must follow regulations specific to the state. Vessels in states without a management plan for federal for-hire vessels must follow federal default regulations.

Federal for-hire vessels with a state endorsement may land red snapper in one state per fishing year. In the case of a permit transfer:

Option a: An endorsement for another state will not be issued until the following year.

Option b: An endorsement for another state may be issued upon request.

Program Action 2: Apportioning the Recreational ACL

To implement a recreational red snapper state management program, a portion of the recreational sector ACL would need to be allocated to the states. Depending on which alternative is selected in Action 1, either the private angling component ACL or both the private angling and federal for-hire component ACLs would need to be allocated. If states don't participate in state management, federal default regulations would be established with a season based on the portions of the recreational ACL allocated to the non-participating states.

Alternative 1: No Action.

Alternative 2: Establish allocation based on the average historical landings for the years (excluding 2010):

Option 2a: 1986-2015.

Option 2b: 1996-2015.

Option 2c: 2006-2015.

Option 2d: 50% of average historical landings for the years 1986-2015 and 50% of average historical landings for the years 2006-2015.

Alternative 3: In calculating state apportionments under Alternative 2, exclude from the selected time series:

Option 3a: 2006 landings.

Option 3b: 2014 landings.

Option 3c: 2015 landings.

Alternative 4: Establish allocation based on each state's average of the best ten years of historical landings during the years 1986-2015, excluding 2010.

Alternative 5: Establish allocation based on spatial abundance of red snapper biomass and proportion of recreational trips from the time series in Options 5a-5c, excluding 2010, and using one of the weightings from Options 5d-5f:

**Note: See table on next page.*

Select one from 5a-5c:	Option	Time Series for Recreational Trips	
	5a	1986 – 2015	
	5b	2006 – 2015	
	5c	50% of the average number of recreational trips for the years 1986-2015 (5a) and 50% of the average number of recreational trips for the years 2006-2015 (5b).	
Select one from 5d-5f:	Option	Biomass	Recreational Trips
	5d	25%	75%
	5e	50%	50%
	5f	75%	25%

Preferred Alternative 6: Establish an allocation by apportioning the private angling ACL among the states based on the allocations set in the EFPs approved for the states to manage the recreational harvest of red snapper in 2018 and 2019.

Alternative 7: Establish an allocation by apportioning the private angling ACL among the states based on the allocations requested by each state in its EFP application, which totaled 96.22%. Apportion the remaining 3.78% among the five states proportionally based on their requested allocation.





Photo: Rosemary White



Photo: Mike Jennings

Comparison of allocations by state if only the Private Angling Component is managed by the states (Action 1: Preferred Alternative 2).

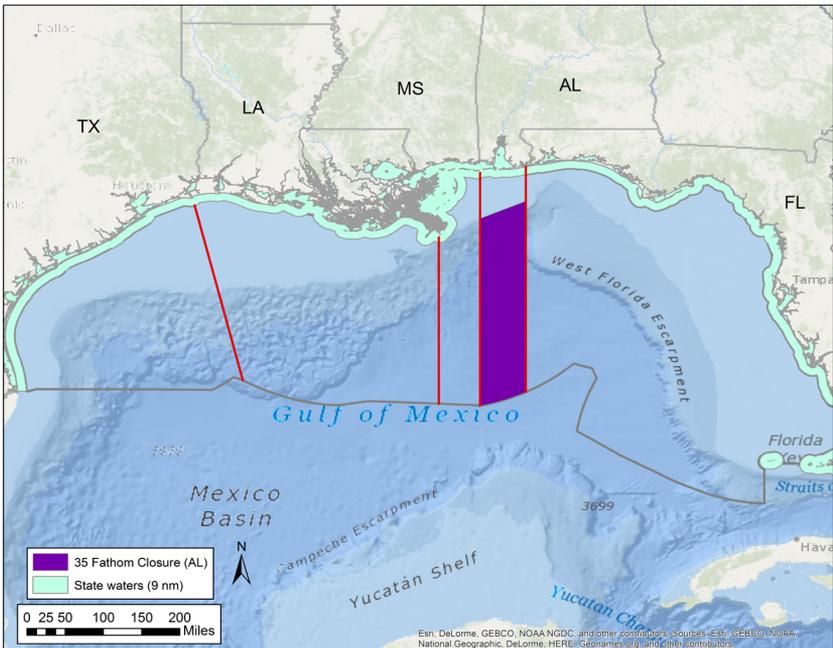
Alternative	AL	FL	LA	MS	TX
2a	35.96%	28.07%	20.98%	7.93%	7.06%
2b	38.48%	33.67%	16.67%	4.52%	6.66%
2c	33.63%	41.57%	17.22%	2.13%	5.45%
2d	34.80%	34.82%	19.10%	5.03%	6.26%
4	38.44%	31.68%	16.73%	8.47%	4.68%
5a + 5d	27.76%	29.06%	19.42%	5.52%	18.24%
5a + 5e	20.61%	29.36%	19.70%	4.12%	26.20%
5a + 5f	13.45%	29.65%	19.99%	2.73%	34.17%
5b + 5d	23.77%	40.12%	19.24%	3.03%	13.84%
5b + 5e	17.95%	36.72%	19.59%	2.47%	23.27%
5b + 5f	12.12%	33.33%	19.93%	1.90%	32.70%
5c + 5d	25.76%	34.59%	19.33%	4.28%	16.04%
5c + 5e	19.28%	33.04%	19.65%	3.30%	24.73%
5c + 5f	12.79%	31.49%	19.96%	2.32%	33.43%
Pref. 6	25.34%	45.78%	19.12%	3.55%	6.21%
7	26.298%	43.730%	19.843%	3.684%	6.445%

*Note: Preferred Alternative 6 and Alternative 7 are only applicable for the private angling component. Shaded boxes show the lowest and highest allocations considered for each state.

Program Action 3: Procedure for Closing Specific Areas in Federal Waters

NMFS has the authority to open and close federal waters. Under state management the federal fixed closed season would have to be removed to allow anglers to harvest red snapper from federal waters according to a state management plan. In this case, when a state closes its season under state management, possession of red snapper would be prohibited for anglers from that state, but federal waters adjacent to that state would remain open for anglers from other states. The Council is considering establishing a procedure that would allow states to request that NMFS close areas of the federal waters adjacent to state waters.

For example, the state of Alabama could request that NMFS close the federal waters adjacent to its state waters beyond the 35-fathom (210 feet) break. This would close those federal waters beyond the 35-fathom break adjacent to the state of Alabama to all private anglers (based on Preferred Alternative 2 in Action 1), including those from Alabama and all other Gulf states.



Alternative 1: No Action.

Alternative 2: Establish a procedure to allow a state to request NMFS close areas of federal waters adjacent to state waters to red snapper recreational fishing. The state would request the closure by letter, providing dates and geographic coordinates for the closure. If the request is within the scope of the analysis in this amendment, NMFS would publish a notice in the Federal Register implementing the closure. The closure would apply to the recreational sector component(s) included in that state's approved management program.



Photo: Mike Jennings

State Action 1: Authority Structure for State Management

To implement state management, the current federal regulations would have to be waived or suspended for anglers and vessels that are being managed by a state management plan. The authority to allow state management could be achieved in one of two ways: certain management authority could be delegated entirely to the states or states could submit a conservation equivalency plan specifying the management measures that would be used by the state, including the fishing season and bag limit. In either case, states would still be responsible for constraining harvest to its portion of the ACL.

Alternative 1: No Action.

Preferred Alternative 2: Delegate management authority. The state must establish the season structure for harvest of its portion of the ACL. Authority for managing harvest of red snapper may include:

Option 2a: bag limit

Option 2b: prohibition of for-hire vessel captains and crew from retaining a bag limit

Option 2c: minimum size limit within the range of 14-18 inches TL

Option 2d: maximum size limit.

Alternative 3: Establish management through conservation equivalency plans which may be submitted annually or biannually. The plan must specify season structure and bag limit for the state's harvest of its ACL.

Option 3a: the plan will be submitted directly to NMFS

Option 3b: the plan would first be submitted to a technical review committee and then forwarded to NMFS.



Photo: Emily Muehlstein

State Action 2: Post-Season Quota Adjustment

Currently, once the total recreational ACL is reached, the possession of red snapper is prohibited for the remainder of the fishing year.

If recreational red snapper is overfished and the combined recreational landings exceed the sector ACL, then the entire recreational sector ACL would be reduced in the following year by the amount of the overage. In addition to this overage adjustment, a state-specific quota adjustment would be added. Under state management, in the event that a state's ACL is exceeded, the following year's state ACL would be reduced. In the event that a state's ACL is not reached, the remaining quota could be added to the state's ACL for the following year, according to the procedure that would be implemented through the Generic Carryover Amendment.

Alternative 1: No Action.

Preferred Alternative 2: Add a state-specific overage and underage adjustment to the existing post-season accountability measure for recreational red snapper. If a state's recreational landings exceed or are less than the state's recreational ACL, then reduce or increase the following year's total recreational quota and the state's component ACL(s) (applied to each component, if applicable) by the amount of the overage or underage.

State-Specific Preferred Alternatives:

Action	Louisiana	Mississippi	Alabama	Florida	Texas
1. Delegation/ CEP	Alternative 2 Options 2a-2d	Alternative 2 Options 2a-2d	Alternative 2 Options 2a-2d	Alternative 2 Options 2a, 2c, 2d	Alternative 2 Options 2a-2d
2. Quota Adjustment	Alternative 2	Alternative 2	Alternative 2	Alternative 2	Alternative 2



Let Us Know What You Think:

Public Hearing meetings will be hosted beginning at 6:00pm local time at the following dates and locations:

Monday, December 3, 2018

Sanders Beach-Corrine Jones
Center
913 South I Street
Pensacola, FL 32502

Tuesday December 4, 2018

Destin Community Center
101 Stahlman Avenue
Destin, FL 32541

Wednesday, December 5, 2018

Renaissance Riverview Plaza
Hotel
64 South Water Street
Mobile, AL 36602

Monday, December 10, 2018

Embassy Suites
4914 Constitution Avenue
Baton Rouge, LA 70808

Tuesday, December 11, 2018

IP Casino Resort and Spa
850 Bayview Avenue
Biloxi, MS 39530

Monday, January 7, 2019

Hyatt Place Fort Myers at the
Forum
2600 Champion Ring Road
Ft. Myers, FL 33905

Tuesday, January 8, 2019

Hilton St. Pete Carillon Park
950 Lake Carillon Drive
St. Petersburg, FL 33716

Monday, January 14, 2019

3955 N. Expressway
Brownsville, TX 78520

Tuesday, January 15, 2019

Omni Hotels Corpus Christi
900 N. Shoreline Boulevard
Corpus Christi, TX 78401

Wednesday, January 16, 2019

League City Civic Center
400 W. Walker Street
League City, TX 77573

Thursday, January 17, 2019

Webinar

<https://register.gotowebinar.com/register/2288573373994739724>

Send Us Your Comments

Submit your comments online:

<https://tinyurl.com/yc8nvr9>

Email your comments:

gulfcouncil@gulfcouncil.org



Notes

Notes



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