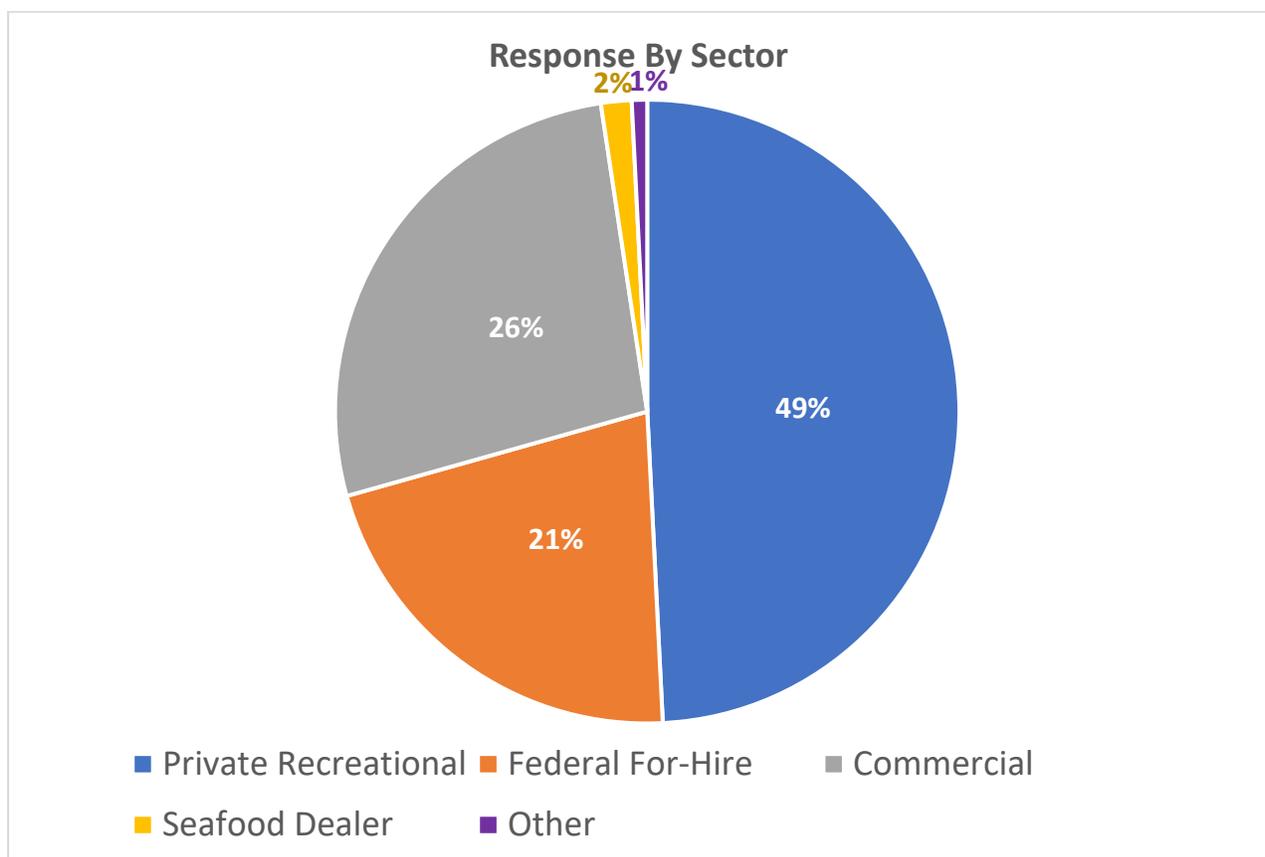


**Response Summary:  
Promoting American Seafood Competitiveness and Economic Growth**

Executive Order 13921 requests each Council to submit a prioritized list of recommended actions to reduce burdens on domestic fishing and increase production within sustainable fisheries and “may include changes to regulations, orders, guidance documents, or other similar agency actions.” Comments were requested in response to the following two questions:

- 1) Are there any current regulations that may be outdated or unnecessarily burdensome to fishermen? Please explain why they create a problem and suggest actions the Council could consider to remedy the issue.
- 2) Are there any other changes to Council guidance documents or procedures that could alleviate barriers to domestic fishing? Please explain the issue and suggest actions the Council could consider to remedy the problem.

A total of 93 comments were received between July 7 and August 7, 2020. Respondents were not limited to a singular response and many identified with more than one sector (n=126). A total of 33 comments were received from commercial respondents, 27 from for-hire operators, and 62 from private anglers. The respondent classified as ‘other’ identified as an academic and past SSC member. Although some recommendations may apply to either sector, they are organized below based on the respondent’s self-identified sector.



## Current regulations that may be outdated or unnecessarily burdensome to fishermen

Staff has sorted these responses into the following sections:

- I. *Potential regulations for removal* include suggestions by sector for which a specific federal regulation can be identified, and that do not appear to involve trade-offs with other fishermen in the Gulf region.
- II. *Evaluation of current regulations for potential removal* includes suggestions for an evaluation of a suite of federal regulations, to be followed by the removal of those specific regulations determined to be a greater burden than the benefits provided to the resource.
- III. *Substantial changes to management* include regulatory changes that could reduce burdens on fishermen, but are complex, time-consuming, and would involve the creation of new regulations to enact.
- IV. *Additional public comments that may not be applicable to reducing burdens on fishing* includes all remaining comments submitted in response to this question that are not included in the sections above. The Committee may be interested in further evaluating any of these suggestions for inclusion in its prioritized list of recommended actions.

### I. Potential Regulations for Removal

#### From Commercial Respondents

- Require commercial permits to be renewed every 5 years instead of every year, to remove the burden of annually renewing a permit.
- Remove the longline seasonal closure in the eastern Gulf. Reef fish vessels should not be forced further offshore during hurricane season especially since turtles are rarely harmed by the longline industry.
- Remove the requirement to carry observers aboard. It is a burden to carry observers, as insurance is required and meals must be provided. It is also dangerous.
- Remove the requirement for the shrimp automatic identification system (AIS), which is expensive and tells other vessels where shrimpers are trawling.
- Remove the requirement for shrimp vessel stability testing, which can lead to shrimpers losing their ability to work for no reason, and may not accurately reflect safety issues in the Gulf.

#### From Recreational Respondents

- Remove the Idle Iron policy and designate the artificial reef habitat on decommissioned oil rigs as critical marine habitat.
- Remove requirement for dual-permitted vessels (commercial and for-hire permits) to hail-out when engaging in a for-hire trip.
- Gear Restrictions
  - Remove the restrictions on the use of powerheads in the stressed areas, as it is unenforceable and ineffective.
  - Remove the requirement that anglers purchase specific gear promoted by manufacturers.

## II. Evaluation of Current Regulations for Potential Removal

- Assess turtle populations and evaluate current TED requirements for whether goals are being achieved; if not, remove them. For example, TEDs cause shrimp loss on soft bottom, where turtles are not likely encountered and this requirement could potentially be removed. Also, it is burdensome to buy new TED's with bars closer together
- Evaluate turtle gear requirements for reef fish fishermen with regard to vessel type and size. Turtles can be released properly without specific brands of dog toys.

## III. Substantial Changes to Management

- Replace trip tickets with electronic logbooks
  - Trip tickets are burdensome and should be replaced with electronic logbooks that are incorporated into one system for all the relevant offices to access. Fishermen can validate their trip tickets upon landing and that information should populate account information electronically.
- The logbook program is not working.
  - Logbooks are not counted accurately and must be submitted repeatedly.
  - Permit renewal is difficult when logbooks are in question.
- Foreign imports create too much competition
  - Prohibit seafood imports from countries with less stringent environmental, sustainability, and food safety requirements.
  - Restrict imports of grouper and snapper from Mexico.

## IV. Additional public comments that may not be applicable to reducing burdens on fishing

### Issues within State Jurisdiction

- Prohibit fertilizer companies from dumping acidic water into the Gulf.
- TEDs should not be required in inland waters of Louisiana because there are no turtle interactions and derelict crab traps and grass clog them.
- In Texas, it's too expensive to require a federal dealer permit and wholesale dealer permit is required to sell federal commercial catch to restaurants.
- Texas should solve the issue of high unemployment in the oyster fishery as a result of the virus and imports.

### From Commercial Respondents

- Allocations should be reviewed with a focus on shifting more quota to the 97% of the American public that eats seafood but doesn't fish.
- Banks won't lend to commercial fishing businesses for boats.
- Commercial and recreational state quotas for red snapper should be set according to fish population
- Electronic Logbooks: Half of the fleet should not be required to pay for ELB's for the entire fleet.

- The recreational sector should continue to have a buffer and required payback when the quotas are overharvested.
- Individual Fishing Quota Program
  - The program is for investors and fishermen can't work within the system
  - Quota needs to be redistributed
  - Quota is unfairly distributed to allow a small group of individuals control of the market.
  - The requirement that limits fishermen to offloading between 6AM – 6PM is burdensome.
  - The program has made it difficult to be competitive with foreign and farm raised products. Shares and quota are too expensive, and fishermen are priced out of the industry.
  - Fishermen are forced to pay an 80% lease fee to catch fish.
  - IFQ fishermen are exempt from paying resource royalties.
  - Shares should be distributed through an auction or shares should be distributed by the agency for a reasonable price. This would put millions of dollars in revenues to the Treasury that could be used to help fisheries data collection and habitat restoration.
  - Institutional racism caused minorities not to have IFQ distributed during the onset of the program.
  - The fishery should not be privatized through the IFQ program.
  - Quota owners should be active fishermen or owners of active fishing boats.
  - The IFQ program should be phased out.
- Permits
  - Remove moratorium on limited access commercial permits.
  - Income requirements are burdensome for disabled fishermen.
  - Institutional racisms caused minorities not to have permits distributed to them before moratoriums.
  - The cost of permits has made it hard to obtain permits.
- Aquaculture: Farming domestically harvested species will create more competition for the domestic seafood industry.

#### From Recreational Respondents

- Fishing Seasons
  - Season opening dates should be staggered to avoid multiple quota closures at the end of the year.
  - Rather than manage with seasons, species should be managed with individual annual limits attached to each fishing license so, anglers could choose their days.
  - All reef fish species should have the same season so you can keep fish without dead discards.
  - Seasons should be longer, fish are overregulated.
- Size Limits

- Minimum size limits continue to become more restrictive, which reduces demand for charter clients because it's harder to bring fish to the dock. Rather than increase size limits, seasons should be shortened.
  - To reduce mortality rates, size limits should be removed and anglers should retain their first fish caught, or have a weight limit per day.
- Red Snapper Management
  - The red snapper recreational season is a derby in summertime and fishing stops in fall.
  - Consider a days-at-sea season structure for for-hire vessels, so captains do not need to fish on inclement weather days during a derby season.
  - The for-hire season needs to be longer.
  - The bag limit should be 4-person or the season should be extended.
  - The season should be open year-round even if it requires a one-fish bag limit.
  - Weekend-only season should be used.
  - Each angler should have an individual limit for a year.
  - Amberjack should be open with a 1-fish per person limit when red snapper is open.
  - Red snapper should be managed by numbers not pounds.
- Gray Triggerfish Management
  - Seasons need to be longer and bag limits need to be larger.
  - Limits need to be increased in the northwest Gulf because they're so prevalent.
- Geographic Management
  - The fisheries are different in the eastern and western Gulf. Management of the areas should be separate.
  - The Gulf should be managed as one fishery.
  - More no-shrimping zones should be created to conserve hardbottom habitat.
- Gear Restrictions
  - Gill nets should be illegal.
  - Spearfishing should not be limited in state waters for gamefish. It is a sustainable harvesting method.
- Allocations
  - Current apportionment between commercial and recreational sectors are fair.
  - Commercial fishermen don't need more allocation at the expense of the recreational sector.
- Other
  - The gag grouper season should be open year-round with a 1-fish per person limit.
  - Remove the moratorium on limited access for-hire permits to allow the free market system to determine the number of charter vessels.
  - To enhance nearshore fishing opportunities, each state should reserve large areas to allow private parties to deploy reef structure.
  - The quota monitoring process results in prohibitively short seasons.
  - For-hire captains should be allowed to sell directly to restaurants.
  - The 4-person maximum crew size limit for dual-permitted for-hire and commercial vessels should be removed. VMS addresses the problem by requiring operators to declare trip type when the vessel leaves the dock.
  - A second captain should not be required to keep a two-day bag limit.

- For-hire vessels should not be allowed to run more than one trip a day.

### **Changes to Council guidance documents or procedures that could alleviate barriers to domestic fishing**

#### Suggested Changes to Current Council Documents/Procedures

- Council process for implementing changes is too slow. It takes two years for a regulatory change to be implemented.

#### **Additional public comments that may not be applicable to guidance documents:**

- Provide more guidance on ways to make the industry more viable through technology.
- Provide more guidance on best industry practices.
- A program should be designed to promote a new generation of fishermen that includes a focus on financial aid
- A program should be developed to enhance habitats on sandy bottom areas in the Gulf.
- There should be a central, electronically based location to get all fishing regulations for recreational and commercial sectors that includes state, local, and regional regulations.
- It should be illegal to target a particular species with a legal limit aboard to reduce discard mortality.
- Three sectors should be created: recreational, commercial, and for-hire.
- Shrimp bycatch needs to be reduced.
- Lobbyists should not be given more rights than recreational fishermen.
- States should be allowed to manage reef fish.
- States should regulate fisheries and National Marine Fisheries Service should be dismantled.

#### Law Enforcement

- Law enforcement needs to be consistent.
- Penalties for illegal fishing need to be increased.

#### Aquaculture

- The Council should create a mechanism to supply more fish through hatcheries.
- Fish farming should be promoted to increase the commercial market.