



# Public Hearing Guide: Reef Fish Amendment 40 Sector Separation

7/25/2014



Photos courtesy of: Mike Jennings, James Whitaker, and Jeff Berman.

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### 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 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 can submit your comments online. For online comment forms, video presentations, and full documents, visit our website at [www.gulfcouncil.org](http://www.gulfcouncil.org) and click the thermometer icon at the center of 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?

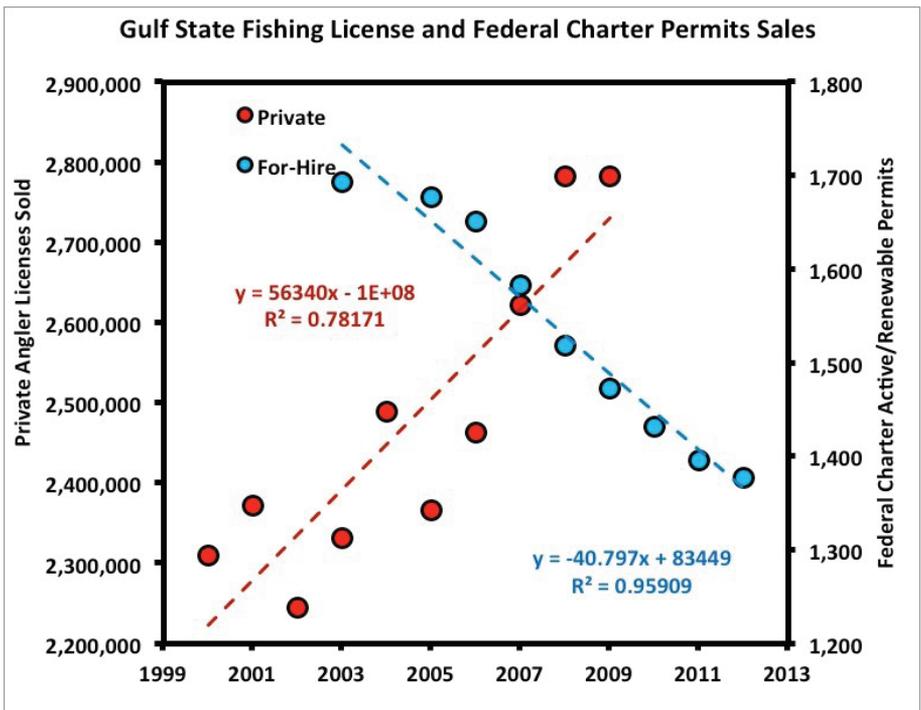
There are many ways you can help the Gulf of Mexico Fishery Management Council identify fishery management needs and develop reasonable management alternatives, each dependent on how actively involved you want to become. The first step to becoming involved is to educate yourself about the management process by visiting our website at [www.gulfcouncil.org](http://www.gulfcouncil.org), signing up to receive our communications, and contacting council members and staff to discuss management. 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

Currently, the recreational sector in the Gulf of Mexico includes private recreational anglers and for-hire operators. The for-hire component includes headboats and charter vessels. Current recreational management measures such as season length, daily bag limits, and size limits are typically applied to the recreational sector as a whole, without making a distinction between the private recreational and for-hire components.

Reef Fish Amendment 40 considers separating the recreational sector into two distinct components; a private angling component and a federal for-hire component. Red snapper resources would then be allocated between these components.

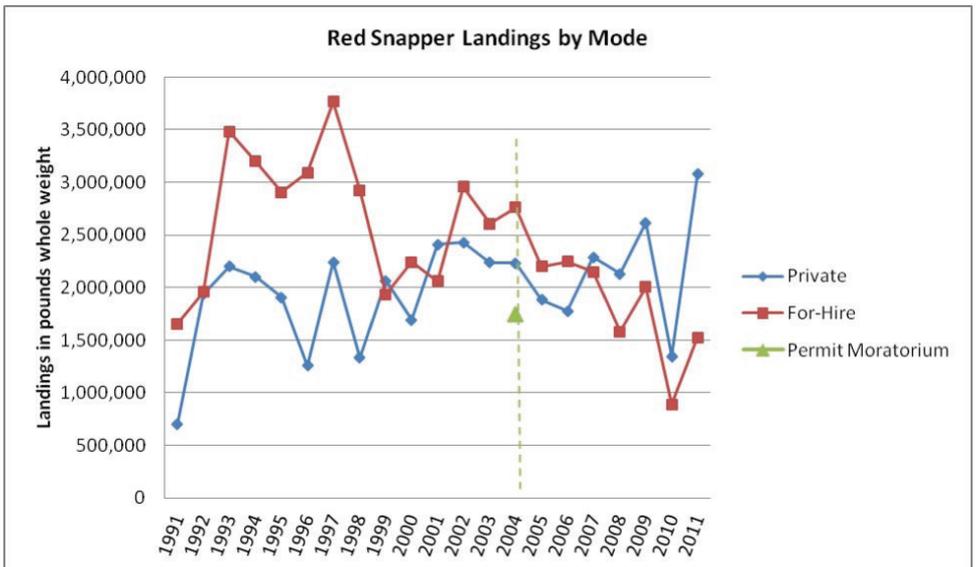
The federal for-hire component includes vessels with valid or renewable federal reef fish permits. New federal reef fish for-hire permits have not been issued since 2004 when a moratorium on the issuance of new federal reef fish for-hire permits was put in place.



**Figure 1.** Number of state saltwater licenses and federal charter for-hire permits for all Gulf of Mexico states.

There is no limit to the number of state permitted for-hire vessels or private recreational vessels that can fish for reef fish. As a result, the proportion of recreational red snapper quota harvested by private vessels has been increasing in recent years.

Annual recreational red snapper quotas and landings in the Gulf of Mexico between 1991 and 2011 are shown in the figure below.



**Figure 2.** Difference between annual recreational red snapper landings and quotas, 1991 through 2011.

**Purpose of Action:**

- To define distinct for-hire and private angling components of the recreational red snapper fishery
  - In the future this would provide a basis for flexible management approaches tailored to each component of the recreational sector.
- To reduce the likelihood for recreational quota overruns.

## Action 1 - Establishment of Private Angling and Federal For-hire Components

Currently, the recreational sector includes both private and for-hire operators managed as one unit and subject to the same management measures. In this action, the Council considers separating the two components to allow for the potential use of different management measures for the different components of the recreational sector. Even if a voluntary federal for-hire component is created, then for-hire operators would still be bound by the provisions in Reef Fish Amendment 30B that require them to comply with the more restrictive of federal or state regulations when fishing in state waters.

**Alternative 1:** No Action - Maintain the current structure of the recreational sector

**Preferred Alternative 2:** Establish a red snapper federal for-hire component that includes all for-hire operators with a valid or renewable federal for-hire reef fish permit. Establish a private angling component that would include all state permitted for-hire operators and private recreational anglers.

**Alternative 3:** Establish a voluntary red snapper federal for-hire component. Issue a **fully-transferable** endorsement to the for-hire operators who elected to join the federal for-hire component. Establish a private angling component that would include all other for-hire operators and private recreational anglers.

**Alternative 4:** Establish a voluntary red snapper federal for-hire component. Issue a **non-transferable** endorsement to the for-hire operators who elect to join the federal for-hire component. Establish a private angling component that includes all other for-hire operators and private recreational anglers.

For Alternatives 3 and 4, opportunities to opt in or opt out of the federal for-hire component are offered:

- Option a: once, at the implementation of the program
- Option b: every year
- Option c: every 3 years
- Option d: every 5 years



## Action 2.1 - Allocation of Recreational Red Snapper Quota between the Components of the Recreational Sector

This action is only applicable if separate components are established in Action 1. Allocation is the division of quota among different sectors or components of the fishery. In this case, the Council will choose an allocation based on historical landings data. Typically, landings data for the for-hire sector combines both state and federally-permitted vessel landings. Because this document only considers separating out the federally permitted for-hire component, the estimated historical landings were reduced by 7% which approximates the maximum percentage of quota landed by state-permitted for-hire vessels.

\*In each of the following alternatives, landings from the year 2010 are excluded.

**Alternative 1:** No Action - Do not divide the recreational quota

**Alternative 2:** Base allocation on landings between **1986 and 2013**, resulting in a 50.1% federal for-hire allocation and 49.9% private angling allocation.

**Alternative 3:** Base allocation on landings between **1991 and 2013**, resulting in a 48.2% federal for-hire allocation and a 51.8% private angling allocation.

**Preferred Alternative 4:** Base allocation on landings between **1996 and 2013**, resulting in a 45.9% federal for-hire allocation and 54.1% private angling allocation.

**Alternative 5:** Base allocation on landings between **2001 and 2013**, resulting in 41.9% federal for-hire allocation and 58.1% private angling allocation.

**Alternative 6:** Base allocation on landings between **2006 and 2013**, resulting in a 37.8% federal for-hire allocation and 62.2% private angling allocation.

**Alternative 7:** Allocation based on 50% of the average landings between **1986 and 2013** and 50% of the average landings between **2006 and 2013**, resulting in a 44% federal for-hire allocation and 56% private angling allocation

**Alternative 8:** Allocate based on average landings between **2011 and 2013**, resulting in a 29.1% federal for-hire allocation and a 70.9% private angling allocation.

**Alternative 9:** Base allocation on landings between **1986 and 2003**, resulting in a 54.3% federal for hire allocation and a 45.7% private angling allocation.



## Action 2.2 - Headboat Allocation Adjustment to the Baseline Allocation Under a Voluntary Federal For-hire Component

Allocation decisions in Action 2 assume all federally permitted for-hire vessels join the federal for-hire component. However, allocation adjustments would be necessary if a voluntary option is selected in Action 1 and some of the federally permitted headboats remain in the private angling component.

**Alternative 1:** No Action - Do not adjust the baseline allocation for the federal for-hire component if headboats opt not to join.

**Alternative 2:** Adjust the baseline allocation by redistributing allocation from the federal for-hire component to the private angler component to account for headboats that opt out of the federal for-hire component. The number of pounds to be redistributed would be based on the number of headboats opting out of the federal for-hire component multiplied by the average landings per headboat. Average landings per headboat would be based on the **proportion of the recreational quota harvested by all headboats divided by the total number of headboats.**

**Alternative 3:** Adjust the baseline allocation by redistributing allocation from the federal for-hire component to the private angler component to account for headboats that opt out of the federal for-hire component. For each non-participating headboat, the number of pounds to be redistributed would be determined by **the average proportion of the recreational quota harvested by that vessel.**

For Alternatives 2 and 3 landings could be based on headboat logbook data from:

- Option a.** the most recent year available.
- Option b.** the two most recent years available.
- Option c.** the three most recent years available.

## Action 2.3 - Charter Vessel Allocation Adjustment to the Baseline Allocation under a Voluntary Federal For-hire Component

Allocation decisions in Action 2 assume all federally permitted for-hire vessels join the federal for-hire component. However, allocation adjustments would be necessary if a voluntary option is selected in Action 1 and some of the federally permitted charter vessels remain in the private angling component.

**Alternative 1:** No Action - Do not adjust the baseline allocation for the federal for-hire component for charter vessels that opt out of the federal for-hire component.

**Alternative 2:** Adjust the baseline allocation by redistributing allocation from the federal for-hire component to the private angler component to account for charter boats that opt out of the federal for-hire component. The number of pounds to be redistributed would be based on the number of charter vessels opting out of the federal for-hire component multiplied by the average landings per charter vessel. Average landings per headboat would be based on the **proportion of the recreational quota harvested by all charter vessels divided by the total number of charter vessels.**



**Alternative 3:** Adjust the baseline allocation by redistributing allocation from the federal for-hire component to the private angler component to account for charter vessels that opt out of the federal for-hire component. For each non-participating charter vessel, the number of pounds to be redistributed would be determined by **the average proportion of the recreational quota harvested by a charter vessel weighted by the baseline passenger capacity listed on that vessel's federal for-hire reef fish permit.**

**Alternative 4:** Adjust the baseline allocation by redistributing pounds from the federal for-hire component to the private angler component to account for charter boats opting out of the federal for-hire component. For each non-participation vessel, the number of pounds to be redistributed would be based on **the average proportion of the recreational quota harvested by a charter vessel in that vessel's homeport region.**



For Alternatives 2, 3, and 4 landings could be based on charter landings data from:

- Option a.** the most recent year available.
- Option b.** the two most recent years available.
- Option c.** the three most recent years available.

### Action 3 - Recreational Season Closure Provisions

The Council can choose to establish separate red snapper season closure provisions for the different components of the recreational sector. Section 407(d) of the Magnuson-Stevens Act still requires the recreational harvest of red snapper to end when the recreational quota is reached or projected to be reached.

**Alternative 1:** Maintain the current recreational red snapper season closure provisions. The recreational red snapper ACT will be used to determine the recreational red snapper season length.

**Preferred Alternative 2:** Establish separate red snapper season closure provisions for the federal for-hire and private angling components. The federal for-hire red snapper ACT will be used to determine the federal for-hire red snapper season length. The private angling red snapper ACT will be used to determine the private angling red snapper season length.



The Council is collecting input on this amendment both online and through a series of meetings across the Gulf coast. Each of the following meetings will begin at 6 p.m. local time and conclude no later than 9:00 p.m.

**August 4, 2014**

**Galveston Island, Texas**

Hilton Galveston Island Hotel  
5400 Seawall Blvd.  
Galveston Island, TX 77551  
(409) 744-5000

**St. Petersburg, Florida**

Sirata Beach Hotel  
5300 Gulf Blvd.  
St. Petersburg Beach, FL 33706  
(727) 897-5200

**August 5, 2014**

**Port Aransas, Texas**

Plantation Suites &  
Conference Center  
1909 State Hwy. 361  
Port Aransas, TX 78373  
(361) 749-3866

**August 6, 2014**

**Orange Beach, Alabama**

Fairfield Inn & Suites  
Orange Beach, AL 36561  
(251) 543-4444

**August 7, 2014**

**Mobile, Alabama**

Renaissance Mobile Riverview  
Plaza Hotel  
64 S. Water Street  
Mobile, AL 36602  
(251) 438-4000

**August 12, 2014**

**Panama City, Florida**

Holiday Inn Select  
2001 MLK Blvd.  
Panama City, FL 32405  
(866) 866-0441

**August 18, 2014**

**Baton Rouge, Louisiana**

Hyatt Place Baton Rouge  
6080 Bluebonnet Blvd.  
Baton Rouge, LA 70808  
(225) 769-4400

**August 19, 2014**

**Gulfport, Mississippi**

Courtyard by Marriott  
1600 E. Beach Blvd.  
Gulfport, MS 39501  
(228) 864-4310

If you are unable to attend a public hearing, your input is still important. A virtual presentation is also available. To view the online presentation or to comment on the proposed changes, please visit: <http://tinyurl.com/q9loxrv>, or click on the thermometer icon on our home page at [www.gulfcouncil.org](http://www.gulfcouncil.org).





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