

EFP Public Comments

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Lionfish EFP

No comments received

Aquaculture EFP

No comments received

Gulf States Reef Fish Management EFP Proposals

- ◆ The Texas federally permitted charter boats should not be forced into the state-proposed EFP. The EFP does not include sufficient data collection and undermines the allocations set aside in Amendment 40, sector separation. All state-proposed EFP plans should be specifically for private anglers and not include the federally permitted CFH boats.
- ◆ If this is going to be a purely private recreational sector EFP why in the world would the Council allow, or the states like Texas, Louisiana and Mississippi insist on including the professional sector i.e. the Charter/Headboats industry. Explore this EFP for the purely private recreational fisherman. As a professional Captain with 43 years of experience I support the concept of the EFP for the private recreational sector but I disagree with the inclusion of the Charter and Headboats. If the purely private rec fisherman want to solve their problems they should be allow to explore it on its own merits.
- ◆ I support the EFP process for the Gulf states to test ideas for how to manage their private angler red snapper fishery only - the federally-permitted charter/headboat fleet wants to remain under federal management, and this shouldn't be forced upon them. I feel that forcing participation in an Exempted fishing permit does not meet the intent of the Magnuson Stevens Conservation Act and my not stand under legal scrutiny.

I ask the council and Agency to take careful consideration to the wishes of the Federal Permitted Charter Fleet in their desire to be removed from the Texas, Louisiana and Mississippi EFP.

- ◆ I believe the EFP process would be a good tool for the Recreational sector only. The Charter/Head boat fleet are doing good under Federal management and should not be included in EFP's

- ◆ Finally the states are coming to the table with solutions that address the effort problem that recreational fishers have. The states want to manage according to their regional needs, which makes great sense, as long as they stay within their ACL. These EFP's should only address the pure recreational angler, leaving the charter for hire and commercial sectors under Federal management. The bottom up approach is the correct way to manage our Gulf resource. Congress absolutely should not try to fix something they have limited knowledge of, the stakeholders working with the Gulf Council is the best source for a solution. Once again, only the pure recreational fisher needs to be included in any submitted EFP with strict adherence to ACL's.
- ◆ I support the EFP process for the Gulf states to test ideas for how to manage their private angler red snapper fishery only - the federally-permitted charter/headboat fleet wants to remain under federal management and this shouldn't be forced on them. As president of the Destin Charter Boat Association the largest federally permitted fleet in the USA we are against any effort to subvert our FMP Amendment 40 by using a EFP to use portions of our historical catch allocated under AM 40 for this EFP, or as an attempt to subvert the stabilized effect AM 40 has had on our sector, the excellent results of not over fishing, and greater accountability we are achieving.

EFPs can be an effective tool that fishermen can use to modernize fishery management. EFPs must adhere to Magnuson, including ACLs and accountability measures, which is critical for this fishery.

We need high confidence that the monitoring and data collection components of these EFPs will guarantee so that the private anglers won't go over their quotas.

We need guarantees that these EFPs won't harm the commercial sector in the short term or reduce our access in the future.

- ◆ I have a federally permitted charter boat and also I have federal reef fish permits on multiple vessels. I'm an IFQ shareholder and have been in the gulf fishery for over 25 years. I support the idea for an exempted fishing permit for recreational red snapper fishery to test ways of managing their fishery , as long as the federally permitted charter boat sector is not forced to participate, I feel like under federal management, the charter for hire sector has accomplished many goals in the red snapper fishery that fit within the framework of the Magnuson Stevenson act. Forced participation of an EFP might very well undermine that act, and I would ask the council and agency to remove the federally permitted charter for hire fleet from the Texas, Louisiana and Mississippi EFP.
- ◆ I own and operate Get Hooked Charters in Galveston, TX, own 5 boats, two of which are federally permitted. I support the EFP process for the Gulf states to test ideas for how to manage their private angler red snapper fishery only - the federally-permitted charter/headboat fleet wants to remain under federal management and this shouldn't be

forced upon them. I feel that forcing participation in an Exempted fishing permit does not meet the intent of the Magnuson Stevens Conservation Act and my not stand under legal scrutiny.

I ask the council and Agency to take careful consideration to the wishes of the Federal Permitted Charter Fleet in their desire to be removed from the Texas, Louisiana and Mississippi EFP. I support further developing amendment 41 and 42.

- ◆ I believe that the EFP process would be a good option for States to try to utilize to help their recreational anglers. I feel it would be wrong to force federal charter/headboats to comply with a proposal that goes against the Magnuson act. I think further developments of amendments 41 and 42 would be beneficial. Please do not force the for hire sector into a program that would hurt our businesses and other anglers' access to the water that do not own boats and use our fleet as their way on the water. Texas for hire operators are against being mandated into the EFP.
- ◆ In the fall of 2017, the National Marine Fisheries Service (NMFS) sent a letter to the Gulf states soliciting proposals for state management of private recreational fishing in federal waters via Exempted Fishery Permits (EFPs). The letter cited language in a 2016 appropriations report directing the agency to develop a pilot program for state management of reef fish in designated artificial reef zones.

The concept of the states having greater management responsibility over private anglers targeting reef fish — often referred to as “regional management” — has been before the council at various times over the last decade, and is again under consideration through state-specific amendments. These EFP proposals could be a viable way to test core concepts and innovations necessary to ensure successful implementation of state management, and represent a unique opportunity to change the way red snapper is managed in the Gulf to better meet stakeholder needs. However, these plans must clearly contribute to improving the management and implementation of the rebuilding plan for red snapper. Merely using the EFP concept as a loophole to allow for status quo fishing in the recreational red snapper component of the fishery, or to repeat the overfishing of the 2017 extended season is insufficient, problematic, and could violate existing laws and regulations.

These EFPs should include provisions to find novel ways to advance management on the following issues:

- Data: One of the great challenges for management of red snapper is the lack of timely, high-resolution data on catch and effort in the private recreational fishery. States, in partnership with NMFS and MRIP, have begun the hard work to improve this data, but progress is uneven and stymied by low participation, data validation concerns, and calibration to existing programs to ensure information continuity. The EFPs present a

unique opportunity to significantly improve data collection and assessment on the private recreational sector. Participation in EFPs commonly includes significant reporting requirements, and these plans should be no different. By utilizing available electronic technologies in conjunction with traditional methods such as dock-side intercepts, phone and mail surveys, and other techniques, the EFPs could be used to catalyze a dramatically increased understanding of the catch levels and fishing characteristics of the recreational sector and the individuals within it, which will lead to better management for those stakeholders and the stock itself.

- **Sustainable Fishing Limits:** Increased state authority over management of private angler fishing for red snapper creates opportunities to tailor management to the unique characteristics of each state. Anglers have been frustrated with shortened federal seasons that fail to take these variances into account. However, the private recreational sector has also struggled for decades to stay within management limits like ACLs and ACTs. Overages have a real cost, both in delaying the recovery of this rebuilding stock and in reducing access for private anglers. Along with the opportunity to design custom management that creates more opportunity for anglers, EFPs similarly must contain clear and sufficient management techniques for keeping fishing with state allocations. This should include proven combinations of harvest control rules coupled with effective management measures and accountability for performance. These can be customized to the characteristics of fishing in each state, and each EFP must demonstrate how the chosen combination of management techniques will work to keep fishing under mandated limits.

- **Accountability:** Of paramount importance in the EFPs or any regional management proposal is compliance with the requirements for fairness in access, conservation of the species, and accountability as outlined in the Magnuson-Stevens Fishery Conservation and Management Act (MSA). NMFS retains the ultimate responsibility of ensuring that this shared, public resource is well-managed. Thus, the Secretary of Commerce should maintain certain oversight of specific management decisions, for example in setting the gulfwide quota for the private recreational fishery consistent with the best available science, and in ensuring quota closures occur when that quota is met or expected to be met. Additionally, the EFPs and regional management should apply exclusively to the private recreational component of the fishery; the charter and headboat components of the sector have recently made gains in conservation and socioeconomic stability which could be undermined by inclusion in these EFPs. Finally, the EFPs provide an opportunity to improve sector and individual accountability for private anglers, and they should be designed such that the sector accounts for any overages it may have.

- **Science:** The EFPs' focus on fishing around artificial reefs presents a unique opportunity to collect valuable information about the role of these structures in the health, productivity, and recovery of red snapper. A 2017 paper by Karnauskas et al. concluded that artificial structures holds 14% of red snapper abundance and that catch rates are 20

times higher on artificial reefs as opposed to natural reefs. This finding presents unique challenges for managers, and thus, the EFPs should be designed to collect and contribute valuable information to answering core scientific questions pertaining to red snapper distribution.

EFPs can provide new knowledge to improve red snapper management, but it is up to NMFS and the states to develop practical and useful proposals that will meaningfully test regional management as opposed to using EFPs to grant unaccountable access to the recreational fishery, regardless of the consequences.

The red snapper fishery is already in a very precarious position after the extended 42-day recreational season in 2017. According to the current landings figures, recreational fishermen caught 195% of their annual catch target, amounting to about 156% of the annual catch limit. Early calculations show that this overage will likely result in the overall Overfishing Limit (OFL) being exceeded by around 3%, which is sufficient to declare the stock as undergoing overfishing. This will be the first time overfishing has occurred on the stock since 2011.

While scientists and managers will need to assess the damage to the stock due to this extraordinary overfishing, the EFPs must now, more than ever, advance the core conservation and management principles of the MSA. Namely, they should be consistent with all requirements to prevent overfishing, adhere to science-based annual catch limits, include accountability measures and rebuild stocks as quickly as possible.

Regional management provides a real and meaningful chance for private recreational fishermen from throughout the five Gulf states to fish under regulatory conditions that cater directly to their individual needs. Allowing the states to develop individual conservation equivalent plans that are customized to the unique fishing traits of private recreational fishermen in their waters could ultimately result in management measures that are tailored to the specific circumstances of a particular location and a decreased likelihood of quota overages moving forward. Fewer quota overruns and greater stability in the fishery means rebuilding stays on track and catch limits can increase as stocks rebound.

We appreciate the opportunity to share this information with the Council, and please contact me directly if you have any questions or comments.

- ◆ I support the EFP process for the Gulf states to test ideas for how to manage their private angler red snapper fishery only - the federally-permitted charter/headboat fleet wants to remain under federal management and this shouldn't be forced on them. EFPs can be an effective tool that fishermen can use to modernize fishery management. EFPs must adhere to Magnuson, including ACLs and accountability measures, which is critical for this fishery.

We need high confidence that the monitoring and data collection components of these EFPs will guarantee that the private anglers won't go over their quotas. And we need guarantees that these EFPs won't harm the commercial sector in the short term or reduce our access in the future.

- ◆ Louisiana EFP - I as well as an overwhelming majority of the Louisiana Charter Fleet and the everyday Louisiana Recreational angler would offer our support for the Louisiana EFP plan submitted for discussion before this Council. We offer our support in the context that the Louisiana Charter Fleet would be free to opt in to participating in this plan. We have advocated for years for regional or State Management of our fishery and would appreciate the opportunity to prove to the Nation that we have the ability and desire to regulate ourselves.