

Reef Fish Amendment 42: Reef Fish Management for Headboat Survey Vessels



January 2018



Action 1: Type of Management Program for Headboat Survey Vessels

Alternative 1. No Action. For landings history vessels, continue to manage the reef fish species chosen in Action 2 using current recreational seasons, size limits, and bag limits.

Alternative 2. For landings history vessels, manage the reef fish species chosen in Action 2 by establishing an **Individual Fishing Quota Program (IFQ)**. **(AP Preferred)**

Alternative 3. For landings history vessels, manage the reef species chosen in Action 2 by establishing a **Permit Fishing Quota Program (PFQ)**.

Action 2: Species to Include in the HBSV Management Program

Alternative 1. No Action. Do not define reef fish species to include in the management program.

Preferred Alternative 2: Include the following species in the management program (**AP Preferred**):

Preferred Option 2a: Red snapper

Preferred Option 2b: Greater amberjack

Preferred Option 2c: Gray triggerfish

Preferred Option 2d: Gag

Preferred Option 2e: Red grouper

Action 3: Participation at the Onset of the HBSV Program

Alternative 1. No Action. Any vessel that meets the control date, has a valid or renewable federal reef fish for-hire permit, and is still participating in the SRHS, **must participate** in the program selected in Action 1. **(AP Preferred)**

Alternative 2. Any vessel that meets the control date, has a federal reef fish for-hire permit, and is **still participating in the SRHS, may choose to opt out** of the LHV program at the onset of the program. Vessels choosing not to participate must notify NMFS by October 1 of the year before implementation of the program. Vessels not in the program will be managed under the federal recreational regulations for species selected in Action 2.

continued

Action 3: Participation at the Onset of the HBSV Program

Alternative 3. Any vessel that meets the control date and has a federal reef fish for-hire permit, **regardless of SRHS participation, may choose to opt out** of the program selected in Action 1 at the onset of the program. Vessels choosing not to participate must notify NMFS by October 1 of the year before implementation of the program. Vessels not in the program will be managed under the federal recreational regulations for species selected in Action 2.

Action 4: Headboat Survey Vessel Endorsement or Permit

Alternative 1. No Action. Landings History Vessel (LHV) program participants are required to have a Gulf reef fish for-hire permit.

Alternative 2. Establish an **endorsement** for LHV. LHV program participants are required to have an LHV endorsement to their Gulf reef fish for-hire permit. Endorsements will be issued to qualifying LHV program participants at the time of implementation of this action. With a PFQ, the shares would be attached to the endorsement. An LHV endorsement holder **may only fish off the LHV quotas** for the species selected in Action 2 throughout the year. LHV endorsements are transferrable to any vessel with a Gulf reef fish for-hire permit.

(AP Preferred)

continued

Action 4: Headboat Survey Vessel Endorsement or Permit

Alternative 1. No Action. Gulf reef fish for-hire permit.

Alternative 2. **Endorsement** for Landings History Vessels

Alternative 3. Establish a **Gulf reef fish LHV permit**. LHV program participants are required to have a Gulf reef fish LHV permit. Gulf reef fish for-hire permits held by qualifying LHV program participants at the time of implementation of this action will be converted to Gulf reef fish LHV permits. A Gulf reef fish LHV permit holder **may only fish off the LHV quotas** for the species selected in Action 2 throughout the year. Gulf reef fish LHV permits are fully transferrable.

Action 5: Allocation of Annual Catch Limit to the Headboat Survey Vessel Program

Alternative 2. Allocate a portion of the recreational ACL for each species to the LHV Program based on average landings from the most recent five years (2011-2015), according to the Southeast Region Headboat Survey.

Option a. Use all years;

Option b. Exclude 2014;

Option c. Exclude 2014 - 2015

	Option a	Option b	Option c
Red Snapper	14.90%	13.80%	14.90%
Gray Triggerfish	6.40%	7.00%	7.90%
Gag	4.40%	4.30%	4.30%
Red Grouper	3.90%	4.20%	4.80%
Greater Amberjack	5.60%	5.80%	6.40%

Action 5: Allocation of Annual Catch Limit to the Headboat Survey Vessel Program

Alternative 3. Allocate a portion of the recreational ACL for each species to the LHV Program based on average landings from the longest time series (2004-2015), according to the Southeast Region Headboat Survey.

Option a. Use all years

Option b. Exclude 2010

Option c. Exclude 2014

Option d. Exclude 2014 - 2015

	Option a	Option b	Option c	Option d
Red Snapper	13.10%	12.50%	12.80%	12.90%
Gray Triggerfish	9.50%	9.50%	9.90%	10.50%
Gag	3.60%	3.60%	3.60%	3.50%
Red Grouper	3.50%	3.60%	3.60%	3.70%
Greater Amberjack	5.30%	5.40%	5.40%	5.50%

Action 5: Allocation of Annual Catch Limit to the Headboat Survey Vessel Program

Alternative 4. Allocate a portion of the recreational ACL for each species to the LHV Program based on 50% average landings from the most recent five years (2011-2015) and 50% average landings from the longest time series (2004-2015), according to the Southeast Region Headboat Survey.

Option a. Use all years

Option c. Exclude 2014

Option b. Exclude 2010

Option d. Exclude 2014 - 2015

	Option a	Option b	Option c	Option d
Red Snapper	13.90%	13.50%	13.30%	13.80%
Gray Triggerfish	7.90%	9.20%	9.60%	10.10%
Gag	4.00%	4.70%	4.70%	4.70%
Red Grouper	3.70%	4.40%	4.50%	4.80%
Greater Amberjack	5.40%	7.10%	7.20%	7.50%

Action 5: Allocation of Annual Catch Limit to the Headboat Survey Vessel Program

Alternative 5. Allocate a portion of the recreational ACL to the LHV Program based on 50% average from 1986-2013 (2010 excluded) and 50% average landings from 2006-2013 (2010 excluded). (Preferred Alternative from Amendment 40) Charter AP Preferred (AP Preferred)

Red Snapper	14.5%
Gray Triggerfish	11.0%
Gag	4.0%
Red Grouper	3.9%
Greater Amberjack	6.9%

continued

Action 5: Allocation of Annual Catch Limit to the Headboat Survey Vessel Program

Alternative 6. Landings associated with **vessels opting out of the program** (Action 3) will be **subtracted from the LHV allocation**. These landings will be calculated according to the formula chosen for initial distribution in Action 7.

Action 6: Units of Measure for Quota Distribution and Reporting

Alternative 1. No Action. LHV quotas are distributed and reported in **pounds**.

Alternative 2. LHV quotas are distributed and reported in **numbers of fish**.

Alternative 3. LHV quotas are distributed in **pounds** and reported in **numbers of fish**. (AP Preferred)

Action 7.1: Time Period Used in the Initial Apportionment of Shares

Alternative 1. No Action.

Alternative 2. For each species, the apportionment is based on average landings during the **most recent five years (2011-2015)**.

Alternative 3. For each species, the apportionment is based on the most recent five years **(2011-2015) omitting the year with the lowest landings**.

Preferred Alternative 4. For each species, the apportionment is based on the year with the **highest landings** during the **most recent five years (2011-2015)**. (AP Preferred)

Action 7.2: Distribution of Initial Shares

Alternative 1. No Action.

Preferred Alternative 2. Distribute **a percentage** of initial shares for each species **equally** among participants in the LHV program and distribute the **remaining percentage** of the initial shares **proportionally**. (AP Preferred; with Option a)

Alternative 3. Distribute a **percentage** of initial shares through an **auction system**. All LHV program participants are allowed to place bids. AP considered but rejected

Alternative 2

Option	Distribution of Initial Shares	
	Equal	Proportional
2a	0	100
2b	25	75
2c	50	50
2d	75	25
2e	100	0

Alternative 3

Option	Distribution of Initial Shares	
	By Alternative 2	<u>By Auction</u>
3a	0	100
3b	25	75
3c	50	50
3d	75	25

Action 8: Transferability of IFQ Shares

Alternative 1. No Action. Do not allow transfer of shares.

Preferred Alternative 2. Require a **valid reef fish for-hire permit with LHV endorsement, or a reef fish LHV permit** (whichever is established in Action 4) to receive shares through transfer. Shares can only be transferred to US citizens or permanent resident aliens. **(AP Preferred)**

Alternative 3. Shares can be transferred to any US citizen or permanent resident alien.

A Permit Fishing Quota (**PFQ**) program **ties shares to a permit**. If a permit is transferred, the shares automatically move with the permit

Action 9: Maintenance of Shares (**)

Alternative 1. No Action. Shares can be held by any US citizen or permanent resident alien.

Preferred Alternative 2. To hold shares, require a **reef fish for-hire permit with LHV endorsement**, **or** a reef fish **LHV permit** (whichever is established). **(AP Preferred)**

Alternative 3. Require **either** a reef fish for-hire permit (with or without endorsement) **or** a reef fish LHV permit to hold shares.

Shares can only be held by US citizens or permanent resident aliens.

IFQ: If a participant transfers their permit or the permit expires, the owner must divest of their shares. **PFQ:** If a permit is transferred, the shares automatically transfer with it; if a permit terminates, NMFS will redistribute the shares proportionally to the current participants.

Action 10: Transferability of Annual Allocation

Alternative 1. No Action. Do not allow transfer of annual allocation.

Alternative 2. Require a **valid reef fish for-hire permit with LHV endorsement or a valid reef fish LHV permit** (whichever is established) to receive annual allocation through transfer. Transfers to US citizens or permanent resident aliens ***holding a LHV endorsement or LHV permit.*** (AP Preferred)

Alternative 4. Transfers to **any** US citizen or permanent resident alien.

Alternative 4. Annual allocation may be transferred by surrendering it to a NMFS allocation bank from which other program participants may obtain the allocation by:

Option 4a: lottery.

Option 4b: auction.

Action 11: Share Caps

Alternative 1. Do not constrain the amount of shares one person can hold.

Preferred Alternative 2. **In each species category**, no person shall hold more shares than the maximum percentage issued to the recipient of the largest shares at the time of the initial apportionment of shares. **(AP Preferred)**

Alternative 3. **Across all share categories**, no person shall hold more shares than the maximum percentage issued to the recipient of the largest aggregate share at the time of the initial apportionment of shares.

Action 12: Allocation Caps

Alternative 1. No Action. Do not constrain the amount of allocation that one person can hold.

Alternative 2. At any point in time, a person's total holdings (from all accounts) cannot be more than the maximum holdings attributed to a person (as determined in Action 11) **in each species category.**

(AP Preferred)

Alternative 3. At any point in time, a person's total holdings (from all accounts) cannot be more than the aggregate maximum holdings attributed to a person (as determined in Action 11) **across all species categories.**

Action 13: Retaining Annual Allocation before a Quota Reduction

Alternative 1. No Action. Distribute 100% of annual allocation to shareholders on January 1 of each year.

Alternative 2. If the quota for a species is anticipated to decrease after January 1, the RA has the authority to **retain the anticipated amount of decrease** during distribution of allocation for that species at the beginning of the year. **(AP Preferred)**

Option 2a: June 1

Option 2b: August 1

Action 14: Cost Recovery Fees

Alternative 1. No Action. Cost recovery fees will not be collected.

Alternative 2. For each participant, cost recovery fees will be based on the total value obtained by multiplying a **standard price** per pound (or per fish) of a given species by the number of pounds (or of fish) of that species harvested by the participant during the specified time period. The cost recovery fee will be up to 3% of the total value. The standard price will be equal to **(AP Preferred)**:

Option a: the **commercial ex-vessel price (AP Preferred)**

Option b: the average price of annual allocation

Alternative 3. Cost recovery fees calculated as follows: Total fees paid per trip and total pounds (fish) of all species harvested must be reported. The total fees will be divided by the total pounds of species harvested to achieve a **price per pound (fish)**. The price will be multiplied by the **pounds (fish) of covered species** (species in the program) to achieve the total value. Cost recovery fees will be up to 3% of total value

Action 15: New Entrants

Alternative 1. No Action. No additional LHV endorsements or reef fish LHV permits (whichever is established in Action 4) will be issued.

Alternative 2. **At the beginning of each calendar year**, vessels with valid federal for-hire reef fish permits that are not participating in the LHV program may be issued a LHV endorsement or a reef fish LHV permit.

Alternative 3. At any time of the year, vessels with valid federal Gulf for-hire reef fish permits that are not participating in the LHV program may be issued a LHV endorsement or a reef fish LHV permit. The endorsement or LHV permit will **not be effective until the beginning of the next year**.

❖ Receiving an endorsement or a reef fish LHV permit **does not grant shares or annual allocation** to the recipient

Action 15: New Entrants

Alternative 4. At the beginning of each calendar year, vessels with valid federal Gulf for-hire reef fish permits that are not participating in the LHV program are **eligible to apply** for an endorsement to the reef fish for-hire permit or for a reef fish headboat permit (whichever is established in Action 4) if the vessels are selected to participate in the Southeast Region Headboat Survey. This would be **limited to vessels that carry over 49 passengers**. Receiving an endorsement or a reef fish LHV permit (whichever is established in Action 4) does not grant shares or annual allocation to the recipient. **(AP Preferred)**

- ❖ Receiving an endorsement or a reef fish LHV permit **does not grant shares or annual allocation** to the recipient
- ❖ **AP Motion:** To add an action considering a **set aside of shares** for the purpose of facilitating **new entrants access** to the fishery

Action 16-1: Amount of LHV Quota to Set Aside

Alternative 1. No Action. Do not set the portion of the LHV quota to set aside for new entrants.

Alternative 2. Establish a set-aside program and, for each species, set the **percentage** of the corresponding LHV quota to set aside at:

Option a: 1%

Option b: 2%

Option c: 5%

Action 16-2: Eligibility to Receive Set Aside Shares

Alternative 1. No Action. Do not define eligibility criteria for receiving set aside shares.

Alternative 2. Set aside shares would be distributed to those who become eligible as new entrants by the time of apportionment of set aside shares.

Action 16-3: Distribution of the Set Aside to New Entrants

Alternative 1. No Action. Do not distribute set aside shares.

Alternative 2. Distribute set aside shares equally among eligible new entrants

Alternative 3. For each share category, no new entrant may receive more shares than the minimum distributed during initial apportionment to an individual recipient.

Thank you