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**Subject:** FW: Proposed Rule for a National Saltwater Angler Registry Program

**From:** Richard Leard

**Sent:** Tuesday, July 29, 2008 9:42 AM

**To:** Bob Gill (bgillbgill@embarqmail.com); 'Bob Shipp (rshipp@jaguar1.usouthal.edu)'; Bobbi Walker (chancyw@gulftel.com); Bonnie Ponwith (bonnie.ponwith@noaa.gov); Corky Perret; Dale Diaz (dale.diaz@dmr.ms.gov); Doug Frugé (doug\_fruge@fws.gov); Ed Sapp (ewsapp@hotmail.com); Elizabeth Keister (elizabeth.f.keister@uscg.mil); Grimes, Shepherd; GulfCouncil Mail; Harlon Pearce (nolah@aol.com); James Nance (james.m.nance@noaa.gov); Joe Hendrix Jr. (jhendrix1706@aol.com); Julie Morris (morris@ncf.edu); Karen Foote (foote\_k@wlf.state.la.us); Kay Williams (hkaywilliams@hotmail.com); Larry Simpson (lsimpson@gsmfc.org); Linda Kelsey (linda\_kelsey@fws.gov); LT Brian Sullivan (brian.a.sullivan@uscg.mil); Michael McLemore (michael.mclemore@noaa.gov); Michael Ray (mike.ray@tpwd.state.tx.us); Phil Steele (phil.steele@noaa.gov); Randy Pausina (rpausina@wlf.louisiana.gov); Richard Leard; Robin Reichers (robin.riechers@tpwd.state.tx.us); Roy Crabtree (roy.crabtree@noaa.gov); Steve Branstetter (steve.branstetter@noaa.gov); Susan Villere (suziev@bellsouth.net); 'Tom McIlwain (Tom.McIlwain@usm.edu)'; Tomas Jamir (tom.jamir@noaa.gov); William Teehan (william.teehan@myfwc.com)

**Subject:** FW: Proposed Rule for a National Saltwater Angler Registry Program

FYI. To date I have not heard of any of the other councils requesting an extension, and as noted they still have not said how long we will get. Some of the language in this rule bothers me, but I have not heard of any concerns or interest in an extension from the other councils or our state directors, so maybe I'm just paranoid.

Rick

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**From:** Gordon.Colvin [mailto:Gordon.Colvin@noaa.gov]

**Sent:** Thursday, July 17, 2008 4:27 PM

**To:** Richard Leard

**Cc:** John.Boreman@noaa.gov; Tom Mcilwain; rshipp@jaguar1.usouthal.edu; lsimpson@gsmfc.org; william.teehan@myfwc.com; vernon.minton@dcnr.alabama.gov; Corky Perret; foote\_k@wlf.state.la.us; robin.riechers@tpwd.state.tx.us

**Subject:** Re: Proposed Rule for a National Saltwater Angler Registry Program

Rick: That's not the intended meaning of .1416. The 6 exemptions in 1416.b are acceptable license exemptions permanently (except for b.2--seniors--which are further addressed in d.1). The "unless the state can demonstrate" language in c only applies to the 6 otherwise unacceptable exemptions in that paragraph.

See also my comments in the message text below. I hope this clears it up, but please give me a call (try my cell first for the next week: 240-357-4524) if you'd like to follow up.

-Gordon

Richard Leard wrote:

Gordon and John,

I am a little confused with regard to the wording in the proposed rule, particularly under 600.1416. As I read this, a state could receive exempted status as of January 1, 2009 even if the state excluded anglers: under 16, over 59, for-hire customers, pier fishermen, military persons, and disabled persons

\*Correct.

However, unless a state can demonstrate that a category of anglers is so small as to be insignificant, then beginning

January 1, 2011, a state may not be exempted if it cannot identify by name, address, and phone number: all of the above currently exempted groups, ...

\*No, except for the over age 60 category, all those other exemptions in 1416.b will be acceptable permanently. Under .1416.d.1, the state will need to identify its exempted seniors beginning 2 years after it is designated as an exempted state.

...as well as anglers: fishing from boats, privately owned land, shore, wading, and from other vehicles other than boats;

\*Correct. If states exempt these anglers, the only way the state can be designated an exempted state is to demonstrate that the exempted category is so small as to not bias sample results. My favorite example of this is Florida's private boat license, which costs \$1000/year. They only issue about 20 of these (one wonders why they issue any!) so it's unlikely their exclusion from a registry would bias any sample results.

and holders of lifetime, multi-year, and combination licenses that would allow saltwater angling.

\* If states issue these kinds of licenses, they will not be precluded from being designated as exempted. However, as with the exempted seniors, the states would need to address the data enhancements specified in 1416.d within 2 years of receiving their designation.

Is this correct? Also, could a state receive an exemption in 2009 if it excluded from licensing anglers: fishing from boats, privately owned land, shore, wading, and from other vehicles other than boats; and holders of lifetime, multi-year, and combination licenses that would allow saltwater angling?

Also, any word on an extension of the comment period? Thanks.

John and Gordon,

Our Council will not meet again until the week of August 11. From the proposed rule for a National Registry of Recreational Fishers, it appears that the comment period will end before this meeting. Would it be possible to get an extension of approximately 2 weeks in order for our Council to submit comments? Also, do I need to submit a more formal request, or is this e-mail sufficient. Thanks for you help.

Rick

We will extend the comment period. Still working on the question of how long. Should resolve by Monday.

Rick

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