Subject: Regional Management of Red Snapper
Date: Friday, January 24, 2014 9:47:43 AM Eastern Standard Time
From: Candy Hansard
To: Gulf Council

I support regional management of Red Snapper and all fisheries. Each State has their own Fish and Wildlife Agency that is capable of managing their own fisheries. One size fits all rule making is not effective.

Please vote yes to regional management of Red Snapper.

Thank you,
December 9, 2013

Gulf of Mexico Fishery Management Council  
2203 N Lois Avenue  
Suite 1100  
Tampa, Florida 33607 USA

Dear Council Members:

The following Amendment 39 comments are submitted on behalf of Fishing Rights Alliance members who fish in the Gulf of Mexico.

The Gulf Council SHOULD be the ultimate regional management tool for the Gulf. Members, appointed by each state’s Governor and including state fisheries officials, make mutually beneficial, informed decisions. The National Marine Fisheries Service (NMFS) is supposed to provide requested scientific information and requested regulatory guidance.

Things have gone terribly awry. The NMFS has taken total control of the fisheries, arrogantly ignoring stock abundance. NMFS chooses to manage to the ‘bottom of the range of uncertainty’, needlessly costing jobs and fishing rights. This mismanagement confirms the punitive, anti-fishing mentality of an agency gone rogue.

None of the actions proposed in Amendment 39 give control back to the states; they instead give even more control NMFS, paying no heed to local plans once the NMFS estimates that a quota has been reached. This sort of veto power would encourage states to open their seasons at the beginning of the year and stay open as long as they can, hardly a good conservation measure. This is not the goal of regional management, in any scenario.

For years, NMFS has knowingly lied about the economic impacts of their draconian regulations and ignored the negative effects of those regulations on people’s lives, jobs and economic well being. NMFS’ arrogant defiance of Congress, misuse of legal resources and total failure to meet the Magnuson mandate to improve the recreational data collection system (while insisting otherwise) are prime exhibits of an agency out of control.

NMFS has failed so miserably to manage fisheries that it attempts to change its name to hide its shame, to wit “NOAA fisheries” (who authorized this name change? Council members should...
not be divided and conquered by this smoke and mirrors ‘regional management plan’ that shifts NO POWER to the states whatsoever.

Recreational catch and effort data improvements have simply not happened. Is this because improved and ADEQUATE data collection does nothing to enrich the investors who so lavishly fund their operatives (enviros) and their pals at NMFS? Is it that a well managed recreational system provides no opportunity for a 400% return on investment?

**Why was LA able to do the job?**

Louisiana’s state-generated 2012 recreational red snapper landings were painstakingly counted and produced a 10,000 pound daily estimate for recreational landings. The NMFS estimated 17,000 pounds – a **70% over-estimate**.

Is splitting up quotas among states a good idea based on such horribly erroneous estimates?

The following comments are in three sections:

- Points of Angler Concern
- List of Alternative Choice by Action Number
- List of National Standards violated by Amendment 39

**Points of Angler Concern**

Unacceptable that Regional Management is still controlled by NMFS  
RM will cost states in numbers of allowable fish through ‘uncertainty’ times five  
RM is based on obscenely flawed and inaccurate data  
State Governors should take control of the appointment process for Council members  
Council members should be in control of NMFS, not the other way around  
NMFS has SERVICE in its name; it should service the Councils and the states  
Council should control when stock assessments are to be completed  
RM will ignore any abundance or range increase or decrease of a stock, causing artificial 'overfishing' declarations  
Random surveys of the Universe of Anglers produce RELIABLE DATA  
NMFS has ignored the angler registration requirement in Magnuson  
The new MRIP (formerly fatally flawed MRFSS) has zero improvements for data collection  
Louisiana's own red snapper numbers show what anglers have said for years: NMFS severely overestimates landings.

**List of Alternative Choice by Action Number**

Action One: Alternative One: No Action is
The rationale behind the choice of this alternative is that recreational data is still in a fatally flawed state. That the states would consider giving the NMFS any further power over destroying their fishing seasons is quite perplexing.

Louisiana recently proved that the NMFS estimates red snapper landings in the recreational sector by over 70%. This data collection problem must be fixed before we can consider any further regional management plan.

Magnuson – Stevens call for a universal angler registration to be in place and functioning by January 1, 2009. As we approached January 1, 2014, we still have a nonfunctioning angler registry. Our entire recreational opportunities generated from the last feedback give everyday coastal household telephone survey. Despite the national Marine fisheries service's claims of room to data, they continue to use the same day with live data, which gets worse each year as less and less people have landline telephone lines in their homes. As the coastal household telephone survey only contacts landline residential phones, they survey less and less of the population each year. This is no secret, as they have known about this issue or 13 years and have failed to address it.

**Action Two:** Alternative One: No Action.

**Action Three:** Alternative One: No Action.

The current table used to show the percentage of annual recreational red snapper landings by state shows us information produced from fatally flawed data.

Dividing up any quota based on the national Marine fisheries service fatally flawed data is akin to dividing up only a small piece of pie throwing the rest away. The council’s efforts would be better spent on getting access to all of our red snapper.

Attention needs to be paid to any historical landings that include time periods where there was a possibility of a recreational sector separation. As Dr. Crabtree himself stated, that possibility of sector separation creates a strong incentive to misreport. Many landings reported after 2005 should be suspect.

**Action Four:** Alternative One: No Action There are no regional accountability measures that would prevent one region from overharvesting the board of the region at the opportunity to harvest that years allotted quota.

**Action Five:** Alternative One: No Action Any change in the for hire vessels federal permit restrictions should be accompanied by a clear and permanent regulation stating that or higher permits are in the recreational sector. This only makes sense, as or higher permits are for recreational anglers not the boat owners.

**Action Six:** Alternative One: No Action.
This alternative merely highlights the veto power of the national Marine fisheries service and the frivolity of this whole notion. The Council should act as the counselor supposed to act, taking control of the fishery and control of the national Marine fisheries service. Alternative seven race last two words

**Action Seven: Alternative One: No Action.** These default regulations completely override any concept of regional control of the fishery. This could not be any clearer.

**List of National Standards violated by Amendment 39**

This Amendment violates National Standard 2 in that National Marine Fisheries Service is not using best scientific information. They know that Louisiana's information is far better and that the NMFS’ mistakes made in Louisiana are certainly duplicated throughout all fisheries managed by the National Marine Fisheries Service.

This amendment violates National Standard 3 as it is breaking the stocks into sub units throughout its range.

This amendment violates National Standard 4 as it does discriminate between residents of the state. It should be noted national standard for fails to refer to our right to fish, instead wrongly and unconstitutionally calling it a privilege. That, in itself is an insult to all anglers and citizens of the United States.

This amendment violates National Standard 6 because it fails to take into account variations and contingencies in the red snapper resource.

This amendment violates National Standard 8, as it does not consider social and economic data, nor does it provide for the sustained participation of any communities.

This amendment violates National Standard 9 as it does not minimize adverse economic impacts, by catch and by catch mortality.

We appreciate our Constitutional Rights which provide us the opportunity to comment on this proposed amendment to the Council’s Fishery Management Plan.

With all due respect,

Dennis O’Hern
President
Fishing Rights Alliance
October 28, 2013

Mr. Doug Boyd, Chair  
Gulf of Mexico Fishery Management Council  
2203 North Lois Avenue  
Tampa, FL 33607

Dear Mr. Boyd:

Thank you for the opportunity to provide our recommendations. Environmental Defense Fund is writing to urge you, in your role as Chair of the Gulf of Mexico Fishery Management Council, to guide the Council’s members to find ways to manage fisheries to ensure the long-term health of fish populations and to maintain the variety of benefits which society enjoys from a healthy Gulf ecosystem, including fresh local seafood and sport activities.

We are proud to join with restaurants, chefs, local seafood and fishing businesses, and recreational partners as a member of the recently-launched Share the Gulf coalition. Thanks to the past actions of the Council, the Gulf has experienced first-hand how management reforms, like those implemented for the red snapper, grouper and tilefish commercial fisheries, can simultaneously help rebuild and sustain fish populations, turn around struggling businesses, and better serve the seafood industry and nation. Thus, we are confident that recreational fisheries, still struggling under ineffective regulations, can share these benefits once old strategies – especially those seeking to vilify commercial fishing and seafood interests – are replaced with proposals to sustain healthy stocks, provide more favorable recreational fishing opportunities, and meet the requirements of the law. In an earlier letter to the Council, EDF offered our idea on what new proposals might look like, including a vision of a shared reef fish fishery that is managed by maintaining the commercial plan, exploring a recreational for-hire IFQ program for vessels that operate in federal waters, and a “regional management” approach for private anglers.1

Based on the Council’s success in managing commercial red snapper and other reef fish, we know that when fisheries are well managed there are enough fish for all to share and enjoy. Today, we offer two recommendations:

1. **The Gulf Council should suspend consideration of Amendment 28 to “reallocate” red snapper currently allotted to commercial fishermen (and consumers) to recreational fishermen.**

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1 Environmental Defense Fund, August 26 2013. Page 3:  
[http://www.gulfcouncil.org/fishery_management_plans/Public%20Comment/Amendment%2028%20-%20Allocation/allocation.pdf](http://www.gulfcouncil.org/fishery_management_plans/Public%20Comment/Amendment%2028%20-%20Allocation/allocation.pdf)
Much of Share the Gulf’s emphasis has been to maintain a fair allocation of red snapper between seafood and recreational interests. This is important because demands for local fresh seafood and recreation are both strong, and they both are valuable. This is also critical for conservation since the commercial management plan is contributing to rebuilding of red snapper. The red snapper allocation is 51% for commercial and 49% for recreational fisheries. This is approximately 5.5 million pounds for each this year; but while the commercial catch is slightly below its limit, recreational management allows large, persistent overharvests (46% over in 2012). Thus, reallocation elevates the potential for return to “overfishing” status and can violate federal law.

The Council’s own science and economic advisors have stated there is no economic rationale for reallocation, and other analyses show that there are no lasting benefits to anglers when management is limited to seasons and bag limits. Shifting more fish to the recreational fishery will not provide longer seasons or solve problems. Therefore, reallocation is also harmful because it is a distraction from exploring meaningful solutions.

2. The Gulf Council should focus on exploring management options for the recreational red snapper and reef fish fisheries that focus on providing the benefits which anglers and others seek.

The Council can use specific objectives to guide its exploration to improve recreational fishing. Several priorities are evident:

- Improving fishing opportunities through longer and more flexible fishing seasons;
- Providing stability and flexibility for for-hire operations to serve clients and run a successful business;
- Increasing the timeliness and accuracy of catch accounting systems;
- Reducing and eliminating regulatory discards and overharvests; and
- Complying with the law.

The Council is considering a “regional management” proposal (Amendment 39) which maintains today’s management tools and divides the recreational red snapper allocation among the Gulf states to set their own seasons and bag limits. We agree that regional management can help states provide local benefits, particularly for private anglers. However, Amendment 39 does not allow use of new tools which can achieve longer seasons and other benefits. To succeed, Amendment 39 should be improved to ensure it addresses the objectives above.

We look forward to working with you to develop management that benefits anglers, continues and expands success with commercial and seafood interests, and fosters continued rebuilding of red snapper and other reef fish populations.

Sincerely,

Pamela Baker, Director
Gulf of Mexico and Southeast Oceans Program

Kristen McConnell, Senior Conservation Manager
Gulf of Mexico and Southeast Oceans Program

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Subject: Re: Meeting in SA

Date: Thursday, August 29, 2013 8:03:43 AM Eastern Daylight Time

From: Charlene Ponce
To: Phyllis Miranda

From: Phyllis Miranda <Phyllis.Miranda@gulfcouncil.org>
Date: Wednesday, August 28, 2013 10:10 PM
To: Charlene Ponce <charlene.ponce@gulfcouncil.org>
Subject: Fwd: Meeting in SA

I think you said you'd be in Thursday - here's a comment. If you're not, email me back and I will post.

Sent from my iPhone

Begin forwarded message:

From: karen.greesen@gmail.com <karen.greesen@gmail.com>
Date: August 28, 2013, 8:32:06 PM CDT
To: <phyllis.miranda@gulfcouncil.org>
Subject: Meeting in SA

My comments
As a recreational fisherman I am against regionalization because I am afraid of catch shares being implemented.
For data collection for recreational fisherman I would participate in tags for the fish I catch like I use for oversize redfish.
Also please keep the October red snapper extension.
Thank you,
karen Greesen
Sent from my HTC EVO 4G LTE!
Gulf of Mexico Fisheries Management Council
Written Comment Aug. 28, 2013 Meeting

My name is Tracy Redding and I am the President of AAA Charters Inc. a charter booking service for for-hire fishing and sightseeing charters along the Alabama Gulf Coast. I have been operating this small business for a decade.

Although I have curtailed traveling to each of the Gulf Council meetings, I continue to listen to the meeting on the web link provided. I am extremely grateful this opportunity is provided for those that wish to continue to participate in Council proceedings; but are unable to travel across the Gulf Coast, at our own expense, throughout the year. I have also found the Gulf Council use of social media quite effective and informative. I still remain hopeful that improvements can be made to the management of the for-fire recreational fishery that can return the charter industry to a viable business. If drastic improvements are not made within the next 2 years, our future is doomed.

I offer a few specific recommendations to actions currently under consideration by the Gulf Council.

- Amendment 39 Regional Management. I fully support moving forward with Regional Management for red snapper in the Gulf of Mexico dividing the Gulf into 5 regions corresponding with State Lines and the EEZ south of these zones (for recreational anglers ONLY, commercial fishery should remain in the federal IFQ system).
- Amendment 39 Allocation of fishing quotas, Action 3, Alternative 2 Option D using 50% in put from historical landings from 1986-2012 and 50% input from 2006-2012 PLUS eliminate both of the years 2006 and 2010 from the equations.
- Provide the Accountability Measure of requiring a payback during the following season from any region that exceeds the quota.
- If any or some of the Gulf States are not yet prepared to manage their region, they should remain in the “default” federal season until they are prepared and/or willing to proceed with managing their region. The lack of resources and/or interest of a Gulf State should not hold back those states that are ready to try something new. I have FULL confidence in the abilities of our leadership within the Alabama Department of Natural Resources to responsibly meet the challenge of managing the waters off
the Alabama shores. I believe our state is willing and able to utilize electronic logbooks within the CFH industry immediately improving data collection within a significant portion of our recreational anglers. Alabama has a long history in investing in our marine resources by building a world class reef zone, and I believe Alabama can provide the resources necessary to immediately manage these fisheries. Alabama has a strong reputation for protecting the natural resources with which we are blessed and I hope this authority is expanded to manage the red snapper fishery off our shores.

- **EFP for the Head boat Charter pilot program.** It is absolutely essential that the quota set aside for this program is deducted off the top of the recreational fishing quotas (if regional management is in place, the quota should come off the top of that state’s quota, or if default state, the federal EEZ quota.) I believe all other current EFP come off the top. This program should not be an exception. As Roy Crabtree testified this week, to not take the quota off the top would COMPLETELY undermine the entire project.

- **I support maintaining the provisions in 30B preventing federally permitted charter boats fishing from states with federally non-compliant fishing regulations from fishing both the federal season in the EEZ and fishing in state waters during these expanded seasons.** I heard quite a bit of moaning from TX and FL fishermen about how unfair this provision seems to them; but following their state’s decision to expand fishing seasons within their state waters, anglers from Alabama directly lost fishing days this year. This provision needs to stay in place.

- **I am opposed to any reallocation of red snapper quota!** I am a recreational angler, I make my living in the charter boat industry, and I am a consumer of Gulf Seafood. The availability of fresh, Gulf caught seafood is also crucial to our communities. Our chefs need to be able to depend on yearlong access to reef fish. I don’t come to NOLA to eat catfish from Asia. Our commercial fishermen have developed an effective management program that has maximized their profits and they have never exceeded the commercial quota for red snapper, a claim recreational anglers can’t even dream of in the near future. Any reallocation from the commercial sector to the recreational anglers undermines the accomplishments achieved by commercial fishermen. In my option, the commercial sector has earned the bump in quota. I hope the charter for hire industry can follow in the commercial fisherman’s tracks.

Thank you for considering my input.

Tracy Redding
I am Joseph Nash owner, operator cool change charters inc Orange Beach, Al.
I am concerned with the process of gathering and using of old data, the chart 1.1.1 of quotas and landings is very troublesome. We have or had at that time in 1996-2007 over 1300 federally permitted charter for hire reef permit holders, you expect me to believe that during this time frame when things were BOOMING and there were people on the gulf everyday, private boats, charters ect. that we caught that few fish? During the time frame of 96-99 I know my charterboat alone caught between 20,000 and 24,000 lbs of american red snapper, I was certified for 20 passengers and rarely held over 15. I would like to express my opinion on this subject, there are allot of variables in the equation of red snapper quotas, tac, landings and biomass. Who is responsible for these numbers and who is tweaking them so much that there is no room for growth?
I want to know this as well as any one else in this business. I will give you some variables to ponder.
Take 250 boats multipassenger boats they run 150 trips during this time frame each year and catch an average of 200lbs of red snapper each trip (this is an average of boats that can carry 7-50 passengers so this is attainable) the total catch would be 7.5 MILLION LBS This is no private boats no other federally permitted boats and is an attainable #.
Another variable same 250 boats for 100 trips and 100lbs average per trip (extremely attainable) this is still 2.5MILLION lbs! BIG DIFFERENCE but none the less original landing numbers were very far off back then, due to not enough samples and not enough recorded results.
I think the starting numbers for sustainable fishery for red snapper has been wrong since day 1 and needs to be addressed and the TAC should increased accordingly, we were taking allot more fish in numbers than we are today due to the size of the fish we are experiencing now. 2.25lbs average then now well over 8lbs
Now you may not read this far and blow this off because you are doing what you can within your means, get some more means and lets do something because we are just doing 2 things here one is this is not good for the ecosystem of the gulf to micro-manage one species so tough, the other is loss of jobs and confidence in the system.
I want some thing done to better manage fish and I do not want it done with variables, as you can see the turnouts can and will be drastic.
Back to the drawing board and start with a new threshold.

I am for regional management and would like to see our future fisheries grow so everyone can enjoy fishing and knowing they can catch fish, as well as business owners in the charter business can rest easy knowing that things will be done correctly and not overly compensated.

Thank you for your time,
Capt Joe Nash
Capt. Joe Nash
Cool Change Charters Inc.
Orange Beach, Al.
www.coolchangecharter.com
251-979-1812 cell
August 26, 2013

Mr. Doug Boyd, Chair
Gulf of Mexico Fishery Management Council
2203 North Lois Avenue
Tampa, FL 33607

Dear Mr. Boyd:

Thank you for the opportunity to provide comments on the management of Gulf of Mexico fisheries. We are writing to offer comments and recommendations for improving management of the red snapper fishery. The Gulf Council is devoting significant and on-going time and resources to management of this fishery, driven by the frustrations of fishermen, states, and conservationists. In one way this is surprising since the recovery of the red snapper fishery is one of the Gulf Council’s most significant accomplishments. The fish population is rebuilding on schedule after decades of overfishing, consumers have access to fresh snapper year-round after years of alternating scarcity and gluts, and the Gulf’s local commercial fishing businesses are making a greater contribution to the region’s economy.

The central problem today is that the recreational management plan does not allow anglers to benefit from the increasingly healthy stock. Instead, it fosters harvests consistently higher than allowed and derby fishing with extremely short fishing seasons, waste of valuable fish, and lost opportunities for anglers and fishing related businesses. The lack of on-the-water progress in solving the problem is pitting fishermen against fishermen and states against the federal government.

Given the challenges facing recreational red snapper fishing and the intense interest of stakeholders, the Gulf Council rightly prioritizes work to improve it. However, the actions on the table, including “regional management” (Amendment 39) and “reallocation” of commercial catch to the recreational quota (Amendment 28), are almost certain to fall far short. Regional management as currently envisioned will do little to extend fishing seasons and improve quota compliance because it does not allow use of new tools that can address the derby problem. Reallocation as proposed threatens to reverse hard-earned rebuilding because it undermines the effectiveness of the commercial management program which makes a significant contribution to the stock’s on-going recovery.

We offer four key recommendations:

- Delay final action on regional management (Amendment 39) until adequate information and analyses on individual state-based plans, and how the plans of the five states work together, are available and determined by the Gulf Council and stakeholders to achieve, at a minimum, longer
fishing seasons for private and for-hire fishing, adequate catch accounting, and better compliance with catch limits (in comparison with today’s plan).

- Halt action on reallocation of commercial red snapper quota to the recreational quota (Amendment 28) because the alternatives provided do not help achieve anglers’ goals of significantly longer seasons and provide no conservation benefits, and reallocation puts rebuilding at risk as it threatens the success of commercial management.

- Refocus problem-solving away from a view of “winners vs. losers” (e.g., commercial vs. recreational, for-hire vs. private anglers, and states vs. NMFS) toward seeking ways that simultaneously benefit all stakeholders – commercial businesses and consumers, for-hire and private recreational anglers – and sustain the health of the red snapper population.

- Explore the potential for the Gulf Council to convene a strategic planning or “visioning” process to help overcome the red snapper stalemate, potentially modeled on those conducted recently by the New England, Mid-Atlantic and South Atlantic councils.

Our recommendations and detailed comments are discussed below:

**Delay final action on regional management (Amendment 39) until adequate information and analyses on individual state-based plans, and how the plans of the five states work together, are available and determined by the Gulf Council and stakeholders to achieve, at a minimum, longer fishing seasons for private and for-hire fishing, adequate accountability, and better compliance with catch limits (in comparison with today’s plan).**

In concept, we agree with the states and Gulf Council that state fish and game agencies may be better suited than the Council to manage some aspects of the recreational fishery, especially private angling. We also understand the states’ and Council’s urgency to take steps to solve the problems facing the recreational fishery.

However, regional (or state-based) management, as currently proposed in Amendment 39, is unlikely to provide many benefits and it may even increase risks to the health of the stock and potentially reduce fishermen’s access. To date, the Gulf Council, including members representing state agencies, has not analyzed and resolved important complexities of state-based management. The Amendment’s “Environmental Consequences” analysis points to significant uncertainties, including whether states can adequately restrain harvest, how rescinding Amendment 30B (allowing over one thousand federally-licensed for-hire vessels to operate in state waters) would impact overages and potentially re-trigger “overfishing,” how states will handle dockside enforcement (potentially including higher costs), and many other issues. The analysis also points to the difficulty of even analyzing affects on the red

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snapper stock and reef fish complex, noting that “without knowing what management measures would result from this action, it is difficult to compare the alternatives.”

Council members and the public have also stated misgivings. One key issue is whether decisions about how much quota will be allocated to each state can adequately account for important factors other than landings history, including a potentially healthier red snapper population structure in the Western Gulf and the expanding range off Florida. Another issue is determining whether allocations will be set for an indefinite time, and whether (and how) they will be adjusted over time. In public comments, many stakeholders, including recreational fishermen, have expressed frustration and confusion given the scant details provided, especially about how each state intends to manage its allocation on the water. As a fisherman stated at the July Council meeting in New Orleans, “I’d just like to see how it will be better.”

In summary, the Gulf Council should only grant greater management authority to the states once they demonstrate how their plans will provide more benefits and perform (e.g. comply with catch limits) better than the existing plan. This is a reasonable bar for such an important management effort.

**Halt action on reallocation of commercial red snapper quota to the recreational quota (Amendment 28) because the alternatives provided do not help achieve anglers’ goals of significantly longer seasons and provide no conservation benefits, and reallocation puts rebuilding at risk as it threatens the success of commercial management.**

Amendment 28 to reallocate red snapper from the commercial to recreational quota states the “need” for the action as “to prevent overfishing while achieving the optimum yield.” However, without improvements in management of the recreational fishery, the pattern of overages will continue even if the recreational quota is higher, and the result is almost certain to be larger quota overages. Since the beginning of commercial red snapper IFQs in 2007, the recreational fishery has represented between 56% and 65% of total red snapper landings – significantly more than its 49% allocation. Table 2.1.4 in the Amendment 28 options paper demonstrates that even the most aggressive reallocations can increase the fishing season by only a few days at best, and then seasons will continue to shrink. Reallocation will not bring stability to the recreational fishery. Instead it will undermine commercial management’s contribution to rebuilding by reducing commercial fishermen’s economic stake in the fishery.

Management actions, like Amendment 28, that introduce risks to rebuilding and threaten to return the stock to “overfishing” status can be in violation of the Magnuson-Stevens Act’s central requirement to

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2 *Ibid*, p. 73.
4 This excludes landings during the 2010 Deepwater Horizon oil spill, when much of the Gulf was closed to fishing through the summer months.
prevent overfishing and the requirement to rebuild fisheries as soon as possible.\textsuperscript{6} Considerations of shifting quota to the recreational sector prior to improving catch accountability would call into question the red snapper FMP’s requirement to contain “measures to ensure accountability,”\textsuperscript{7} and appears to violate National Standard 4, which states that allocations shall be “reasonably calculated to promote conservation.”\textsuperscript{8} In addition, while the Council currently emphasizes economic efficiency, National Standard 5 requires that economic efficiency cannot be the sole criterion in allocation decisions, overriding other national standards and rebuilding requirements.\textsuperscript{9}

It is also important to note that the reallocation alternatives in Amendment 28 are not supported by the economic analysis presented. The issue of “economic efficiency” is being highlighted in relation to improving net benefits for the nation, one objective of fishery management. However, the reallocation alternatives in Amendment 28 are not supported by analysis from NMFS and the Council’s Socioeconomic SSC (SESSC). This analysis shows that the reallocation alternatives simply replace one inefficiency with another.\textsuperscript{10,11}

While the analysis suggests the values (or willingness to pay) for additional red snapper quota are different in the commercial and recreational sectors, this does not mean that net benefits will be increased by shifting quota. This is because values change as allocations change, and how much those values could change is unknown. The best available science cannot measure how reallocation will change net benefits to the nation – and as long as anglers are faced with management that offers only low bag limits and short seasons, there is no reason to believe any reallocated quota will go to the anglers who value it most.\textsuperscript{12} For these reasons, the Council’s SESSC advised that it does not support reallocation except by trading quota across sectors.\textsuperscript{13} Inter-sector trade would be an economically efficient way for quota to shift between sectors; but by itself, this will do nothing to improve the way recreational red snapper quota is tracked and managed.\textsuperscript{14}

\textit{Refocus problem-solving away from a view of “winners vs. losers” (e.g., commercial vs. recreational, for-hire vs. private anglers, and states vs. NMFS) toward seeking ways that simultaneously benefit all}

\textsuperscript{7} Magnuson-Stevens Act, 16 U.S.C. § 1853(a)(15).
\textsuperscript{8} Magnuson-Stevens Act, 16 U.S.C. § 1851(a)(4).
\textsuperscript{9} See Magnuson-Stevens Act, 16 U.S.C. § 1851(a)(5) “Conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose.”
\textsuperscript{13} The SESSC’s January 2013 motion reads: “The Committee does not support a reallocation between sectors of the GOM red snapper as large as 1% without giving strong consideration to the market transferability across the two sectors.”
stakeholders – commercial businesses and consumers, for-hire and private recreational anglers – and sustain the health of the red snapper population.

Comprehensive fishery management that seeks to simultaneously benefit all stakeholders will be challenging, however in the long-run it has the potential to reduce conflict and produce better results. There is no reason that stakeholders can gain only at the expense of others, although trade-offs and compromises are necessary. Recreational and commercial fisheries are each important to the Gulf’s economy and culture. Fishermen and seafood markets seek access, availability, flexibility, and the long-term health of the stock. The challenge before the Gulf Council is to find solutions to manage a popular yet limited red snapper stock. If well managed, the fishery can provide benefits to all parties while balancing conservation objectives.

While there are tremendous resources devoted to improving the management of the red snapper fishery, there is little progress on reversing the trends of shrinking seasons and overharvests in the recreational sector. There are no ideas being discussed that simultaneously provide benefits for fishermen, fishing businesses, and U.S. seafood markets. We offer one idea for your consideration. (See attached op-ed published in the Houston Chronicle.)

The commercial management plan, operating in federal waters, is working well. This part is already in place and serves growing demand for wild fresh seafood. On the for-hire recreational side, a fleet-specific IFQ design could be explored for vessels that operate in federal waters. The boats would have the opportunity to make the most of the limited catch for angler clients and their businesses. For private anglers, the regional management concept under consideration by the Gulf Council may be a good start, but it needs to allow use of new management tools. States could have a designated quota and also authority to try tools that can perform better than short seasons and small bag limits. Harvest tags like those used for big game hunting might be allocated to tourist seasons, tournaments, and other priorities to expand fishing opportunities available with the limited catch.

The Gulf Council is in uncharted territory managing our shared reef fish resources for seafood and recreational opportunities. We encourage others with a constructive point of view to share their own vision and contribute to lasting solutions.

Explore the potential for the Gulf Council to convene a strategic planning or “visioning” process to help overcome the red snapper stalemate, modeled on those conducted recently by the New England, Mid-Atlantic and South Atlantic councils.

Councils around the country are exploring creative processes to complement the traditional Council process in solving problems. Given the diversity of stakeholder positions on red snapper and other reef fish management, a structured process that steps back from specific amendments and instead focuses on the “big picture” might help. In 2012, the Mid-Atlantic Council conducted a “visioning and strategic

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planning process” designed to develop a comprehensive, stakeholder-informed vision for the region’s fisheries that was used to inform the Council’s strategic plan. The Council reported that the visioning process not only engaged stakeholders on regulations and management processes, but also succeeded in building trust and improving relationships.\textsuperscript{16} Other Councils have conducted similar processes; the New England Council conducted a regional assessment and management review of the fishery management process in 2011, and the South Atlantic Council initiated more focused visioning workshops for the Snapper Grouper Committee in 2012. These might serve as models for the Gulf Council in reconciling the visions and expectations of fishery stakeholders with the long-term goals of the Council.\textsuperscript{17} \textsuperscript{18}

Thank you for considering our comments and recommendations. We look forward to working with you to find a solution that benefits all of the stakeholders who care about sustainable Gulf of Mexico fisheries.

Sincerely,

Kristen McConnell
Senior Conservation Manager
Gulf of Mexico and Southeast Oceans Program

Daniel Willard, PhD
Economist
Gulf of Mexico and Southeast Oceans Program

New rules are needed for recreational fishing
A regional approach might offer a better management system

By Pamela Baker

In June, Texas anglers experienced the exciting start – and unfortunate stop – of the red snapper recreational fishing season in offshore Gulf waters. Those twenty-eight days of exhilarating and frantic fishing, will now be followed by months of closures and disappointment. As frustration mounts, fishermen are crying foul while Texas and other Gulf states are feuding with the federal government over how to manage recreational fishing. The system is broken, and new rules are needed to help anglers get better access to the red snapper they’re allowed to catch.

This story is a familiar one. For years, the Gulf’s fishery management council (comprised of federal and state officials and representatives of the fishing industry) set seasons that closed down commercial red snapper fishing when its harvest limit was reached. The rules pressed fishermen to catch as many fish as fast as possible, and seasons steadily shrank. Daily catch and fish size limits to slow fishing down forced fishermen to throw huge numbers of red snapper overboard. Racing and waste were the norm and the stock was in serious decline. Red snapper was hard to find in grocery stores most of the year and was growing scarce for anglers out on the water.

This turned around when the commercial share was divided among fishermen with each being responsible for complying with his limit (called individual fishing quotas). Fishermen benefit from higher limits when the stock grows, so they have reasons to conserve for the future. Now, the red snapper population is rebounding and wild, sustainable red snapper are available in U.S. seafood markets all year.

Recreational fishermen can have similar benefits, but today’s system is bewildering. As the red snapper stock grows, the fishing season shrinks while anglers catch their share of the fish (about half of the overall limit) faster with bigger snapper. With management based on closed seasons, the racing and waste frustrate everyone, and if it continues the growth of the population seen over the last few years could be reversed. Anglers follow the rules, but the rules don’t work.

To get longer seasons and ensure sustainability, new plans are needed that meet the desires of anglers who fish with captains aboard “for-hire” or charter boats and those who fish on their own boats. A federal fishery advisory panel has discussed allowing for-hire boats to operate under a specially-designed individual fishing quota program. This could help business-minded captains who serve anglers to make the most of the allowed catch, as it has with the commercial fleet.

A different type of proposal by Texas and other Gulf states for “regional management” might be promising for anglers who fish from their own boats and are more accustomed to working with state fishery agencies (rather than the federal ones). The plan divides the recreational share of the fishery among states to manage off their own coasts. This is a good start, but it needs to allow use of new tools, not be limited to old ones. States need authority to try concepts like harvest tags used for big game hunting that could be allocated to tourist seasons, tournaments, and other priorities. Greater authority should be granted by the federal government to states that demonstrate how their plans will work better and provide more benefits to anglers than the existing plan.

Texas and the Gulf states are in uncharted territory managing red snapper for the growing U.S. demand for wild sustainable fish and recreational opportunities. And there is no doubt the existing recreational red snapper catch can be managed to provide far greater benefits to anglers and all of us that enjoy the fish. Together, we can find a solution that meets recreational goals, complies with the law and rebuilding targets, and preserves the long-term benefits provided by this shared public resource.

Pamela Baker is the Gulf of Mexico region director for the Environmental Defense Fund’s ocean program.
August 23, 2013

Mr. Doug Boyd,
Chairman Gulf of Mexico Fishery Management Council
2205 North Lois Avenue, Suite 1100
Tampa, Florida 33607

RE: Red Snapper Catch Limits and Regional Management (Amendment 39),
Red Snapper Allocation Options Paper (Amendment 28) and Final Action on
IFQ Administrative Rule Changes.

Dear Chairman Boyd:

On behalf of The Gulf of Mexico Reef Fish Shareholders Alliance, we offer the
following comments regarding the regional management approach proposed under
Amendment 39 to the Gulf of Mexico Fishery Management Council’s (Council) Reef
Fish Fishery Management Plan and the Red Snapper Allocation Options Paper
(Amendment 28), which are inextricably tied together through political rhetoric.

Amendment 39:

Though established from the need to better manage the recreational fisheries, the
proposed regional management plan (Amendment 39) introduces additional
management uncertainty and makes little attempt at accountability measures
required to ensure the continued health and growth of the stock. To this point, we
strongly encourage the implementation of post-season accountability measures
(e.g., overage payback provisions) as a method to prevent overfishing and ensure
stock recovery when ACLs are exceeded. We recommend:

• Ensuring regional management operates under the federal umbrella to
  ensure continuity of the science-based rebuilding plan and recovery of this
  species, while giving each state authority to manage their percentage of the
  ACL.[Amendment 39, Action 1, Preferred Alternative #2].

• Applying state-based payback provisions when the Gulf-wide ACL is
  exceeded to keep the rebuilding plan on track [Amendment 39, Action 6,
  Preferred Alternative #3].

Board Members:
Bubba Cochrane    Jason Delacruz    Steve Tomeny
Buddy Guindon      Glen Brooks
• States should consider use of an annual catch target (ACT) to further capture additional management uncertainty incurred by regional management.

• The Amendment must not include the commercial sector as part of its plan since the inception of the IFQ program has proven significant accountability measures leading to no overfishing.

• The Amendment must not have ANY ties to the commercial IFQ programs as that defies the logic and need for state management of a RECREATIONAL sector in need of a strong management system to generate good science, and good data leading to a healthy recreational sector with growing seasons and no overharvest.

• Management actions introducing risks to rebuilding and threaten to return the stock to “overfishing” status can be in violation of the Magnuson-Stevens Act’s central requirement to prevent overfishing.

Amendment 28:

• The red snapper IFQ program is achieving the conservation and economic goals established by the Gulf Council and Magnuson-Stevens Act per the review of the Gulf Council.

• Amendment 28 explores potentially reallocating red snapper from the commercial to recreational quota stating that the “need” for the action is “to prevent overfishing while achieving the optimum yield.”

• As stated above, Management actions introducing risks to rebuilding and threaten to return the stock to “overfishing” status can be in violation of the Magnuson-Stevens Act’s central requirement to prevent overfishing.

• We support the status quo 2.1 Action 1 Alternative 1- No Action- in Amendment 28. Maintain the allocation set in Amendment 1 of the Reef Fishery Management Plan.

• Given that no new quantifiable data has been presented, no formal full-scale economic study has been completed of the commercial sector and that discussions of a 1% allocation shift of red snapper would not even provide a marginal benefit to the recreational sector; yet every pound lost to the commercial sector is a fish lost to the American consumer and the entire seafood supply chain----NO shifting of allocation should take place at this time.

• National Standard 4, states that allocations shall be “reasonably calculated to
promote conservation.” and any shift to the recreational sector which remains unaccountable at this time intimates a standard violation.

- There has been no valid argument presented other than bias from other organizations for reallocation given that the commercial sector is accountable, not overfishing and providing a protein source to millions of Americans. Reallocation has been proven by your SESSC that it does not solve the short recreational season and the economic basis, which is justified for less than a 1% shift effectively, does nothing for the recreational season. National Standard 5 also requires that economic efficiency cannot be the sole criterion in allocation decisions, overriding other national standards and rebuilding requirements.

Thus, science and the national standards have proven there is no basis for reallocation discussion save a power grab by what are viewed as competing entities. Furthermore, all discussions of Regional Management should be viewed with detailed speculation for an allocation ploy instead of the intended need for effective management of a sector.

**Final Action on IFQ Administrative Rule Changes**

We are in agreement that the red snapper IFQ management system has met its programmatic goals and played a significant factor in reducing discards, mitigating the race for fish, improving safety at sea, and rebuilding of our iconic fishery.

We agree with the Proposed IFQ Administrative Rule Changes as these were all industry recommendations.

**Program Review Recommendations are:**

- Establish formal review procedures/guidelines including, timeline, procedures for public input, analyses required, role of SERO, Gulf Council, SESSC, SEFSC, and Aps and (we would like to add Industry stakeholders to this list)

- Align future reviews with the grouper/tilefish-IFQ program; Both are part of same multispecies fishery and it is redundant and economically unsound to review one program without review of the other.

These recommendations will allow the current snapper program to streamline, continue meeting its goals and work toward rebuilding the fishery.

NONE of these recommendations or changes will trip a threshold creating the need for a referendum. And given that we have considerable challenges on the Council table such as overfishing, lack of AM’s in the recreational sector, regional management, a struggling charter industry and reallocation; we recommend:

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**Board Members:**

Bubba Cochrane  
Jason Delacruz  
Steve Tomeny  
Buddy Guindon  
Glen Brooks
• Focusing on the severe problems facing our fisheries as stated above.

• Implement these simplistic changes to strengthen the only management systems currently working effectively in the Gulf.

• And that we should address any potential major changes to the IFQ system upon the 5 year review of the grouper/tilefish program.

Thank you for your continued efforts to serve and strengthen our Gulf.

With gratitude,

TJ Tate

Tj Tate
Executive Director
Gulf of Mexico Reef Fish Shareholders Alliance
August 5, 2013

TO: Gulf of Mexico Fishery Management Council

FROM: Coastal Conservation Association Mississippi
       Government Relations Committee

RE: Public Hearing on Amendment 39 – Regional Management of Red Snapper

The attached statement is submitted as the position of Coastal Conservation
Association Mississippi and endorses the concept of regional management of red
snapper. CCA Mississippi has confidence in our Department of Marine Resources to
take an active role in the management of red snapper and to work cooperatively with
the other Gulf States to pursue this important responsibility in a manner that will
respond to and be understood by the recreational fishing community. The frequent
changes and uncertainties of past management are well documented and have raised
the frustration level of our members and the recreational sector as a whole.

States manage many species of wildlife effectively and do so in cooperation with
federal agencies and adjoining states. We see no reason this should not be the case
with a resource as important as red snapper and perhaps other species now under the
management of the Gulf Council.

F. J. Eicke, Chairman

Dedicated to the Conservation and Protection of Marine Life
Coastal Conservation Association Comments to
Gulf of Mexico Fishery Management Council
Public Hearings on Amendment 39 –
Regional Management of
Red Snapper

The concept of regional management of red snapper in the Gulf of Mexico has been born out of the frustration felt by many anglers towards federal management. By almost any account, red snapper are more abundant now than perhaps at any point in history. Management has finally worked and no one wants to go back to the days when red snapper were small and hard to find. On the other hand, no one should be content with a management regime that is unable to find a way to reap the benefits of success.

CCA supports driving management of marine resources to the lowest level of government possible, ideally to the state level. That position is staked in the belief that the states simply have a better grasp of how to manage these resources in ways that ensure their health and stability. At the same time, state agencies have proven their expertise in providing the greatest access to those resources and maximizing the benefits of those resources for their citizens. Almost every one of this country’s great marine conservation success stories has been engineered by the states.

Contrast that against our experiences with NOAA Fisheries. After decades of management, participants in the red snapper fishery were rewarded with a 27-day season and a two-fish bag limit. Proposals were even made that to reduce the bag limit to one fish in an effort to increase the number of days in the recreational season and prevent a widespread revolt against federal management. While season length is indeed crucial to the recreational sector, days alone do not make a quality fishery. We believe the individual states are best equipped to determine the management approach best suited to their residents. The current situation is unacceptable, and that is with a fishery that by all accounts is recovering wildly. Rather than hoping that NOAA Fisheries will someday figure out how to copy the success of the states, we believe that this proposal to allow the states to take greater control of management could provide a solution.

The transfer of management responsibility would be no easy task, and countless details remain to be fully explored. Issues over enforcement, monitoring, state boundaries and compliance will have to be fully resolved. However, CCA believes that the best results will be achieved through negotiations between the states themselves, with as little federal influence as possible. Additionally, in the development of this proposal it should be specified that states have the ability to manage the entire fishery – both recreational and commercial – including decisions on eliminating the IFQ program - as they see fit. Another option that the Gulf Council could consider is simply removing red snapper from the Reef Fish Management plan as they have recently removed stone crabs; anchor and blackline tilefish; red and rock hind; misty grouper; and schoolmaster, dog and mahogany snapper. Such action would also allow each Gulf state to optimize the use of red snapper to the highest benefit of their residents and economies.

Recreational anglers have more faith in the ability of the states to successfully manage our marine resources than in NOAA Fisheries. If enacted correctly, CCA views state-based management as a potential path to achieving our overriding goal of healthy marine resources and increased access to them for the greatest benefit of the public.
Testimony to the Gulf of Mexico Fishery Management Council on Amendment 39 to the Reef Fish Fishery Management Plan
Sharon McBreen, The Pew Charitable Trusts
August 12, 2013

Good evening, Gulf Council members and staff. My name is Sharon McBreen with The Pew Charitable Trusts. Thank you for the opportunity to address you tonight on regional management of red snapper as proposed in Amendment 39.

As the Council considers this Amendment, we urge you to revise the Purpose and Need section of the document to reflect that rebuilding the red snapper population is a top priority. This Amendment is part of the Council’s overall strategy to achieve the goals laid out in the rebuilding plan while maximizing opportunities for recreational fishermen to target this species.

There are three key components needed if regional management is to be successful.

First, accountability measures act as a safeguard to ensure adherence to catch limits and should include a payback provision if the Gulf-wide catch limit is exceeded. This is particularly important to prevent overfishing and to maintain progress towards full recovery of this population. Thus, in Amendment 39 we support Preferred Alternative 3 in Action 6, which would apply a payback provision only to those states that exceeded their allocation of the overall recreational quota for red snapper. This creates an incentive for states to prioritize setting up a system that will keep recreational catch in their waters within their portion of the quota.

However, we would not oppose “sub-option a” for Preferred Alternative 3, which would delay implementation of the state by state payback provision for one year. This would allow state agencies time to assess and adjust their data collection and monitoring programs to better track red snapper catch. It is
reasonable to expect that if Amendment 39 is approved, there will be a learning curve as each state determines how best to implement this new approach. There will also be an iterative learning process between NOAA Fisheries and the states as they work through this transition period. To account for this, a one-year grace period would be acceptable, but we strongly urge that the payback provision kick in the following year.

Second, states will need to re-tool or fine-tune their data collection programs to more closely monitor their red snapper fisheries. This is critical to prevent accountability measures from having to be applied. The Council and NOAA Fisheries should ensure that the management strategies proposed by the states are designed to achieve this goal.

To enhance the effectiveness of in-season monitoring, the states should consider the use of annual catch targets to build in a margin of error between the target for total landings and the limit over which accountability measures would be applied. This would be particularly useful while data collection and monitoring systems are being adjusted. To facilitate this, the Council should insert language that provides an option for states to use annual catch targets along with the other management decisions being delegated to the states either in Action 4 or as an accountability measure in Action 6.

Finally, we support the Council’s Preferred Alternative 7 for Action 4, which gives states the flexibility to determine whether sub-allocations of their red snapper catch limit are something their fishermen want to pursue. This would let states become a breeding ground for new programs that tailor management plans and goals to the priorities and needs of for-hire fishing vessels and private anglers.

Thanks again for the opportunity to present our comments today.

###
Gulf of Mexico Fishery Management Council  
2203 North Lois Avenue, Suite 1100  
Tampa, Florida 33607

Dear Gulf Council Member,

Please let me take this time to give you input from The Recreational Fishing Alliance - Florida West Coast on Reef Fish Amendment 39 Regional Management of Recreational Red Snapper.

**Reef Fish Amendment 39 : Regional Management Red Snapper**

**Action 1: Regional Management**  
**We Support :**  
**Alternative 1 : No Action**

Additional Comments : We have been asking for years to have a better Recreational Data Collection Plan and it never has been improved. Now it seems that instead of fixing the data collection at the federal level, the council is trying to pass data collection off to the states. This may be a great plan but the all the states are not ready for it. The Florida Fish and Wildlife Commission has been working on a plan very close to the same that Louisiana has in place. This plan is going to cost about 2.5 million dollars just for a 45 day red snapper season. If we go to a longer season it will cost more and how about when the council decides to add more species into the plan. This cost will go even higher. Floridadoes not have the 2.5 million to fund this now. The council does have some good ideas in this plan that we agree with but we need to slow down and make sure all the states have good data collection plans in place before we move forward with regional management.

**Action 2 : Establish Regions for Management**  
**We Support :**  
**Alternative 1 : No Action**

Additional comments : Once council resolves the data problems we would consider  
Preferred Alternative 3 : Establish five regions representing each Gulf state.

**Action 3 : Apportioning the Recreational Red Snapper Quota Among Regions**  
**We Support :**  
**Alternative 1 : No Action**

Additional Comments : We can not move ahead with apportioning the red snapper quota until we have a true data set in place. As we have seen with the Louisiana plan the NMFS has over estimated the landings by 70%. If this is not corrected it could cost each state millions of pounds
they should have.

Action 4: Regional Management Measures
We Support: Alternative 1 No Action

Additional Comments: Once the council has resolved the data problems we would consider Preferred Alternative 2: Allow individual regions to set recreational red snapper season start and finish dates and season structure.
Preferred Alternative 3: Allow individual regions to set recreational bag limits from 0 to 4 red snapper per angler per day
Preferred Alternative 4: Allow individual regions to establish recreational red snapper minimum size limits from 14 to 18 inches total length

We will be strongly oppose at anytime to Alternative 7: Allow individual regions to establish sub-allocations for the private and for-hire (charter and headboat) sub-sectors.

Action 5: For-Hire Vessels Federal Permit Restrictions
We do not support any of this action. Rule 39B should be removed from the from the management plan. This rule has been used by the council in the past to pressure states to do as they wanted or the for-hire fleet would be stopped from fishing. This rule needs to be removed.

Action 6: Post-Season Accountability Measures Adjusting for Regional Overages
We Support: Alternative 1: No Action No Option

Additional Comments: Once the council has resolved the data problems we would consider Preferred Alternative 3: If a region exceeds its apportioned regional quota then the region's quota will be reduced in the following year by amount of the overage. If total landings from all regions do not exceed the Gulf-wide recreational quota then the region's quota will not be reduced.
Option B: Allow 2-year grace period before implementation.

Action 7: Establishing Default Regulations
We Support: Preferred Alternative 3: If a state opts out of delegation, the default regulations would apply for recreational harvest of red snapper in the federal waters off that state.

As you see in our comments we have given you some alternatives to each action but we have to move forward with recreational data collection plan for each state before we can stand behind any of the actions in regional management. We do see some good points in the plan but none of this will help our fishery management without good data. Let's fix the data then move to the next plan.

Thank You
Capt. Buddy Bradham
RFA - Florida West Coast
4000 24 St N # 1307
St. Petersburg FL 33714
727-458-1192
Dear Council Members, I know many dual permitted operators that would consider supporting regional Management of rec red snapper under the condition that the crew size limits restrictions be taken off those vessels with dual permits. Please consider removing and let's move forward with some kind of new FMP. thank you

Capt. Billy Archer
F/V SEMINOLE WIND
June 21, 2013

Mr. Doug Boyd, Chair
Gulf of Mexico Fishery Management Council
2203 North Lois Avenue
Tampa, FL 33607

Dear Mr. Boyd:

Thank you for the opportunity to provide comments on Gulf of Mexico fisheries, especially red snapper which featured prominently on your June meeting agenda. The end of “overfishing” and subsequent progress on rebuilding of the still-overfished red snapper stock is a true success story. It is a real-life demonstration that management reforms, like the transition from derby fishing to individual fishing quota (IFQ) management in the commercial fishery and scientific catch limits, can create ecological and economic benefits enjoyed by communities, seafood consumers, and recreational and commercial fishermen and fishing businesses.

Unfortunately, there is little progress in improving recreational red snapper management, and several actions on the Gulf Council’s agenda put the rebuilding at-risk by threatening the successful commercial program and failing to explore new tools to solve problems. In this letter, we provide several recommendations:

- Begin to explore a comprehensive vision of the red snapper and reef fish fisheries.
- Maintain the success of the commercial plan which is helping rebuild the stock and providing significant economic benefits.
- Strengthen the “regional management” proposal to provide lasting benefits, like longer seasons.
- Ensure that the catch limits foster continued rebuilding of red snapper and comply with the law.

1. **Explore a comprehensive vision of the red snapper (and reef fish) fisheries.**

Recreational and commercial fisheries are important to the Gulf’s economy and culture. Fishermen and seafood markets seek access, availability, flexibility, and the long-term health of the stock. The challenge before the Gulf Council is to find solutions to the challenges of managing a popular yet limited red snapper stock. If well managed, the fishery can provide benefits to all parties while balancing conservation objectives.

While there are tremendous resources devoted to improving the management of the red snapper fishery, there is little progress toward solving the ongoing challenges of shrinking seasons and overharvests in the recreational sector. There are no ideas under consideration that simultaneously seek benefits for fishermen, fishing businesses, and U.S. seafood markets. Thus, we offer the following idea for consideration.
The commercial management plan, operating in federal waters, is working well. This part is already in-place and serves growing demand for wild, fresh seafood. On the for-hire recreational side, a fleet-specific IFQ design could be explored for vessels that operate in federal waters. The boats would have the opportunity to make the most of the limited catch for angler clients and their businesses. For private anglers, the regional management concept under consideration by the Gulf Council may be a good start. States could have a designated quota and also authority to try tools that can perform better than short seasons and small bag limits. Harvest tags like those used for big game hunting might be allocated to tourist seasons, tournaments, and other priorities to expand fishing opportunities available with the limited catch.

When each part of the fishery is well-managed, then quota trading might be organized between all the sectors to accommodate the ebb and flow of fish demand among them.

2. **Maintain the success of the commercial plan which is helping rebuild the stock and providing significant economic benefits.**

The Council’s commercial red snapper management plan implemented in 2007 – using IFQs and eliminating or reducing season closures, trip limits, and size limits – has helped end overfishing and is a big part of the reason the red snapper stock is growing. Keeping the program working effectively is central to continued rebuilding.

The Gulf Council’s five-year review concluded that the red snapper IFQ program is achieving the conservation and economic goals established by the Gulf Council and Magnuson-Stevens Act. The program ended the destructive derby that resulted in dangerous fishing, poor economic performance, wasteful bycatch, and chronic overfishing.\(^1\) The commercial fishery is harvesting under its quota while discarding has been reduced. Overfishing for red snapper has ended and the annual catch limit is steadily increasing. Ex-vessel prices and share prices have increased and stabilized under IFQs, reflecting confidence and expectation for long-run economic and biological improvements. Certain potential improvements were identified. We recommend that over time the commercial industry, other stakeholders, and the Gulf Council explore and implement long-term improvements, especially related to at-sea monitoring (to better account for remaining discards) and including additional reef fish species still managed under derby fishing in the IFQ program.

Amendment 28 to reallocate red snapper from the commercial to recreational quota states the “need” for the action as “to prevent overfishing while achieving the optimum yield.”\(^2\) However, without improvements in management of the recreational fishery, the pattern of overages will continue even if the recreational quota is higher, and the result is almost certain to be larger quota overages. In addition, commercial management’s contribution to rebuilding would be undermined by reducing fishermen’s economic stake in the fishery.

Management actions that introduce risks to rebuilding and threaten to return the stock to “overfishing” status can be in violation of the Magnuson-Stevens Act’s central requirement to prevent overfishing and the requirement to rebuild fisheries as soon as possible.\(^3\) Considerations of shifting quota to the recreational sector prior to improving catch accountability would call into question the red snapper FMP’s requirement to contain “measures to ensure accountability,”\(^4\) and appears to violate National Standard 4, which states that allocations shall be “reasonably calculated to promote conservation.”\(^5\) In addition, while the Council currently

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emphasizes economic efficiency, National Standard 5 requires that economic efficiency cannot be the sole criterion in allocation decisions, overriding other national standards and rebuilding requirements.\(^6\)

It is also important to note that the reallocation alternatives in Amendment 28 are not supported by the economic analysis presented. The issue of “economic efficiency” is being highlighted in relation to improving net benefits for the nation, one objective of fishery management. However, analysis from NMFS and the Council’s Socioeconomic SSC show that the proposals simply replace one inefficiency with another.\(^7,8\) While the analysis suggests the values (willingness to pay) for additional red snapper quota are different in the commercial and recreational sectors, it does not suggest that efficiency will be improved by shifting quota. This is because values change as allocations change, and how much those values could change is unknown. The best available science available cannot measure how reallocation will change net benefits to the nation. For these reasons, in its January 2013 motion, the Council’s Socioeconomic SSC stated it does not support reallocation except by trading quota across sectors.\(^9\)

3. **Strengthen the “regional management” proposal to provide lasting benefits including longer recreational fishing seasons.**

There are a variety of proposals under consideration to improve recreational fishing. Under current management, the recreational sector collectively exceeds the quota most years, even though anglers and for-hire operations as a whole comply with regulations. As discussed above, the problem is the management plan, and this cannot be solved by adding more fish. New tools are needed.

The Gulf states have brought a proposal (Amendment 39) before the Gulf Council for “regional management.”\(^10\) The plan divides the recreational quota among states to manage off their own coasts. This can be a good start, and if designed well, regional management might offer some benefits; states might provide more local flexibility.

However, the plan needs to allow use of new tools, not just existing ones like short seasons and bag and size limits. States need authority to try concepts like harvest tags used for big game hunting that could be allocated to tourist seasons, tournaments, and other priorities. Catch limits are rising, but the management and monitoring challenges remain the same. It is difficult to understand how existing tools alone, even when managed by the states, will provide long-term benefits, and no supporting analyses have been provided.

As the Gulf Council plans public meetings around the region, it should answer key questions to help the public evaluate the plan. For example:

- How are states going to manage their sub-quotas?
- What benefits will private anglers and for-hire businesses and clients gain?

\(^6\) See Magnuson-Stevens Act, 16 U.S.C. § 1851(a)(5) "Conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose."


\(^9\) The motion reads: “The Committee does not support a reallocation between sectors of the GOM red snapper as large as 1% without giving strong consideration to the market transferability across the two sectors.” Agar & Carter (2012) reach the same conclusion: “Inter-sector trading would allow the market to provide valuable price signals to help ensure that the red snapper quota is allocated efficiently and in a way that provides the greatest economic benefits to the nation.”

What is the role of the proposed boundaries? Are harvests of sub-quotas restricted geographically?

How are other reef fish in the mixed-stock affected by this entirely different management system?

Regardless, greater management authority should only be delegated by the Gulf Council to the states as they demonstrate how their plans will provide more benefits and perform (e.g., comply with catch limits) better than the existing plan – this should be a minimum hurdle for delegation.

4. **Ensure that catch limits foster continued rebuilding of red snapper and comply with the law.**

Everyone agrees it is good news that the red snapper stock is rebuilding. This success reflects the sacrifices of commercial and recreational fishermen with short-term cuts in catch limits as well as new management in the commercial fishery. Based on the recent stock assessment, red snapper catch limits can continue to rise, benefiting all fishermen, fishing businesses and seafood consumers.

The Gulf Council’s SSC has provided a higher overfishing limit (OFL) modified by very small (risky) “buffers” (100,000-200,000 pounds) for scientific uncertainty to provide allowable biological catch (ABC) limits. Due to signs of lower recruitment in a few recent years, their current best prediction is that the stock abundance is peaking now and might decline for several years and then stabilize beginning in 2014.\(^{11}\)

ABC levels are intended to capture scientific uncertainty in OFL estimates. With very small scientific buffers recommended by the SSC, it is important for the Gulf Council to carefully consider management uncertainty to avoid potentially moving the fishery back to overfishing status.

Today’s recreational management plan has proven inadequate to constrain catches to limits over many years – this is the source of the vast majority of management uncertainty. The recreational sector routinely exceeds its quota, often by significant margins (average of 48% over the past five years),\(^{12}\) and significant overages can be anticipated as long as management based on seasons and bag limits remains in place. At the same time, the commercial fishery has accurate landings data and complies with its quota limit.

Given these differences, the Gulf Council’s report titled “ACL/ACT Control Rule Applied to Red Snapper” suggests tailoring management uncertainty buffers to the differing performance of recreational and commercial management – 15-20% and 0%, respectively. This is in contrast to recent years in which the buffers have been provided by both sectors, yet used only by the recreational sector. Thus, we recommend that the Gulf Council use its ACL/ACT control rule to develop and evaluate limits for the red snapper fishery and establish management buffers to keep the fishery rebuilding.

Sincerely,

\[Signature\]

Pamela Baker
Director, Gulf and Southeast Oceans Program

\[Signature\]

Daniel Willard, PhD
Economist, Gulf and Southeast Oceans Program

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June 14, 2013

Mr. Doug Boyd, Chairman
Gulf of Mexico Fishery Management Council
2205 North Lois Avenue, Suite 1100
Tampa, Florida 33607

RE: Red Snapper Catch Limits and Regional Management (Amendment 39)

Dear Chairman Boyd:

On behalf of The Pew Charitable Trusts, we offer the following comments on red snapper catch limits following the review of the new stock assessment (SEDAR 31) and in light of the regional management approach proposed under Amendment 39 to the Gulf of Mexico Fishery Management Council’s (Council) Reef Fish Fishery Management Plan. SEDAR 31 indicates that the population is strongly recovering from decades of overfishing. Although overfishing is no longer occurring, red snapper are still overfished. While an increase in catch levels is warranted, we recommend applying caution in setting annual catch limits (ACL), particularly considering both the lack of scientific certainty incorporated into the new allowable biological limits (ABC) from the Council’s Scientific and Statistical Committee (SSC) and the substantial level of management uncertainty in the red snapper fishery. The proposed regional management plan (Amendment 39) introduces additional management uncertainty that should also be factored into the catch setting process. Moreover, we strongly encourage the application of post-season accountability measures (e.g., overage payback provisions) as part of Amendment 39 to ensure that the regional management plan is set up in a way that will prevent overfishing and maintain rebuilding.

In short, we recommend:

- Adding sufficient buffers when setting red snapper ACLs for 2013 - 2015 to account for the fact that the new ABCs are set extremely close to the overfishing limit (OFL) and to account for the high level of management uncertainty. Specifically, at least a 20% buffer should be used to set the recreational ACL and at least a 5% buffer should be used to set the commercial ACL.

- Ensuring regional management operates under the federal umbrella to ensure continuity of the science-based rebuilding plan and recovery of this species, while giving each state authority to manage their percentage of the ACL.[Amendment 39, Action 1, Preferred Alternative #2].
Applying state-based payback provisions when the Gulf-wide ACL is exceeded to keep the rebuilding plan on track [Amendment 39, Action 6, Preferred Alternative #3].

States should consider use of an annual catch target (ACT) to further capture additional management uncertainty incurred by regional management.

Additional Buffers Needed in Setting Catch Limits

The Council and the National Marine Fisheries Service (NMFS) are responsible for establishing management measures, including catch limits and accountability measures that enable rebuilding while preventing overfishing. Overfishing levels (OFL) produced by the new assessment and accepted by the Council’s SSC are designed to continue rebuilding the population towards the maximum sustainable yield (MSY) level, and function as the threshold to prevent overfishing. Exceeding the OFL level constitutes overfishing, and subsequent reductions in fishing and catch limits would be necessary. In general, ABC levels are intended to capture the scientific uncertainty in the OFL (i.e., a measure of how well that OFL is estimated), with wide buffers representing high uncertainty and narrow buffers representing low uncertainty about OFL estimates. However, that is not the case with the SSC’s recommended red snapper ABCs for 2013 – 2015 based on SEDAR 31.

The new ABC recommendations from the SSC illustrate the need to be cautious when setting new catch limits designed to keep rebuilding on track. As acknowledged by the SSC and the Southeast Science Center at the May 2013 SSC meeting, the ABC projections from the assessment underestimate uncertainty around the OFL estimates. Specifically, ABCs produced by these calculations of OFL, combined with application of the ABC control rule, do not fully capture scientific uncertainty and result in a very narrow buffer between OFL and ABC. Past buffers for red snapper have been set at 25% below the OFL, resulting in a 2.5 million pound (mp) buffer under the current limits. Under that relatively high buffer, setting the ACL equal to the ABC was fairly safe, even with large overages in the recreational fishery. This 25% buffer was a calculation of optimum yield based on NMFS technical guidance and was intended to capture both scientific and management uncertainty. However, the new assessment and SSC’s ABC recommendations are just 1-2% below the OFLs, representing buffers of just 100,000 to 200,000 over the next three years.

NMFS technical guidance to implement ACLs (i.e., National Standard 1 guidelines) specifies that ACL cannot be set equal to the ABC when ABC is equal to the OFL.

If a Council recommends an ACL which equals ABC, and the ABC is equal to OFL, the Secretary may presume that the proposal would not prevent overfishing, in the absence of sufficient analysis and justification for the approach.2

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1 MSA § 303(a)(15)
2 NS1 guidelines 600.310(f)(5)(i)
ABC must be set so the risk of overfishing is less than a 50% probability. Since the ABCs approved by the SSC are so close to the OFL estimates, a strong rationale would be needed to justify setting ACL equal to ABC.

In light of this very narrow scientific buffer, the Council must set ACL below the ABC based on the relative amount of management uncertainty estimated for both the recreational and commercial fisheries. Management uncertainty includes factoring in the ability to accurately estimate catch and the ability to maintain catch within the prescribed limits. With a difference in ABC and OFL of only 100,000 to 200,000 pounds, there is very little margin for error if the Council sets the ACL equal to the ABC, as has been the previous practice for red snapper. This is problematic given that the recreational overages over the past six years average 1.42 million pounds (excluding 2010, the year of the Deepwater Horizon disaster).

To buffer ACL from the ABC, the Council should use its ACL/ACT control rule adopted as a part of the 2011 Generic ACL Amendment to account for management uncertainty. However, the Council must ensure that the ACL calculated using this control rule provides a sufficient buffer for each fishery to prevent overages. For instance, the control rule calculates a 20% buffer for the recreational fishery, which is the equivalent of a 1.32 mp buffer in 2013, a 1.17 mp buffer in 2014, and a 1.04 mp buffer in 2015 (see Table 1 below). By comparison, recreational fishery overages since 2007 range from 0.73 mp (2011) to 2.18 mp (2009) and have been near to or greater than these 20% buffers in 4 out of 5 years of overages (see Table 2 below). Thus, buffers at least 20% to capture the full amount of management uncertainty in the recreational fishery and stronger accountability measures such as overage paybacks should be adopted. For the commercial fishery, which has not exceeded their portion of the red snapper ACL in recent years, a buffer of at least 5% should be used to set the ACL to provide a higher probability of not overfishing.

Table 1. Illustration of the recreational ACL reduced from the ABC by 20% and the actual amount of buffer (in million pounds).

<table>
<thead>
<tr>
<th>(in million pounds)</th>
<th>OFL</th>
<th>ABC</th>
<th>Recreational ABC (49% allocation)</th>
<th>Recreational ACL (ABC reduced by 20%)</th>
<th>Actual Buffer at 20% reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>current</td>
<td>11.11</td>
<td>8.46</td>
<td>4.15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>13.69</td>
<td>13.50</td>
<td>6.61</td>
<td>5.29</td>
<td>1.32</td>
</tr>
<tr>
<td>2014</td>
<td>12.04</td>
<td>11.91</td>
<td>5.83</td>
<td>4.67</td>
<td>1.17</td>
</tr>
<tr>
<td>2015</td>
<td>10.72</td>
<td>10.58</td>
<td>5.18</td>
<td>4.15</td>
<td>1.04</td>
</tr>
</tbody>
</table>
Table 2. The recreational quotas and landed catch since 2007 with actual amount of the overages.

<table>
<thead>
<tr>
<th>Year</th>
<th>Quota</th>
<th>Actual landings</th>
<th>Overages</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>3.185</td>
<td>4.443</td>
<td>1.26</td>
</tr>
<tr>
<td>2008</td>
<td>2.450</td>
<td>3.713</td>
<td>1.26</td>
</tr>
<tr>
<td>2009</td>
<td>2.450</td>
<td>4.625</td>
<td>2.18</td>
</tr>
<tr>
<td>2010</td>
<td>3.403</td>
<td>2.239</td>
<td>-1.16</td>
</tr>
<tr>
<td>2011</td>
<td>3.865</td>
<td>4.590</td>
<td>0.73</td>
</tr>
<tr>
<td>2012</td>
<td>3.959</td>
<td>5.660</td>
<td>1.70</td>
</tr>
</tbody>
</table>

Regional Management Should Incorporate Management Uncertainty in Establishing ACLs and Applying Accountability Measures

Delegating management authority to the individual Gulf states under the Preferred Alternative #2 in Action 1 of Amendment 39 whereby the Gulf-wide ACL is apportioned to the states and each state is held accountable for not exceeding its ACL is the only way regional management will work to prevent overfishing and rebuild the red snapper population. Additionally, this regional approach also maintains federal oversight intended to ensure state management plans adhere to catch limit requirements under the Magnuson Stevens Fishery Conservation and Management Act (MSA).³

While regional management under Amendment 39, has some merit, is also adds further management uncertainty. Under the current Gulf-wide system, NMFS estimates the catch based on federal and state regulations, and projects season length accordingly. However, this process has not been effective in preventing recreational overages. Under Amendment 39, each of the five states will have their own individual process to project catch based on the management measures they select such as bag limits and season length. There will also be differing methods used to monitor and sample the fishery, and track catch to ensure state-based ACLs aren’t exceeded.

Additionally, catch sampling and monitoring programs in some states may not be adequate to sufficiently track and estimate red snapper catch, adding further management uncertainty. Existing Gulf-wide data sampling and fisheries monitoring programs rely on data that already have a fair amount of associated error around catch estimates. Carving that data into state-based data means smaller sample sizes and higher margins of error. To improve these estimates to better track the recreational fishery and constrain catch to the prescribed limits, some states may have to increase or supplement red snapper sampling.

³ Ibid.
The apportionment of the Gulf-wide ACL to individual states should factor in these additional sources of management uncertainty accordingly. This means each state should consider its ability to adequately track catch, sufficiently constrain catch to adhere to its limit, and effectively project management effects and catch when adopting regulations. States should consider the use of an annual catch target (ACT) as an in-season accountability measure (AM), and set regulations to the ACT level, or an additional buffer, to explicitly build in this added management uncertainty.

Most importantly, management measures adopted in Amendment 39 should also include post-season accountability measures such as payback provisions when ACLs are exceeded. The Preferred Alternative #3 in Action 6 of Amendment 39 establishes state-based overage paybacks when the Gulf-wide ACL is exceeded, and paybacks should be adopted as part of the Amendment. State-based paybacks help ensure each state maintains its responsibility in rebuilding the red snapper population by preventing overfishing and making necessary adjustments when overages occur.

In summary, applying precautionary buffers to ACLs and instituting post-season payback provisions when state-based ACLs are exceeded are important elements to prevent overfishing and rebuild the red snapper population. Under the proposed new regional management plan, states will take on a higher level of responsibility to manage recreational fisheries while adhering to the MSA.

Thank you for accepting these comments regarding red snapper limits and regional management. We look forward to working with the Council, NMFS, and the States to ensure continued recovery of the red snapper population and effective management that allows for ample fishing opportunity while preventing overfishing.

Sincerely,

Chad Hanson
Senior Science and Policy Analyst
U.S. Oceans, Southeast
The Pew Charitable Trusts
June 6, 2013

Chairman Doug Boyd  
Gulf of Mexico Fishery Management Council  
2203 North Lois Avenue, Suite 1100  
Tampa, Florida 33607 Phone: 813-348-1630  
Fax: (813) 348-1711

Dear Chairman Boyd:

Please accept the following comments from the Recreational Fishing Alliance Forgotten Coast Chapter (RFA Forgotten Coast Chapter) regarding the release of SEDAR 31 and necessary action items for the June 2013 Gulf of Mexico Fishery Management Council (Council) meeting. Though not accepted or rejected in the Review Panel Report, the SEDAR 31 report continues to support strong and continued growth of the Gulf of Mexico Red Snapper resource. A consistent trend of rebuilding as reflected through both total biomass and spawning stock biomass increases can be indisputably observed since the 1980’s. Corresponding declines in fishing mortality can also be observed throughout this time series.

While the continued rebuilding of the Gulf of Mexico red snapper can be described as a conservation success, the increased availability of red snapper, particularly to the recreational sector, is proving to be a significant management challenge. Moreover, density dependant factors are becoming increasing important factor in achieving rebuilding objectives of the Reef Fish fishery management plan. The RFA Forgotten Coast Chapter hopes the Gulf Council takes swift and decisive action to confront these challenges and offers the following recommendations.

**Move Toward Regional Management for Gulf of Mexico Red Snapper**
The findings of SEDAR 31 continue to support a two-stock model for the Gulf of Mexico red snapper. Observations in genetic testing, otolith micro-constituent analysis and life history characteristics clearly indicate distinctions between red snapper found in the eastern and western regions of the Gulf. Based on these findings and varying needs of the fishing communities throughout the Gulf, the RFA Forgotten Chapter encourages of the Gulf Council to finish voting on regional management at the June meeting in Pensacola, FL. It is important that implementation begin immediately for regional management; this would also include the rescinding of Amendment 30B.

**Revisit Commercial/Recreational Allocation**
Successful rebuilding of the Gulf of Mexico red snapper fishery has afforded a 9.3-million pound quota for both the commercial and recreational sectors under the original 51%-49% allocation scheme. The RFA Forgotten Coast Chapter supports revisiting this allocation scheme; as the red snapper stock(s) continue to rebuild, there have been numerous statements made on-record by commercial representatives about the drop in market price for red snapper when the commercial quota exceeds 5 million pounds.
Considering the 51/49 allocation and the market loss experienced by the commercial fishing industry when more than 5 million pounds of red snapper floods the consumer market, the RFA Forgotten Coast Chapter would ask that the commercial sector be capped at the 5-million pound mark, and that all harvest above that threshold be allocated based on an allocation scheme that sets 90% of the quota to the recreational sector and 10% to the commercial sector.

The two tiered allocation approach will allow the commercial/recreational allocation to gradually shift toward the recreational sector as the stock rebuilds. Such an approach would protect the commercial sector from potential overages in the recreational sector while providing a mechanism that will address the growing concern about increased availability causing ever decreasing recreational red snapper seasons.

**Setting Recreational Regulations**

RFA Forgotten Coast Chapter encourages the Gulf Council to set the recreational seasons at least 1 year in advance. This would provide some stability in the recreational red snapper fishery. SEDAR 31 projects that stock levels will go down over the next few years as the strong 2004, 2005, and 2006 year classes move out of the fishery. Long-term projections generated in SEDAR 31 however show continued long-term growth and rebuilding even without the influence of those strong year classes and with only average recruitment.

That is why we believe the Council should avoid managing the recreational sector in an impulsive, yo-yo manner that is tied to the year-to-year stock level. As the stock continues to rebuild, growth will not be in a straight line but the overall trend will be in an upward direction. The overall health of the recreational red snapper fishery is dependent upon stable and predictable regulations.

The RFA Forgotten Coast Chapter also encourages the Gulf Council to schedule an assessment update for red snapper in 2014 – obviously, a full stock assessment in 2014 would be preferable. The amount of new artificial reefs going out yearly and especially with BP restore money should help increase essential fish habitat for red snapper and will increase populations immensely. This mitigation could dampen stock level declines.

**Oil Rig Removal**

SEDAR 31 indicates that density dependant factors are impacting the speed at which red snapper in the Gulf of Mexico rebuild. Predation and habitat are the two most important density dependant factors limiting red snapper rebuilding. Active reef building efforts throughout the Gulf continue to supply more available habitat for red snapper thereby increasing growth and overall stock productivity by reducing competition for habitat. Yet, removal of decommissioned oil rigs with explosives destroys red snapper habitat and kills fish.

RFA Forgotten Coast Chapter encourages the Council to request a status report from NOAA Fisheries on their evaluation of establishing oil rigs as essential fish habitat as defined under Magnuson. There is no question that oil rig removal with the use of explosives is having a negative impact on red snapper rebuilding. Even if the impact is minor, the Gulf Council should
pursue all options to stop this action because it is an avoidable and unnecessary source of mortality on red snapper and red snapper habitat.

It is important for the Council to include investigation into the magnitude of mortality associated with rig removal using explosives in the statement of work for the 2014 assessment update.

Until we can get the Magnuson-Stevens Act sensibly and responsibly amended on behalf of both the fish and our fishermen, our only hope is for better stock assessments (more frequent assessments as planned now for 2014), improved recreational data collection, regional management implemented at this meeting (including rescinding 30b), and to get the allocation right where the recreational charter for-hire and headboat sectors are once again fishing and supporting our coastal economies. RFA Forgotten Chapter believes these items must be the priority for the Council at their June 2013 meeting. These items must be discussed and voted on. All other items such as headboats exempted special permits, sector separation, for-hire days at sea, intersector trading and the likes can be postponed to future meetings if necessary.

It’s time to prioritize, and it’s imperative that members of the Gulf Council get these things finished –accomplish something, stop working on the same things over and over and adding more tasks to the agenda without finishing one damn thing. Please finish voting on these four critically important items at this next meeting in Pensacola.

Respectfully submitted,

Tom Adams
May 15, 2013

RE: 30 B RULE

Dear Council Members,

I know its a rule but in my opinion it isn't fair nor fully understood when created.

I have Two Concerns - The First one is fairness of the rule.

Who does it really effect?

1. Charter for Hire with federal permits
2. Recreational fisherman that don't own a boat who rely on charters.

Out of all the fisherman in the gulf why choose these fisherman to restrict catch limits?

Why deny one fisherman access and give it to another when they both fall into the same recreational sector.

I never understood why this rule passed...

It only applies to only a small percentage of fisherman when compared to the total number of all the fisherman. It overly restricts a portion of “charter boats”... the ones with federal permits.

I also believe that since NMFS can close federal areas off state waters the end result is being accomplished without the 30B rule.

The emergency rule is a more effective way to restrict catch limits evenly than singling out a small portion of one sector.

The second concern is one of safety. Smaller boats without federal permits will be the “snapper fisherman” choice and these inshore or near shore boats will begin to venture out farther to snapper grounds ... while the boats that can handle the seas are tied to the docks. I see this happening when pressure to catch red snapper is heightened during the short season and these smaller boats are the only ones that can bring snapper back to the docks.

I would like the council to re-evaluate the 30B Rule as to be fairness to all fishermen. The emergency rule in place clearly is more effective than 30B and in my opinion does what 30B had planned to do.

30 B is being over "restricted " and it should be rescinded.

Sincerely,

Debbie Wilhite
Summer Hunter Charters
There is a commercial fishery management plan, originally authorized by the George W. Bush administration with the goal of preserving America’s fishing resources, that is catching on around the country. Individual fishing quota programs (IFQs) provide commercial fishermen the privilege to catch a predetermined amount of fish that are allowed to be harvested and sold to the public year round.

Instead of fishermen wastefully racing for the fish and then the entire season closing for the rest of the year, a portion of the commercial quota is allotted to individual commercial fishermen based on their historical participation in the fishery. Naturally, full-time fishermen receive a larger share than small- or part-time fishermen, but everyone receives whatever his historical average was, and like any other business, anyone can enter the fishery. Each commercial fisherman has an incentive to protect the fishery and thereby the value of his harvest privilege.

There are no winners or losers.

If there is a decline or even a disaster in his fishery, a stakeholder has something of value he can fall back on instead of being forced to become reliant on politicians in Washington, who arbitrarily hand out subsidies to some while denying them to others.

Congressman Steve Southerland has referred to our IFQ program as a system of winners or losers, yet Southerland and his tea party colleague Sen. Ted Cruz, R-Texas, voted no on the Hurricane Sandy Relief Bill (HR 152), which provides disaster relief to victims so they can rebuild their homes. Less than five months later, a man-made disaster in Texas involving a fertilizer plant explosion prompted Sen. Cruz to beg Washington for federal assistance. Are the lives and homes of his constituents more important than the people in New York and New Jersey, or is it just a matter of Washington picking winners or losers? Let’s see who Congressman Southerland picks as winners or losers on this one.

Be careful. We are in a hurricane-prone area. What goes around comes around.
One of the main reasons cited by some congressmen for not voting yes on the Hurricane Sandy Relief Bill is that there was too much pork attached to it. Notwithstanding that people’s lives and futures were at stake, if the pork attached to the bill benefited a congressman, it encouraged him to vote yes, while other congressmen voted no because there was no pork attached that would help them.

Winners or losers?

That is a perfect example of why Washington should stay out of our commercial and recreational fisheries and let our regional Gulf of Mexico Fisheries Management Council (GMFMC) decide how they should be managed.

At the April GMFMC meeting in Gulf Port, Miss., the council decided to let the five Gulf states manage the recreational red snapper fishery in their respective state waters. This could be a godsend for recreational fishermen. I certainly hope so.

The farther our fisheries are removed from Washington’s influence, the better. The Gulf commercial fishermen have worked with the GMFMC and developed an IFQ program that works for them and rebuilds the fishery by never exceeding the commercial quota. Now recreational fishermen have the opportunity to work with their individual states to design a plan that benefits them and gives them more access to their fishery. When that happens all fishermen will be winners and the losers in Washington can stay out of our business.

JIM CLEMENTS
Carrabelle
Subject: Re: News from Gulf of Mexico Fishery Management Council
Date: Wednesday, April 24, 2013 7:12 AM
From: Mesmerized1 <mesmerized1@embarqmail.com>
To: Charlene Ponce <charlene.ponce@gulfcouncil.org>
Conversation: News from Gulf of Mexico Fishery Management Council

Action #4 should be implemented for sure, not fair in south florida where we have to go a minumun of 70 miles out to catch red snapper we have such a short season. They are seriously becomming a nussiance fish out there. Thank you, capt jess mesmer

Sent from my Samsung Epic™ 4G

Gulf of Mexico Fishery Management Council <charlene.ponce@gulfcouncil.org> wrote:

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Gulf of Mexico Fishery Management Council April 2013 Update

The Gulf of Mexico Fishery Management Council met in Gulfport, Mississippi, April 15 - 18, 2013, to discuss a number of fishery issues, including several related to the management of red snapper. Here are some of the actions taken by the Council last week.

Regional Management of Red Snapper The Council continued its discussions regarding Reef Fish Amendment 39 - Regional Management of Recreational Red Snapper and selected preferred alternatives. The revised document, including preferred alternatives, will be presented to the public for review and comment before the Council takes final action. The Council selected the following alternatives as preferred: **Action 1 - Regional Management Preferred Alternative 2**: Establish a regional management program that delegates authority to a state or states to set management measures for the harvest of an assigned portion of the recreational red snapper quota. **Action 2**: Establish regions for regional management **Preferred Alternative 5**: Establish five regions representing each Gulf state. **Action 3**: Apportioning the recreational red snapper quota among regions **Preferred Alternative 5**: To allocate the following percentages to the various states: Florida 38%, Alabama 30%, Mississippi 3%, Louisiana 14%, Texas 15%. **Action 4 - Regional Management Guidelines**
Subject: RE: News from Gulf of Mexico Fishery Management Council
Date: Tuesday, April 23, 2013 5:52 PM
From: Mike Wascom <wasco1@cox.net>
To: Charlene Ponce <charlene.ponce@gulfcouncil.org>
Conversation: News from Gulf of Mexico Fishery Management Council

Dear Gulf Council,

In return for this “approach regional management by states” require states like Louisiana to step back from their legislation claiming three marine leagues in the Gulf?

When President Reagan signed his 1983/84 Executive Order recognizing a 12 mille territorial sea for the US, the order explained that the states maintained 3 mile territorial sea, except Texas, west coast of Florida, and Puerto Rico.

I love my state, and I understand this fisheries issue, but unilateral extensions of state jurisdiction into the additional “9 mile federal territorial sea of the US claimed 12 nm TS” interfere with the conduct of US foreign policy.

I would support a 12 mile territorial sea for ALL US coastal states, but it must be for ALL coastal states and done by Presidential Executive Order and /or Congressional action.

It’s not enough for Louisiana, Mississippi, and Alabama to claim any extended seaward jurisdiction beyond 3 nautical miles for themselves. It’s unconstitutional.

Please accept these as my formal comments./

Mike Wascom
1255 Aberdeen Ave.
Baton Rouge, LA 70808
(c)225-955-2491; (h) 225-344-4313
E-mail: wasco1@cox.net
cowas@lsu.edu

From: Gulf of Mexico Fishery Management Council [mailto:charlene@gulfcouncil.ccsend.com] On Behalf Of Gulf of Mexico Fishery Management Council
Sent: Tuesday, April 23, 2013 4:02 PM
To: coewas@lsu.edu
Subject: News from Gulf of Mexico Fishery Management Council

Gulf of Mexico Fishery Management Council
April 2013 Update
The Gulf of Mexico Fishery Management Council met in Gulfport, Mississippi, April 15
18, 2013, to discuss a number of fishery issues, including several related to the management of red
snapper. Here are some of the actions taken by the Council last week. **Regional Management of Red
Snapper**The Council continued its discussions regarding Reef Fish Amendment 39 - Regional
Management of Recreational Red Snapper and selected preferred alternatives. The revised document,
including preferred alternatives, will be presented to the public for review and comment before the
Council takes final action. The Council selected the following alternatives as preferred:

- **Regional Management** Preferred Alternative 2: Establish a regional management program that
  delegates authority to a state or states to set management measures for the harvest of an assigned
  portion of the recreational red snapper quota.

  - **Action 1 - Regional Management** Preferred Alternative 2: Establish a regional management program that
    delegates authority to a state or states to set management measures for the harvest of an assigned
    portion of the recreational red snapper quota.

- **Action 2 - Establish regions for regional management** Preferred Alternative 5: Establish five regions representing each Gulf state.

  - **Action 2 - Establish regions for regional management** Preferred Alternative 5: Establish five regions representing each Gulf state.

  - **Action 3 - Apportioning the recreational red snapper quota among regions** Preferred Alternative 5: To allocate the following percentages to the various states:
    - Florida 38%
    - Alabama 30%
    - Mississippi 3%
    - Louisiana 14%
    - Texas 15%

  - **Action 4 - Regional Management Guidelines** Preferred Alternative 2:
    - **Preferred Alternative 2:** Allow individual regions to set recreational red snapper season start and end dates and season structure in the Gulf.
    - **Preferred Alternative 3:** Allow individual regions to set recreational bag limits from 0 to 4 red snapper per angler per day in the Gulf.
    - **Preferred Alternative 4:** Allow individual regions to establish recreational red snapper minimum size limits from 14 inches to 18 inches TL in the Gulf.
    - **Preferred Alternative 6:** Allow individual regions to establish closed areas within the EEZ adjacent to their region that applies only to vessels registered within their region.

- **Action 5 - For-hire vessel federal permit restrictions** Preferred Alternative 2:

  - **Preferred Alternative 2:** Exclude requirement for vessels with federal charter/ headboat permits to comply with more restrictive red snapper regulations when fishing in state waters.

- **Action 6 - Post-Season Accountability Measures Adjusting for Regional Overages** Preferred Alternative 3:

  - **Action 7 - In-Season Accountability Measures Establishing Regional Closures in the EEZ** Move the entire action to considered but rejected.

Regional management considers dividing the federal red snapper quota among states or regions potentially giving them authority to set their own management measures, including bag limits and seasons. States/regions would have more flexibility in choosing season and bag limits, but this would not necessarily result in more fishing days. Under a regional management system red snapper would remain a federally managed species subject to federal conservation goals, and the Council would continue to oversee management of the stock. **Request for Emergency Rules** Two requests for emergency rules were approved by the Council. The first request was for an emergency rule that would remove the requirement that vessels with a Gulf of Mexico Charter Headboat Reef Fish Permit adhere to the stricter of federal or state regulations (Section 2.13, Action 13 of Reef Fish Amendment 30B). This would allow federally permitted charter boats to fish under federal reef fish regulations when fishing in the EEZ, and state reef fish regulations when fishing in state waters. The second request was for an emergency rule to rescind the recreational closure authority specific to federal waters off individual states for the red snapper component of the reef fish fishery. **Days-at-Sea Program** The Council heard public comment summaries from the eight scoping workshops held around the Gulf of Mexico regarding a potential For-Hire Days-at-Sea Pilot Program. No further action was taken regarding this issue. **Individual Fishing Quota (IFQ) Inter-Sector Trading** The Council moved forward with plans to develop a scoping document that examines inter-sector trading of red snapper IFQ shares/allocation between fishing sectors. **Red Snapper IFQ Program Five-Year Review** The Council accepted the Red Snapper IFQ Five-Year Review document and will begin discussions regarding Reef Fish Amendment 36 to
address potential modifications to the IFQ Program. **Data Collection** In an effort to improve recreational data collections, the Council directed staff to develop a scoping document that looks at enhancements, revisions, and/or new options for estimating or quantifying private recreational landings. **Red Drum** Per Council direction, staff will request NMFS and the five Gulf States develop a research plan for red drum. The Council also requested: The Southeast Fisheries Science Center update the red drum sampling protocols found in the 2008 draft document *Recommended Age Composition and Mark-Recapture Study Sample Sizes for Gulf of Mexico Red Drum* Work with the five Gulf States to identify relevant data that may be useful for a red drum stock assessment.

Red drum be included in the 2016 SEDAR schedule **Petroleum Platform Removal** The Council also directed staff to develop a letter to the Secretary of the Interior objecting to the removal of petroleum platforms with the use of explosives. Before sending the letter to the Secretary, a draft will be presented to the Council for review and approval during its June meeting. **Shrimp** The Council agreed to convene its Shrimp Advisory Panel and include staff from the Southeast Fisheries Science Center, Dr. Benny Gallaway, and other appropriate NMFS staff to discuss and provide input on shrimp effort data collection. **Mackerel** The Council selected preferred alternatives for Amendments 19 and 20 to the Coastal Migratory Pelagic Fishery Management Plan. Public hearings will be held later this summer. Amendment 19 addresses sale and permit provisions for Gulf of Mexico Spanish and king mackerel. Amendment 20 addresses season length, transit provisions, allocation, and framework procedures for coastal migratory pelagics.

**About Gulf of Mexico Fishery Management Council**

The Gulf of Mexico Fishery Management Council is one of eight regional Fishery Management Councils established by the Fishery Conservation and Management Act of 1976. The Council prepares fishery management plans, which are designed to manage fishery resources within the 200-mile limit of the Gulf of Mexico.

The Gulf Council has an APP for that - Download it for free! *iPhone [Link]*
Preferred Alternative 2: Allow individual regions to set recreational red snapper season start and end dates and season structure in the Gulf. Preferred Alternative 3: Allow individual regions to set recreational bag limits from 0 to 4 red snapper per angler per day in the Gulf. Preferred Alternative 4: Allow individual regions to establish recreational red snapper minimum size limits from 14 inches to 18 inches TL in the Gulf. Preferred Alternative 6: Allow individual regions to establish closed areas within the EEZ adjacent to their region that applies only to vessels registered within their region. Action 5 - For-hire vessel federal permit restrictions Preferred Alternative 2: Exclude requirement for vessels with federal charter/头boat permits to comply with more restrictive red snapper regulations when fishing in state waters. Action 6 - Post-Season Accountability Measures Adjusting for Regional Overages Preferred Alternative 3: If a region exceeds the apportioned regional quota, then NMFS will file a notification with the Office of the Federal Register to reduce the regional quota in the following year by the amount of the regional quota overage in the prior fishing year. If the total landings from all regions do not exceed the Gulf-wide recreational quota in that year, the region's quota would not need to be reduced to account for the region's overage. Action 7- In-Season Accountability Measures Establishing Regional Closures in the EEZ Move the entire action to considered but rejected. Regional management considers dividing the federal red snapper quota among states or regions potentially giving them authority to set their own management measures, including bag limits and seasons. States/regions would have more flexibility in choosing season and bag limits, but this would not necessarily result in more fishing days. Under a regional management system red snapper would remain a federally managed species subject to federal conservation goals, and the Council would continue to oversee management of the stock. Request for Emergency Rules Two requests for emergency rules were approved by the Council. The first request was for an emergency rule that would remove the requirement that vessels with a Gulf of Mexico Charter Headboat Reef Fish Permit adhere the stricter of federal or state regulations (Section 2.13, Action 13 of Reef Fish Amendment 30B). This would allow federally permitted charter boats to fish under federal reef fish regulations when fishing in the EEZ, and state reef fish regulations when fishing in state waters. The second request was for an emergency rule to rescind the recreational closure authority specific to federal waters off individual states for the red snapper component of the reef fish fishery. Days-at-Sea Program The Council heard public comment summaries from the eight scoping workshops held around the Gulf of Mexico regarding a potential For-Hire Days-at-Sea Pilot Program. No further action was taken regarding this issue. Individual Fishing Quota (IFQ) Inter-Sector Trading The Council moved forward with plans to develop a scoping document that examines inter-sector trading of red snapper IFQ shares/allocation between fishing sectors. Red Snapper IFQ Program Five-Year Review The Council accepted the Red Snapper IFQ Five-Year Review document and will begin discussions regarding Reef Fish Amendment 36 to address potential modifications to the IFQ Program. Data Collection In an effort to improve recreational data collections, the Council directed staff to develop a scoping document that looks at enhancements, revisions, and/or new options for estimating or quantifying private recreational landings. Red Drum Per Council direction, staff will request NMFS and the five Gulf States develop a research plan for red drum. The Council also requested:
The Southeast Fishery Science Center update the red drum sampling protocols found in the 2008 draft document *Recommended Age Composition and Mark-Recapture Study Sample Sizes for Gulf of Mexico Red Drum*. Work with the five Gulf States to identify relevant data that may be useful for a red drum stock assessment. Red drum be included in the 2016 SEDAR schedule.

**Petroleum Platform Removal**  The Council also directed staff to develop a letter to the Secretary of the Interior objecting to the removal of petroleum platforms with the use of explosives. Before sending the letter to the Secretary, a draft will be presented to the Council for review and approval during its June meeting.  **Shrimp**  The Council agreed to convene its Shrimp Advisory Panel and include staff from the Southeast Fishery Science Center, Dr. Benny Gallaway, and other appropriate NMFS staff to discuss and provide input on shrimp effort data collection.  **Mackerel**  The Council selected preferred alternatives for Amendments 19 and 20 to the Coastal Migratory Pelagic Fishery Management Plan. Public hearings will be held later this summer. Amendment 19 addresses sale and permit provisions for Gulf of Mexico Spanish and king mackerel. Amendment 20 addresses season length, transit provisions, allocation, and framework procedures for coastal migratory pelagics.

**About Gulf of Mexico Fishery Management Council**

The Gulf of Mexico Fishery Management Council is one of eight regional Fishery Management Councils established by the Fishery Conservation and Management Act of 1976. The Council prepares fishery management plans, which are designed to manage fishery resources within the 200-mile limit of the Gulf of Mexico.
RESOLUTION NUMBER 2013-04

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF SANTA ROSA COUNTY, FLORIDA, SUPPORTING THE
REGIONAL MANAGEMENT OF RED SNAPPER RECREATIONAL
FISHING IN THE GULF OF MEXICO

WHEREAS, marine recreational fisheries are vital components of a healthy food
supply, recreation, and quality of life for the citizens of Santa Rosa County; and

WHEREAS, marine recreational fisheries provide renewable resources capable
of sustainable production, while providing extractive and consumptive uses; and

WHEREAS, Florida Fish and Wildlife Conservation Commission and National
Marine Fisheries Service regulate recreational fishing in state and federal waters
off Santa Rosa County, Florida; and

WHEREAS, regional management of recreational red snapper fishing may
provide increased opportunities for recreational anglers to harvest the
recreational allocation of red snapper; and

WHEREAS, the Board of County Commissioners finds it is the best interest of
the health, safety, welfare of the citizens of Santa Rosa County that the County
support the regional management of red snapper recreational fishing in the Gulf
of Mexico.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA AS FollowS:

Section 1. That the Board of County Commissioners finds the above recitals to
be true and correct and incorporated herein by reference.

Section 2. That the Santa Rosa County Board of County Commissioners
supports the regional management of red snapper recreational fishing in the Gulf
of Mexico and requests the following:

a. Set regional boundaries at state lines;
b. Allocate regional harvest proportional to regional red snapper
   abundance;
c. Include artificial reefs in determining regional red snapper
   abundance;
d. Manage red snapper harvest via rolling closed areas;
e. Track red snapper harvest via stamps, tags and angler reporting;
   and
f. Establish a 10 year sunset on regional management of red snapper
   unless reauthorized.
Section 3. That the Santa Rosa County Board of County Commissioners hereby directs the Clerk to forward a copy of this resolution to Governor, Rick Scott; the Northwest Florida Legislative Delegation, Senator Don Gaetz, Senator Greg Evers, Representative Clay Ford, Representative Matt Gaetz and Representative Doug Broxson; Nick Wiley, Executive Director, Florida Fish and Wildlife Conservation Commission and Stephen Bortone, Executive Director, Gulf of Mexico Fisheries Management Council.

Section 4. That this resolution shall take effect immediately upon adoption by the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners of Santa Rosa County this 14th day of February, 2013.

CIRCUIT COURT
SANTA ROSA COUNTY, FLORIDA

Attest:

BOARD OF COUNTY COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA

ROBERT A. COLE, Chairman

Clerk
| [ ] | Do not wish to receive information |
| [ ] | U.S. mail |
| [ ] | E-mail |

Please let us know the best way to get information to you.

**How should we contact you?**

**Hibbard Monday Crew**

Name of business or organization you represent:

E-mail address (please print):

Date of this meeting:

Registration for Public Comment

I do not wish to receive information about poor stock assessments based on poor science. All Management.

Subject you wish to discuss:

St. Peter, FL 33707

931 Ninth Street, South

Complete mailing address (please print):

Telephone number (optional):

Your name (please print):
Registration for Public Comment

Knowing fully and voluntarily I/We hereby join the registration of my name and address below:

Name of business or organization you represent:

Complete mailing address:

Date of this meeting:

Telephone number (optional):

Your name (please print):

Subject you wish to discuss:

Please let us know the best way to get information to you:

☐ U.S. mail
☐ E-mail
☐ Do not wish to receive information

Print your signature:

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January 22, 2013

Dr. Stephen Bortone
Executive Director
Gulf of Mexico Fishery Management Council
2203 North Lois Avenue, Suite 1100
Tampa, Florida 33607

Dear Dr. Bortone:

Enclosed, pursuant to Section 3 of the Resolution, is a copy of A Resolution of the Board of County Commissioners of Escambia County, Florida, supporting the regional management of red snapper recreational fishing in the Gulf of Mexico; providing for transmittal; providing for an effective date, as adopted by the Board of County Commissioners of Escambia County, Florida, on January 17, 2013.

Very truly yours,

Pam Childers
Clerk of the Circuit Court and Comptroller

By: Doris Harris
Deputy Clerk to the Board

DCH/
Enclosure
RESOLUTION NUMBER R2013- 16

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, SUPPORTING THE REGIONAL MANAGEMENT OF RED SNAPPER RECREATIONAL FISHING IN THE GULF OF MEXICO; PROVIDING FOR TRANSMITTAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, marine recreational fisheries are vital components of a healthy food supply, recreation, and quality of life for the citizens of Escambia County; and

WHEREAS, marine recreational fisheries provide renewable resources capable of sustainable production, while providing extractive and consumptive uses; and

WHEREAS, Florida Fish and Wildlife Conservation Commission and National Marine Fisheries Service regulate recreational fishing in state and federal waters off Escambia County, Florida; and

WHEREAS, regional management of recreational red snapper fishing may provide increased opportunities for recreational anglers to harvest the recreational allocation of red snapper; and

WHEREAS, the Board of County Commissioners finds it is in the best interest of the health, safety, welfare of the citizens of Escambia County that the County support the regional management of red snapper recreational fishing in the Gulf of Mexico.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA AS FOLLOWS:

Section 1. That the Board of County Commissioners finds the above recitals to be true and correct and incorporated herein by reference.

Section 2. That the Escambia County Board of County Commissioners supports the regional management of red snapper recreational fishing in the Gulf of Mexico and requests the following:

(a) Set regional boundaries at state lines;
(b) Allocate regional harvest proportional to regional red snapper abundance;
(c) Include artificial reefs in determining regional red snapper abundance;
(d) Manage red snapper harvest via rolling closed areas;
(e) Track red snapper harvest via stamps, tags, and angler reporting; and
(f) Establish a 10 year sunset on regional management of red snapper unless reauthorized.
Section 3. That the Escambia County Board of County Commissioners hereby directs the Clerk forward a copy of this resolution to Nick Wiley, Executive Director, Florida Fish and Wildlife Conservation Commission, and Stephen Bortone, Executive Director, Gulf of Mexico Fisheries Management Council.

Section 4. That this resolution shall take effect immediately upon adoption by the Board of County Commissioners.

ADOPTED this 17th day of January 2013.

BOARD OF COUNTY COMMISSIONERS
ESCambia COUNTY, FLORIDA

Gene M. Valentino, Chairman

ATTEST: Pam Childers
Clerk of the Circuit Court

BCC Approved 1-17-2013

This document approved as to form and legal sufficiency.

By: Pam Childers
Title: Clerk
Date: 1-17-13
I guess the Florida doesn't qualify to regulate it's fisheries. The feds are up to their usual tricks by telling us what we can or can't do as sport fishermen. In the meantime the commercial fishing entities can catch all the "regulated" fish the restaurants and grocers can sell. I can eat commercially caught grouper in a restaurant every night of the week but I can't bring one home that I caught after spending $$$ for license, tackle and everything else that constitutes expenses to go fishing in Florida waters. How about taking back our resources and tell the feds to go to hell. This is our state and we fishermen know what it takes to keep a healthy fish population. One in three grouper that are caught and released make it back to the bottom. Predator fish and injuries kill two out of three of these fish. Loosen up a little and let the fishermen keep a couple of these fish rather than condemning them to death on the way back to the reef. It's a senseless waste and every fisherman knows it. Lee Whitton/ Wesley Chapel
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Registration for Public Comment

Name of business or organization you represent
Complete mailing address
Telephone number (optional)
Subject you wish to discuss
Date of this meeting

Please be advised:

☐ I do not wish to receive information

Please let us know the best way to get information to you:

E-mail

Your name (please print)

Gulf of Mexico Fishery Management Council

Knowledgeably submitting false information to the Council is a violation of Federal law. These communications will be made available to the public in their entirety and maintained by the Council as part of its permanent record. Further, rules or written communications provided to the Council by its members, its staff, and others in matters within the Council's purview are public in nature.

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Subject you wish to discuss:

7/74

3324 commerce ln, pearland, tx

Complete mailing address:

E-mail address (please print):

Date of this meeting:

Registration for Public Comment
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Date of this meeting

Registration for Public Comment

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**Registration for Public Comment**

**Fishing Season**

Current Season

Subject: You wish to discuss

Details

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Phone number (optional)
The concept of regional management of red snapper in the Gulf of Mexico has been born out of the frustration felt by many anglers towards federal management. By almost any account, red snapper are more abundant now than perhaps any point in history. Management has finally worked and no one wants to go back to the days when red snapper were small and hard to find. On the other hand, no one should be content with a management regime that is unable to find a way to reap the benefits of success.

CCA supports driving management of marine resources to the lowest level of government possible. That position is staked in the belief that the states simply have a better grasp of how to manage these resources in ways that ensure their health and stability. At the same time, state agencies have proven their expertise in providing the greatest access to those resources and maximizing the benefits of those resources for their citizens. Almost every one of this country’s great marine conservation success stories has been engineered by the states.

Contrast that against our experiences with NOAA Fisheries. After decades of management, participants in the red snapper fishery are being rewarded with a 27-day season and a two-fish bag limit. Proposals have been made that may yet reduce it to a one-fish bag limit in a desperate effort to increase the number of days in the recreational season and prevent a widespread revolt against federal management. While season length is indeed crucial to the recreational sector, days alone do not make a quality fishery. The current situation is unacceptable, and that is with a fishery that by all accounts is recovering wildly. Rather than hoping that NOAA Fisheries will someday figure out how to copy the success of the states, we believe that proposals to allow the states to take greater control of management deserve serious consideration.

The transfer of management responsibility would be no easy task, and countless details remain to be fully explored. Issues over enforcement, monitoring, state boundaries and compliance will have to be resolved. However, CCA believes that the best results will be achieved through negotiations between the states themselves, with as little federal influence as possible. Additionally, in the development of this proposal it should be specified that states have the ability to manage the entire fishery – both recreational and commercial – as they see fit.

As pointed out at the Gulf Council’s recent Reef Fish Committee meeting in Tampa, regional management as it is being considered is not a panacea to the current problems facing red snapper. However, recreational anglers have more faith in the ability of the states to successfully manage our marine resources than in NOAA Fisheries. CCA views regional management as a
promising path to achieving our overriding goal of healthy marine resources and increased access to them for the greatest benefit of the public.

**Bullet Points on Regional Management**

- States can do and have done a better job of managing fisheries;
- States (regions) can establish seasons/limits that fit their recreational/charter objectives better than the federal government;
- Local interested participants are more receptive of being directed by their own states than the federal authorities;
- Local socio-economic needs can be better managed at the state/region level;
- Local fishers feel that they can have better impact and more effective input at the state level.
Gulf of Mexico Fishery Management Council
Scoping Workshops on Regional Management of Red Snapper

The concept of regional management of red snapper in the Gulf of Mexico has been born out of the frustration felt by many anglers towards federal management. By almost any account, red snapper are more abundant now than perhaps any point in history. Management has finally worked and no one wants to go back to the days when red snapper were small and hard to find. On the other hand, no one should be content with a management regime that is unable to find a way to reap the benefits of success.

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- Local socio-economic needs can be better managed at the state/region level;
- Local fishers feel that they can have better impact and more effective input at the state level.
- States are more capable of real-time data collection to ensure compliance that will maximize the harvest that would be allowable.

Conservation & Management Measures:

N.S. #1 Prevent overfishing, while achieving optimum yield
N.S. #2 Best science available
N.S. #3 What's next?
N.S. #4 Allocation - must discriminate - point equitable
I vote and I fish. I am against sector separation. The idea of regional management makes a great deal of sense. In west central Florida it is a large expense to get to red snapper territory approx 40 miles offshore. You have to pick your days fishing depending on the weather. Windy you don't go. I work in my own business so during the week is almost impossible. That leaves me with what six days to snapper fish based on the proposed 27 day open season. Last year 2012 we had tropical storm Debby that killed the snapper fishing. I simply do not understand if we are catching more fish and larger fish( almost impossible solely because of last years weather) why is the season so short? I have been grouper fishing almost thirty years and I have yet to have someone survey me about the days catch. There was a survey online I believe from a Michigan State professor that was active until December in which I participated in. I have talked to numerous fellow fish people and no one has been surveyed at the dock, boat ramp etc. Where is your information coming from? I certainly hope that NMFS is not attempting to force us into not fishing because of there unwillingness to use rational and accurate science.

Captain Daniel Folk
Hello Emily,

Thank you for your presentation on Amendment 39 in Corpus Christi, Texas.
Please find below my thoughts on Amendment 39.

I am happy to see that finally the idea of splitting the gulf into regions is coming about. This has been something I have been in favor of for many years. I would like to see a SIMPLE plan that would work without too many problems SIMPLE being the key word here.

The state of Texas should have its own region. The other states should be able to determine how they want to be grouped together. I live and work in Texas so Texas is my main concern. Going back to Keeping it SIMPLE let the states decide on how the regions should be established. The regions should extend all the way to the EEZ boundaries. The EEZ boundaries are already in place I would think that would be the SIMPLE thing to do.

The Allocating of Quota among the regions should be based on historical landings data that should go back ten years with a starting date of 2010 so that data is complete.

The biological abundance would be a complicated system that would require study and many hard to answer questions of where to sample when to sample just not an easy method.

The angler abundance well that should speak for itself at not working unless many changes are made in the way the state sells its licenses and the data collected. Historical landings are the simplest way to go hands down SIMPLE.

Management guidelines should be minimal by the federal government. The regions should have an established plan of action that will work for them. Let each region work on its own accord. Texas has a fine record of helping its fisheries over the years and keeping an eye on the stocks of many species and implementing plans that has made Texas fishing great. Give the regions their quota make each region accountable for their own quota NO runover to other regions if a region overruns their quota then shut down that region and take it away from the overrun regions next year’s quota. Do Not punish the other regions for one region mistake.

Something that I have not seen even considered is how to increase the quota for good management of species. This should be an important consideration in this amendment as that is the entire goal of all of this is it not????????????? This is also something that can be accomplished with a simple system. Let the regions stand on their own for increase in quota not by taking from another region but an actually increase in quota from the NMFS when data is submitted showing an increase in the stock for that region.

The federal government should have minimal control over the regions letting the
regions work out their own best plan of action. The overrun of quota should be regional shut down not gulf wide shut down with a punishment for that region of losing it off next years quota even if it means no season for that region the next year. The punishment should be enforced as the doing good should be rewarded.

Emily,
I hope this makes since if you have any questions as I have not made something understandable in the email please call me and I will try to explani my thinking. 361-332-8595.

Thank You,
Mary Ann Heimann
Subject: Snapper season meeting in Orange Beach Al
Message: I was present at the NOAA meeting in Orange Beach last night. I am a certified captain but do my fishing with myself and friends out of Orange Beach. I am very concerned with the direction of the federal government in respect to our fisheries resource. Dr. Bob Shipp had several good ideas including the creation of 5 regions within the Gulf for the regulation on the fishing industry. However, I do not feel the fact that the snapper allotment being divided with the commercial sector being allocated 51 percent and recreational fishermen being left with 49 percent was discussed fully. It is a fact there are many times more recreational fishermen than commercial. The recreational fishermen create many hundreds times the number of jobs through the purchase of tackle, food, motel rooms, boat sales and fishing charters than do the commercial industry. So since we are considering snapper a federal regulated fish why should we suppress the Alabama economy by giving the commercial fisherman a greater division of the total snapper allotment. I feel a split of 75 percent to recreational and 25 to commercial a much better solution to the problem. Thank you
Steve L Buckner
Email: atl1slb@windstream.net
Phone: 770-653-2313
Each state as own region to control its share of the Federal Quota from state waters out to the 200 nautical mile EEZ Federal line. The states having the ability to set their own season and bag limits independent of the other gulf states and each state not to be penalized if other states exceed their quota.

TKS CP

Chris Price
Blue Water Ships Stores of AL.
8103 Hwy. 59 South
Foley, AL  36535
(251) 943-4179
(251) 971-6480  fax
chrisp@bwssal.com

Download Adobe Acrobat Reader to View Invoices <http://get.adobe.com/reader/>
01-15-2013
To All Council Members

My name is Daven W. Scott I reside in Gulfport MS. I am an avid recreational Red Snapper fisherman. I just attended my very first Gulf of Mexico Fishery Management Council meeting in Biloxi, MS. The reason that I attended this meeting is to try and have a better understanding of why our season continues to be shortened while I am seeing more Red Snapper than I have ever seen in my life. I have been fishing since I was nine years of ages I am now forty two years old.

I definitely gathered one thing from this meeting that most everyone there does not understand the science by how the limit is set in our area. I also believe that regional management has the potential to better serve our area. I think the State of Mississippi Should have control over our Red Snapper Fishery and be allowed to set limits that best suit our State, however the allowable part of the quota that Mississippi receives could be debated on many factors as discussed in the meeting.

In conclusion there are more Red Snapper populations than I have ever seen in my life. The science however you may conclude it must be adjusted to better accommodate the recreation Red Snapper fisherman. I would like to see immediate changes in our area.

Sincerely
Daven W. Scott
1750 Courthouse Rd
Gulfport, MS 39507