

MEMORANDUM



To: Florida Fish and Wildlife Conservation Commissioners

From: Jessica McCawley, Director, Marine Fisheries Management

Date: April 26, 2018

Subject: Gulf of Mexico Commercial Individual Fishing Quotas (IFQ) – Adoption of Federal Standards

Purpose:

Provide for Commission consideration a federal consistency action that would make state reef fish regulations consistent with federal regulations for the commercial Gulf red snapper and Gulf grouper/tilefish individual fishing quota (IFQ) programs.

Summary:

In an IFQ program, the overall quota for a sector of the fishery is divided among individuals such that each fisherman/business effectively has their own allotment of the overall quota for the year. There are two IFQ programs for commercial harvest in the Gulf of Mexico: red snapper and grouper/tilefish. These are federal programs, but they apply to all commercial harvest of red snapper, groupers, and tilefishes in both Gulf state and federal waters. Gulf IFQ program participants must follow unique requirements and procedures such as real-time, electronic tracking of vessel location harvest and quota accounting; landing notification requirements; and restrictions on where and when fish can be landed and offloaded. These requirements apply to Gulf IFQ program participants regardless of where they are fishing (federal or state waters).

Currently, FWC rules require all commercial harvesters that harvest or possess any IFQ-managed species in the Gulf of Mexico to have a federal Gulf IFQ vessel account. The purpose of the proposed action is to add other important requirements for Gulf commercial red snapper and grouper/tilefish IFQ fisheries operations, dealer endorsements, landings, and transactions to FWC rule. This proposed federal consistency action would allow FWC to enforce federal Gulf commercial IFQ regulations at the state level.

Chapter 120 Florida Administrative Code provides a streamlined rule adoption process for actions that are substantially identical to regulations adopted pursuant to federal law. Any affected person has 14 days to file an objection, and if the objection is based on the requirements of the federal law, the agency can deem it frivolous and proceed to file the rule for adoption with the Department of State without any additional hearing.

Staff Recommendation:

Staff recommends approving the proposed federal consistency item that would make state regulations consistent with federal regulations for the commercial Gulf red snapper and Gulf grouper/tilefish individual fishing quota (IFQ) programs.

Staff Contact and/or Presenter:

Martha Guyas, Division of Marine Fisheries Management