

This is a review and discussion of anticipated actions and discussions at the Gulf of Mexico Fishery Management Council's (Council) Oct. 28-31 meeting in New Orleans, LA. This presentation will be updated following the Council meeting.

Update: This presentation has been updated following the Council meeting.

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Report date: November 11, 2013

2013 Red Snapper Quota and Recreational Season



- Quota increased from 8.46 to 11 million pounds for 2013
- Supplemental recreational seasons
 - State – Oct. 1-21
 - Federal – Oct. 1-14
- NOAA Fisheries still reviewing 2013 recreational harvest data



Since the September Commission meeting, the U.S. Secretary of Commerce approved Council action that increased the overall red snapper quota from 8.46 million pounds (mp) to 11 mp for 2013. This equates to a 5.39 mp quota for recreational harvest and a 5.61 mp quota for commercial harvest in 2013.

In anticipation of this quota increase, the Commission approved a 2013 supplemental recreational red snapper season of Oct. 1-21 for Gulf state waters at its September meeting. The Council had also approved a 2013 supplemental red snapper season for the recreational fishery in federal waters, which was pending approval by the U.S. Secretary of Commerce when the state season was set. If quota was available, the federal supplemental season was also scheduled to begin Oct. 1 and was estimated to be approximately 21 days. NOAA Fisheries later announced that the federal supplemental season would be Oct. 1-14.

In August, NOAA Fisheries presented the Council with preliminary recreational landings estimates that suggested a drastic increase in recreational red snapper harvest in 2013 compared to previous years, particularly in Florida and Alabama. NOAA Fisheries is reviewing these estimates. In March 2013, NOAA Fisheries introduced new Marine Recreational Information Program (MRIP) procedures for estimating recreational harvest to address potential biases in the previous survey design. It is unclear if 2013 red snapper landings are falsely inflated due to new MRIP procedures, if the new survey is showing a more realistic picture of the fishery that has not been historically revealed, if there was a change in the fishery in 2013 that resulted in a spike in landings, or if some combination of these is occurring. NOAA Fisheries' MRIP Program held a workshop in early November with the Gulf states to discuss how to address red snapper recreational data collection issues in future seasons.

2014 Federal Recreational Red Snapper Season Length Estimates



- Season scheduled to begin June 1
- Current federal season length estimates:
 - **38-39 days** *if FL state season stays 44 days* (Jun 1 – Jul 14), and TX and LA rules stay the same
 - **39-40 days** *if FL state rules are consistent* with federal rules but LA and TX stay the same
 - **42-43 days** *if all states are consistent* with federal rules
 - Federal season would be roughly 50% longer if federal bag limit reduced to one fish



At the October Council meeting, NOAA Fisheries presented estimates of the 2014 federal recreational red snapper season length. 2013 catch rate estimates were not used to project the season length because of the unresolved issues with MRIP data from the 2013 season. The federal season begins June 1 and closes when the recreational quota is expected to be met. In 2013, the regular federal season was June 1-28 (28 days). In total, recreational harvest was open in federal waters for 42 days in 2013 including the 14-day fall supplemental season. NOAA Fisheries estimates that the 2014 season would be 38-39 days if Florida keeps the 44-day state season (open June 1 – July 14), and Texas and Louisiana keep their state regulations the same. (Alabama and Mississippi state red snapper regulations are the same as federal rules.) If Florida adopts state recreational red snapper rules that are consistent with the federal season and rules, but Louisiana and Texas keep their inconsistent regulations, the federal season would be about one day longer (39-40 days). If all states adopt recreational red snapper regulations that are consistent with federal regulations, the federal season is estimated to be 42-43 days. NOAA Fisheries also estimated that the federal season would be roughly 50% longer if the recreational red snapper bag limit in federal waters was lowered from two to one fish per person per day. These estimates are preliminary and are subject to change. If the Council eliminates the rule that requires federally-permitted for-hire vessels to follow federal rules in state waters (30B rule), the federal season would be shortened, but it is unclear how much shorter the season would be.

NOAA Fisheries is expected to finalize the 2014 federal recreational season dates in late 2013. FWC staff will keep the Commission apprised of announcements regarding the federal season and return to the Commission for possible rulemaking for the recreational season in Gulf of Mexico state waters.

Recreational Red Snapper Regional Management



- Discussions will continue in February
 - Final action possible at April meeting
- State allocation percentages not yet determined
- Council could consider east and west regions instead of state-by-state



Direction Requested



The Council again deferred action on regional management. Discussions will continue at the February Council meeting and final action may be taken by the Council in April. The Council has yet to select preferred state allocation percentages and how state allocations might be reconsidered in future years. This continues to be a controversial issue because landings have shifted toward the eastern Gulf of Mexico as the red snapper stock rebuilds and expands off West Florida. Additionally, uncertainty in the 2013 MRIP landings estimates raises questions about the validity of historical landings estimates.

Under the Council's proposed plan, each state would be allocated its own recreational quota for red snapper. Each state would track their quota to ensure that their allocation is not exceeded. Regional management would give states flexibility in setting the season and bag limit for red snapper landed in their state, but would not necessarily result in more fishing days because states would be required to keep harvests at or below their quotas. The Council may also consider splitting the Gulf into east and west regions instead of dividing quota state-by-state.

Some anglers feel that better data collection methods are needed before regional management occurs, and others feel that the Council's proposed plan does not provide enough control to the states, since the states would be required to follow the Magnuson-Stevens Act and NOAA Fisheries would continue to oversee aspects of management. Also, some for-hire captains feel that regional management may not benefit them if their state chooses seasons and regulations that favor private recreational anglers.

Staff welcomes guidance from the Commission on regional management, particularly regarding setting state allocation percentages. Previously, the Commission indicated that a 38% state allocation was appropriate for Florida, but new MRIP data concerns may mean that state allocations should be reconsidered.

Other Red Snapper Management Options – Sector Reallocation



- Current allocation: 49% recreational and 51% commercial
- Shift to recreational could stabilize or lengthen recreational season
- Options currently under consideration
 - Reallocation of quota to recreational sector (3%, 5%, or 10%)
 - Reallocate 75% or 100% of quota increases to recreational sector if the total red snapper quota is greater than 9.12 million pounds



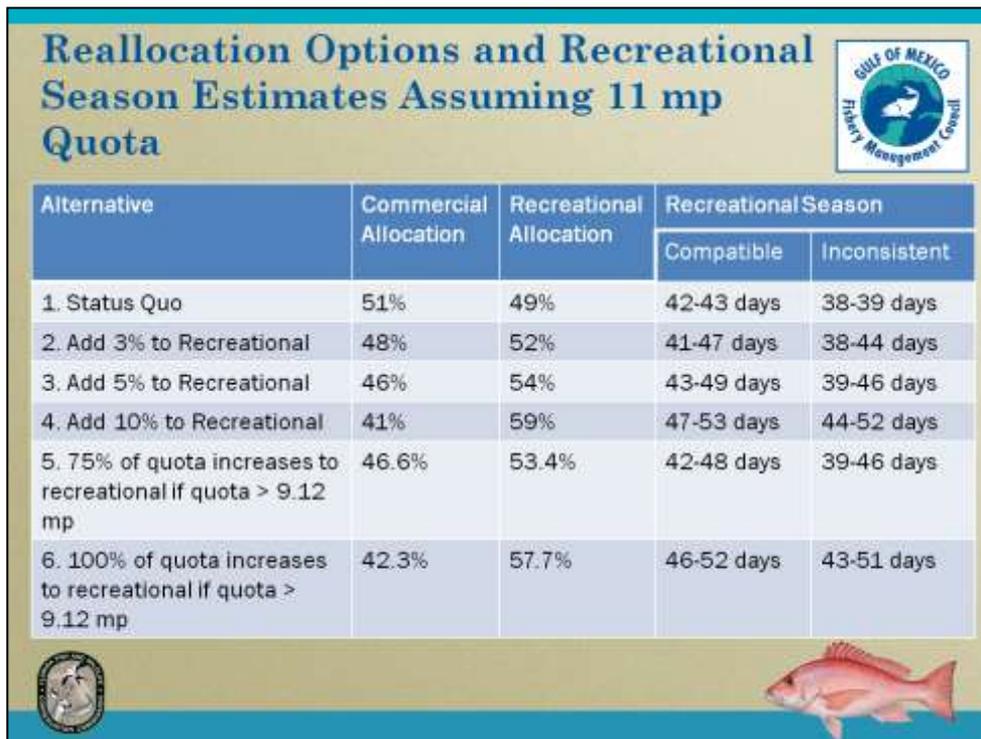
Direction Requested



The Council also continued discussions of other management options for the red snapper fishery, including sector reallocation. The Council is considering sector reallocation for the red snapper fishery because shifting allocation from the commercial sector to the recreational sector could stabilize or lengthen the recreational season. Currently, 51 percent of the annual catch limit is allocated to the commercial sector, with the remaining 49 percent allocated to the recreational sector. This allocation was established in 1990 and was based on historical averages between sectors from 1979-1987.

The Council is considering several options for sector reallocation. Options include shifting 3%, 5%, or 10% allocation to the recreational sector. Additionally, the Council is considering options that would reallocate 75% or 100% of quota increases to the recreational sector if the total red snapper quota is 9.12 mp or greater. The Council chose 9.12 mp as a threshold because it was the highest total allowable catch (TAC) in the fishery before the red snapper rebuilding plan was modified and the commercial IFQ program took effect. For 2013 and 2014, the overall quota is 11 mp.

The Council will review sector allocation options at its February meeting and is expected to direct staff to hold public hearings on this issue. Staff requests Commission direction on any preferred options for reallocation, including any additional options that the Commission would like the Council to consider. The following slide shows resulting sector allocations and estimated recreational season lengths for each option assuming the current quota of 11 mp.



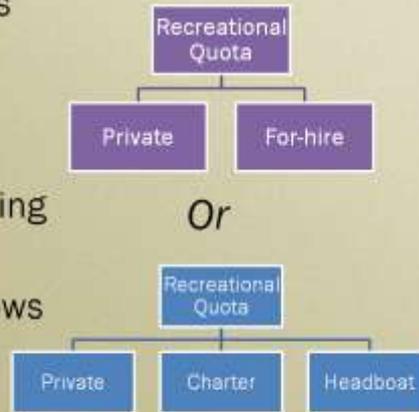
The table above shows sector allocation percentages and estimated recreational season lengths for options being currently being considered by the Council, assuming the current overall red snapper quota of 11 mp. The estimated recreational season lengths for Alternatives 2-6 were predicted by NOAA Fisheries Service earlier this summer. The second column from the right shows estimated recreational season lengths assuming all states have recreational red snapper regulations that match federal rules. The column on the far right shows estimated recreational season lengths assuming Florida, Louisiana, and Texas keep current inconsistent regulations in their state waters. In February, the Council could add other sector allocation options for consideration at public hearings and future Council meetings.

Shifting allocation to the recreational sector is expected to result in very modest gains in recreational season length. Under the current allocation scenario (51% commercial and 49% recreational), the 2014 recreational season is estimated to be 42-43 days if all Gulf states change their regulations to match federal recreational red snapper rules, and 38-39 days if Florida, Texas, and Louisiana keep their current state regulations. Alternative 4, which would increase the recreational allocation by 10% and is the most drastic change in allocation being considered by the Council, is estimated to result in a 47-53 day recreational season if all states' red snapper regulations match federal rules, and 44-52 days if Florida, Texas, and Louisiana keep their current state regulations.

Other Red Snapper Management Options – Sector Separation



- Would divide the recreational quota among 2 or 3 sectors
 - Could allow different management for each sector
 - Affect on number of fishing days unclear
- “Voluntary” option that allows for-hire vessels to opt in or out will be considered



Direction Requested



The Council also discussed sector separation, which would entail dividing the recreational quota among two (private anglers and for-hire) or three (private anglers, charter, and headboat) sectors for red snapper quota management. This has been a hotly contested issue at the Council; however, the Council voted to consider a “voluntary” sector separation option that could allow for-hire vessels to opt in or out of separate for-hire quota(s) for red snapper management.

Advocates for sector separation argue that it could provide flexibility in setting management measures for private anglers and for-hire vessels. Some for-hire operators see sector separation as a way to increase predictability in their seasons and business plans, and allow for different management systems to be used for the for-hire industry (such as intersector trading, days at sea, or different season structures). Some for-hire operators argue that they are already managed differently than private recreational anglers in that they are required to have limited access permits (while the number of private recreational anglers is not limited but has grown), and their harvest can be monitored more closely than that of private recreational anglers. However, it is extremely difficult to estimate how sector separation would affect the number of fishing days allowed for either sector. Opponents of sector separation believe that sector separation will not address the issues in the red snapper fishery, but improvements in data collection could. Many also see sector separation as the first step towards privatization of a public resource and catch shares for the recreational fishery.

Another issue to consider is that if sector separation moves forward, the “30B” rule, which requires federally-permitted for-hire vessels to follow federal reef fish rules regardless of where they are fishing, would be needed to keep for-hire vessels from harvesting off the private recreational angler quota.

Based on previous Commission direction, staff voted against moving forward with sector separation discussions. Staff welcomes additional Commission direction and discussion on sector separation, including the “voluntary option” that would allow federally-permitted for-hire vessels to opt in or out.

Other Red Snapper Management Options



- Slot limit for recreational harvest
- Inter-sector trading - scoping meetings to be held before the February Council meeting
 - Florida meetings in Panama City and St. Petersburg
 - Teleconference/webinar



The Council may also consider creating a slot limit for recreational red snapper harvest and will examine the pros and cons at a future meeting. A slot limit could potentially protect large fish that produce a disproportionately large amount of eggs, but may not be beneficial if discard mortality is high enough to offset such protection.

The Council will hold scoping meetings on inter-sector trading options sometime before the February Council meeting. Scoping meetings in Florida will take place in Panama City and St. Petersburg. Meetings will also be held via webinar or teleconference. If inter-sector trading is allowed, private recreational anglers or for-hire vessels could lease or purchase red snapper Individual Fishing Quota (IFQ) shares or allocation from commercial harvesters for use on recreational trips, even outside the recreational red snapper season.

Reef Fish “30B” Rule - Update



- Council considering removing requirement for federally-permitted for-hire boats to follow federal reef fish rules regardless of where they are fishing (“30B”)
- Final action possible at February Council meeting
- FWC staff has supported removal of this requirement based on Commission direction



At the August Council meeting, the Council directed staff to begin an amendment that would remove the requirement for federally-permitted for-hire vessels to follow federal rules when fishing for reef fish. Final action on this amendment is possible at the February Council meeting. Based on past Commission direction, the Commission’s representative on the Council supported this action. The requirement for federally-permitted for-hire vessels to follow federal rules was originally approved by the Council in 2008 (as part of Amendment 30B to the Reef Fish Fishery Management Plan) and was a response to Florida approving inconsistent red snapper regulations in state waters. Many view this rule as unfair to the for-hire industry because it prevents federally-permitted for-hire vessels from fishing in open state waters if federal waters are closed.

King Mackerel, Spanish Mackerel, and Cobia – Final Action



- Joint amendments with SAFMC
- Recreational bag limit sales
 - Prohibited in Atlantic waters with exception for state-permitted tournaments
 - Gulf will allow bag limit sales by for-hire vessels and state-permitted tournaments
- Modified commercial trip limits and adjusted fishing year for king mackerel zones
 - SAFMC will review changes and take final action at next meeting



Also at the October 2013 meeting, the Council took final action approving three king mackerel, Spanish mackerel, and cobia amendments developed jointly with the South Atlantic Fishery Management Council (South Atlantic Council). These amendments were approved by the South Atlantic Council at their September meeting. However, only two of these amendments will now be forwarded to the U.S. Secretary of Commerce for final approval. One will be sent to the South Atlantic Council for final action again because both Councils must agree on all preferred alternatives before the amendment can be reviewed by the U.S. Secretary of Commerce.

The South Atlantic Council chose to prohibit sale of king mackerel caught under the recreational bag limit in the Council's jurisdiction. The Gulf Council will allow the sale of king mackerel caught under the recreational bag limit in the Gulf Council's jurisdiction only, and only on for-hire trips in which the vessel also holds a federal king mackerel commercial permit. Both Councils approved action that would allow tournament-caught fish to be donated to and sold by a wholesale dealer if all proceeds go to charity and the state issues the tournament a permit allowing such activity. This amendment and a framework action for the South Atlantic only will be forwarded to the U.S. Secretary of Commerce for final approval. The South Atlantic framework action would allow at-sea transfer of commercially-harvested Spanish mackerel between vessels with Spanish mackerel commercial permits and modify king mackerel commercial limits during March in most Atlantic federal waters off Florida.

The amendment that will be sent back to the South Atlantic Council for approval would modify commercial trip limits and adjust fishing years for king mackerel zones. The South Atlantic Council will reconsider this amendment at its December meeting. The Councils originally selected a preferred alternative to increase the commercial king mackerel trip limit for the Eastern Zone Southern Subzone (Gulf waters off southwest Florida) from 1,250 pounds to 2,000 pounds. This limit was seen as a compromise between fishermen who wanted the limit to remain 1,250 pounds and others that favored a 3,000 pound trip limit. However, after hearing testimony from fishermen about negative economic impacts of changing this trip limit, the Gulf Council chose to keep the 1250 pound trip limit. The Council also modified the commercial king mackerel fishing seasons for the Western Zone (federal waters off Texas – Alabama) from a July 1 opening date to a Sept. 1 opening, and the Eastern Zone (federal waters off Florida) from a July 1 opening date to an Oct. 1 opening. Opening the season later in the fall would set the seasons to be when fish are available locally, and could discourage commercial king mackerel fishermen from the Atlantic coast from moving over into the Gulf during the Gulf's commercial fishing season. This amendment also includes a transit provision that allows commercial king mackerel vessels to travel through closed areas with gear stowed to land legally-harvested king mackerel.

Red Drum – Request for Acceptable Biological Catch (ABC)



- Interest in opening harvest in federal waters
 - Setting ABC would be first step
 - FWC staff has opposed opening federal waters harvest based on past Commission direction
- All harvest prohibited in federal waters since 1988
- Gulf-wide assessment scheduled for 2016; assessment attempted in 2009 but sufficient data was lacking
- NMFS and state agencies developing Gulf-wide research plan



There has been some interest in opening harvest of red drum in federal waters of the Gulf of Mexico. In October, the Council requested that the Council's Science and Statistical Committee (SSC) provide an acceptable biological catch (ABC) for red drum. This would be a first step towards allowing harvest of red drum from federal waters. All harvest (commercial and recreational) of red drum has been prohibited in Gulf federal waters since 1988. The FWC has supported the red drum closure in federal waters because of past Commission direction, and the closure protects the spawning stock of Florida's state waters red drum fishery.

A Gulf-wide stock assessment for red drum is scheduled for 2016. A Gulf-wide assessment was scheduled for 2009, but sufficient data was not available. Earlier this year, the Council requested that NMFS and Gulf state fisheries management agencies develop a research plan for red drum in federal waters.

Direction Requested



- Red snapper management
 - Regional management of recreational harvest
 - Sector reallocation
 - Sector separation
- Input on other Council items is welcome
- Next meeting is Feb. 3-7 in Houston, TX



Staff requests direction on three red snapper management items: regional management, sector reallocation, and sector separation. For regional management, staff requests direction regarding setting state allocation percentages. Previous Commission direction was for a 38% state allocation for Florida, but new MRIP data and concerns may mean that this percentage is too low for Florida. For sector reallocation, staff requests Commission direction on any preferred options, including any additional options that the Commission would like the Council to consider. Based on previous Commission direction, staff voted against moving forward with sector separation discussions, but welcomes any additional Commission direction on this issue, including whether to consider a “voluntary” option for sector separation.

Commission input on other Council items is always welcome. The next Council meeting will be Feb. 3-7 in Houston, TX.

The following slides are considered back up material and are not anticipated to be part of the Commission meeting presentation



Inconsistent Recreational Red Snapper Regulations in Other Gulf States

State	2013 Open Season	Bag Limit	Minimum Size Limit
Texas	Year round	4 fish	15 inches
Louisiana	3 day weekends from Saturday preceding Palm Sunday through Sept. 30 including Memorial Day and Labor Day (88 days)	3 fish	16 inches



This table shows state red snapper recreational harvest regulations for Texas and Louisiana. For comparison, the 2013 federal season off consistent states was June 1-28. The federal bag limit is two fish per person per day and the minimum size limit is 16 inches total length. In 2011, 10.5% of the Gulf recreational red snapper quota was landed in Texas and 6.2% of the quota was landed in Louisiana.