



 **Red Snapper – Gulf of Mexico**
Final Public Hearing
April 16, 2014
Florida Fish and Wildlife Conservation Commission
Division of Marine Fisheries Management

Version 1

This is a final public hearing for Gulf of Mexico red snapper. Red snapper are regulated as reef fish in Chapter 68B-14, Florida Administrative Code (FAC). This action would set the recreational red snapper season in Gulf of Mexico state waters to be the Saturday before Memorial Day through July 14. Because the Gulf of Mexico Fishery Management Council (Council) meets the week prior to the April Commission meeting, this document may be updated with additional information.

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Background – Gulf Recreational Red Snapper Season

- In recent years, recreational red snapper season in Gulf state and federal waters has started June 1
- Commission requested to start 2014 state season the Saturday before Memorial Day to optimize angler fishing opportunities
 - 2014 season would start May 24



Over the last several years, the recreational red snapper season in state and federal waters of the Gulf of Mexico has started on June 1. Last November, the Commission requested a draft rule that would instead start Gulf state red snapper season on the Saturday before Memorial Day to increase fishing opportunities for anglers over the holiday weekend. This would equate to a season start date of May 24 for 2014.

Red Snapper – 2014 Gulf Federal Recreational Season



- Gulf-wide federal season will be June 1 through July 10 (40 days)
 - 2 fish bag limit; 16” minimum size limit
 - Same quota as 2013
 - Assumptions:
 - FL, MS, and AL rules match federal rules
 - TX and LA keep same state rules as 2013
 - “30B” provision remains in effect
 - Legal action could affect season length

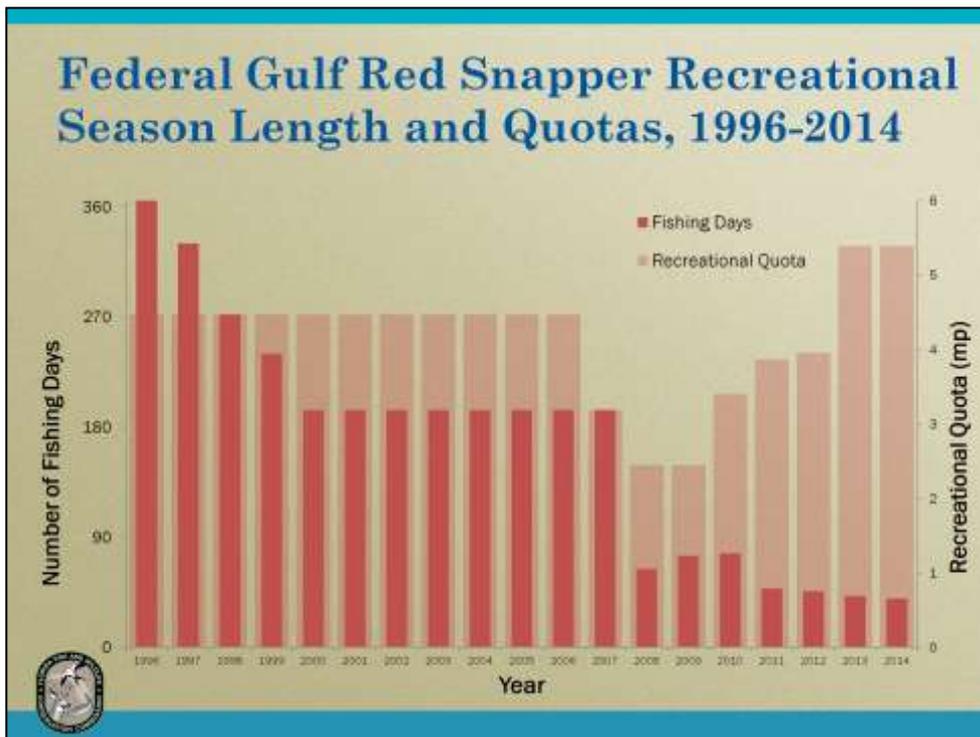


In late 2013, NOAA Fisheries announced that the 2014 Gulf federal recreational red snapper season will begin June 1 and remain open through July 10, which is when the recreational quota is expected to be reached. The bag limit will remain at 2 fish per person per day, and the minimum size limit will remain at 16 inches total length. The total allowable catch for 2014 harvest is 11 million pounds (mp), which equates to a 5.39 mp quota for recreational harvest and 5.61 mp quota for commercial harvest. The Council set the total allowable catch for this year to be the same as last year to provide some stability and predictability to the red snapper fishery.

NOAA Fisheries calculated the season length assuming that Florida, Mississippi, and Alabama state recreational red snapper regulations will match federal rules. NOAA Fisheries assumed that Texas and Louisiana would keep the same inconsistent state recreational red snapper regulations for their state waters as they had in 2013. If any state changes their recreational red snapper regulations for the 2014 season, the federal season may be adjusted to ensure that the Gulf-wide recreational quota is not exceeded. Louisiana recently announced new red snapper regulations for its state waters in 2014. Louisiana’s state season opened February 21 for three-day weekends until further notice, plus Memorial Day and Labor Day, with a two-fish bag limit and 16-inch minimum size limit. It is unclear if this change will affect the length of the federal season.

NOAA Fisheries also assumed that the requirement that federally-permitted for-hire vessels to follow federal reef fish rules when fishing in state waters (commonly referred to as “30B”) would remain in effect. Although the Gulf Council voted to remove this requirement at their last meeting, it is very unlikely that it will be removed in time for the 2014 recreational red snapper season.

Legal action against NOAA Fisheries could also affect the 2014 federal season length. Several commercial fishermen, associations, and businesses have taken legal action challenging recent federal rules that set recreational fishing season lengths and quotas for Gulf red snapper. The plaintiffs alleged that NOAA Fisheries has failed to effectively manage red snapper and keep the recreational fishery from exceeding its quota, and thus has violated the Magnuson Stevens Act and other federal laws. In March, a federal judge agreed and granted summary judgment in favor of the commercial fisherman and against NOAA Fisheries. Staff will update the Commission as needed on this issue.



The graph above shows Gulf federal recreational red snapper seasons (red) and quota (pink) since 1996. Although the red snapper quota has increased over the past several years, the federal season has gotten shorter because both fishing effort and the average weight of red snapper landed by anglers has increased, which has resulted in the quota being caught faster. Details of the recreational red snapper season for Florida state and federal waters from 2008 through 2013 can be found on slide 12 of this presentation.

Proposed Rule

68B-14.0038 Recreational Snapper Seasons

- Set the recreational fishing season for red snapper in the Gulf of Mexico to the Saturday before Memorial Day through July 14 each year
- Resulting 2014 state season would begin on May 24 and be 52 days



The proposed rule would modify Chapter 68B-14.0038, FAC, (Recreational Snapper Seasons) to set the recreational fishing season for Gulf of Mexico red snapper to begin the Saturday before Memorial Day through July 14. Opening red snapper for recreational harvest in the Gulf of Mexico the Saturday before Memorial Day rather than June 1 would allow additional harvest opportunities for anglers fishing in state waters over Memorial Day weekend. A July 14 ending date in 2014 would allow for two weekends of fishing in July, which is an important tourist season in the Gulf. The 2013 recreational red snapper season in Gulf state waters also ended on July 14. If this proposed season is approved by the Commission, the 2014 Gulf recreational red snapper season would open Saturday, May 24 for a total of 52 days.

If the recreational season opens the Saturday before Memorial Day in future years, the start date and number of harvest days would fluctuate from year to year since Memorial Day is observed on the fourth Monday of May instead of the same day each year. For example, the Saturday before Memorial Day in 2015 will be May 23 (resulting in a 53-day season) and in 2016 will be May 28 (resulting in a 48-day season).

How Would Proposed State Season Affect Federal Season?



- Federal season would likely be shortened to account for early opening in state waters
- Difficult to predict effects of Memorial Day weekend opening in state waters on federal season
 - Effort likely to be high over holiday weekend
 - Comparisons to early openings in previous years difficult because the fishery has changed
 - Proposed state season could reduce federal season by estimated 6-8 days



If the Commission moves the recreational harvest season opening from June 1 to the Saturday before Memorial Day, it is likely that the federal season would be shortened to account for state waters harvest during the time that state waters are open but federal waters are closed. Since recreational red snapper harvest has not been open over Memorial Day weekend in state waters since 2008, it is difficult to predict how the state season opening on the Saturday before Memorial Day would impact the federal season. However, it is likely that fishing effort would be high over the holiday weekend and following week and that red snapper harvest will also be high. Based on this information, FWC staff estimate that the federal season would be reduced by 6-8 days to compensate for a state season opening the Saturday before Memorial Day and ending July 14. However, the length of the federal season is determined by NOAA Fisheries, so the estimate may not be accurate. If NOAA Fisheries determines that the 40-day federal season needs to be shortened to ensure the recreational quota is not exceeded, it is likely they would announce the new season dates sometime before the federal recreational season opens on June 1.

State Season Considerations



- Large proportion of Gulf recreational red snapper harvested off Florida
 - Significant harvest in Panhandle state waters
- Early opening provides additional fishing days for Panhandle private anglers, but could limit opportunities for others
 - Nearly all harvest off central and southwest FL occurs in federal waters
 - Federal season may be shortened to account for inconsistent state season
 - Requirement that federally-permitted for-hire vessels follow federal season in state waters



There are other factors to consider when setting the season for recreational red snapper in Gulf state waters. Over the past 10 years, Florida has accounted for approximately 40-60% of the annual Gulf-wide recreational red snapper harvest. A large portion of this harvest occurred in state waters, so Florida plays an important role in the Gulf red snapper rebuilding plan. Thus, Florida's state season could affect the length of the federal season. The Commission's proposed 52-day season would provide additional fishing days over Memorial Day weekend and the following week for private anglers that fish off Florida's Panhandle but would not benefit anglers fishing off of central and southwest Florida. This is because red snapper are often caught in state waters off the Panhandle, but very rarely caught in state waters off central and southwest Florida. In addition, an inconsistent season would limit opportunities to catch red snapper in federal waters if the federal season is shortened to compensate for the additional red snapper harvest occurring in state waters when federal waters are closed. Nearly all red snapper that are caught off central and southwest Florida are harvested in federal waters, which means that a longer state season would not benefit anglers that fish out of this area. Finally, although the Council voted to remove the "30B" provision, federally-permitted for-hire vessels must follow the federal season, even in state waters, until the Secretary of Commerce approves removing "30B." It is unlikely that "30B" will be removed in time for the 2014 red snapper season. This means that an inconsistent state season would limit fishing opportunities for tourists and anglers fishing from federally-permitted for-hire vessels off Florida.

Staff Recommendation

Approve the proposed rule

- To open the Gulf recreational harvest season the Saturday before Memorial Day through July 14
- If approved, rule would be effective May 24, 2014



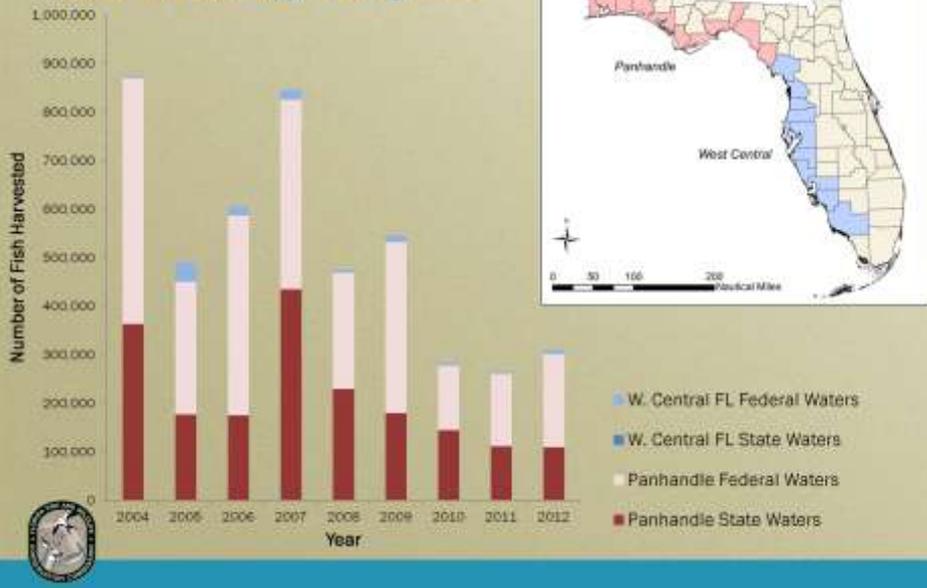
Staff recommends approving the proposed rule to modify the recreational harvest season for red snapper in the Gulf of Mexico. This would set the recreational harvest season for red snapper in the Gulf of Mexico to begin on the Saturday before Memorial Day through July 14. For 2014, the season would begin Saturday, May 24, and would be 52 days long.

If approved, staff recommends making the rule effective May 24, 2014. Staff has evaluated the rules under the standards of 68-1.004, FAC, and found them to be in compliance.

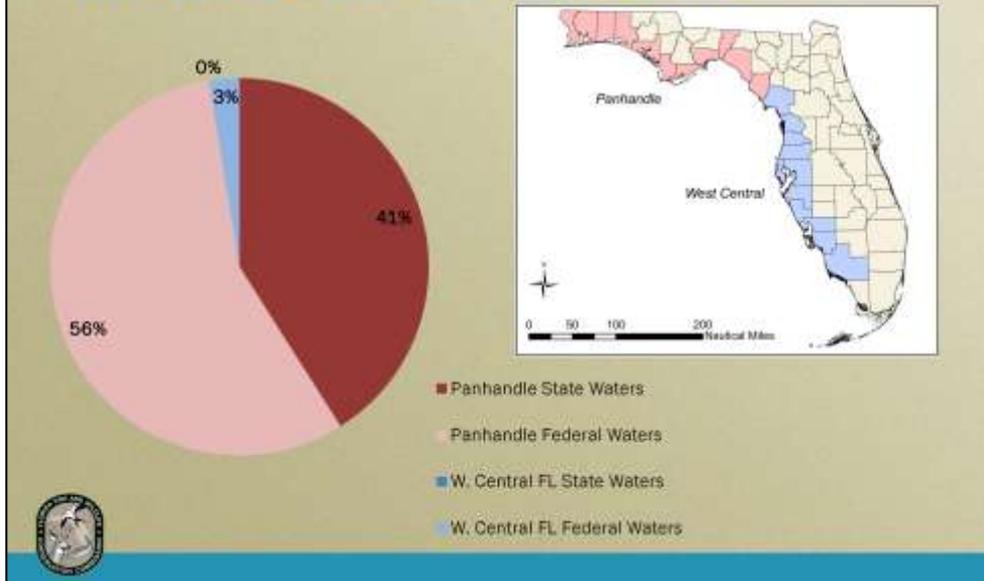
The following slides are considered back up material and are not anticipated to be part of the Commission meeting presentation



Recreational Catch of Red Snapper in the Gulf by Region



Recreational Catch of Red Snapper in the Gulf by Region, 2004-2012



Note: Catch of red snapper in West Central Florida state waters is 0% due to rounding. The actual value is approximately 0.0002%.

Red Snapper Season History



2008	<ul style="list-style-type: none"> Federal season (shortened): June 1 – Sept.30 FWC kept state season as is: Apr. 15 – Oct. 31 Adjusted federal season: June 1 – Aug. 5 (65 days)
2009	<ul style="list-style-type: none"> FWC adjusts state season: June 1 – Sept.30 Federal (response to overharvest): June 1 – Aug. 14 FWC matched federal season: June 1 – Aug. 14 (75 days)
2010	<ul style="list-style-type: none"> Federal and state seasons: June 1 - July 23 (53 days) Supplemental state and federal seasons: Oct.1 – Nov. 22 (weekends only – 24 days)
2011	<ul style="list-style-type: none"> Federal and state seasons: June 1 - July 18 (48 days)
2012	<ul style="list-style-type: none"> Federal and state seasons: June – July 16 (46 days)
2013	<ul style="list-style-type: none"> State season: June 1 – July 14 (44 days) Federal season: June 1-28 (28 days) State supplemental season: Oct. 1-21 (21 days) Federal supplemental season: Oct. 1-14 (14 days)



In February 2008, the Commission adopted a consistent recreational bag limit but retained the existing state recreational season of April 15 through Oct. 31. To account for the longer state season and associated increase in catch, NOAA Fisheries shortened the federal recreational season to June 1 – Aug. 5 (65 days). The 2008 recreational quota of 2.45 mp was exceeded by 1.22 mp. Part of this overrun was due to the longer state season, as well as heavier red snapper being landed in 2008 compared to previous years.

In early 2009, at the request of the Council, NOAA Fisheries, and representatives of the northwest Florida charter industry, the Commission approved state consistency with the original federal season of June 1 through Sept. 30 (122 days). In May 2009, NOAA Fisheries shortened the recreational red snapper season as an accountability measure to offset the 2008 harvest overrun. The dates of the federal season were again dependent on Florida adopting a consistent recreational red snapper season in state waters. The Commission approved state consistency and the 2009 season in state and federal waters was June 1 through Aug. 14 (75 days).

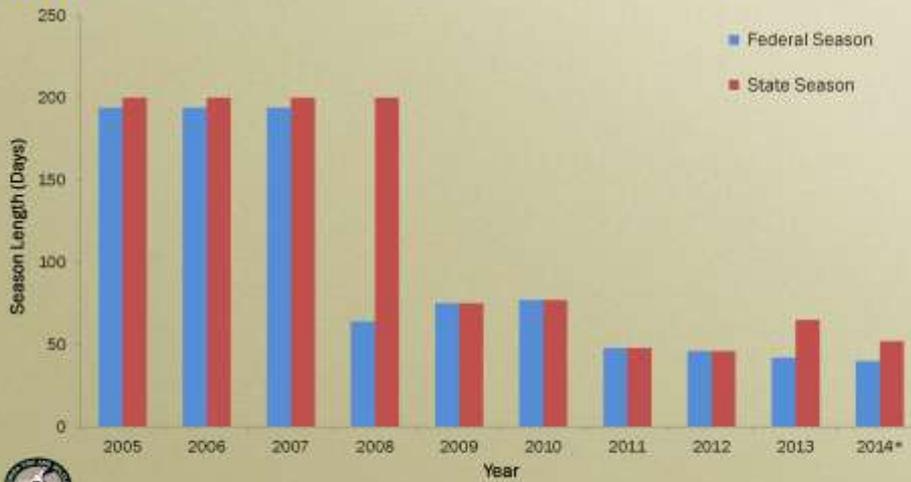
The 2010 federal and state seasons were shortened to 53 days, resulting in a June 1 – July 23 season. The Council increased the catch limit for the Gulf red snapper fishery from 5.0 to 6.945 mp for 2010. However, federal fisheries managers predicted that if the season length was kept the same as 2009, the catch limit would have been exceeded because of the high level of recreational fishing effort in the Gulf. More than half of the Gulf of Mexico was closed to fishing during the 2010 red snapper season due to the oil spill, which resulted in lower than expected recreational red snapper landings. Federal fishery managers and the Commission approved a 24-day supplemental season of weekends only from Oct. 1 – Nov. 22, 2010.

The 2011 Gulf recreational red snapper season was June 1 through July 18 (48 days). The Council increased the catch limit to 7.185 mp for 2011. Despite this increase, the 2011 season was shorter than the 2010 regular season because of high predicted fishing effort and larger, heavier red snapper.

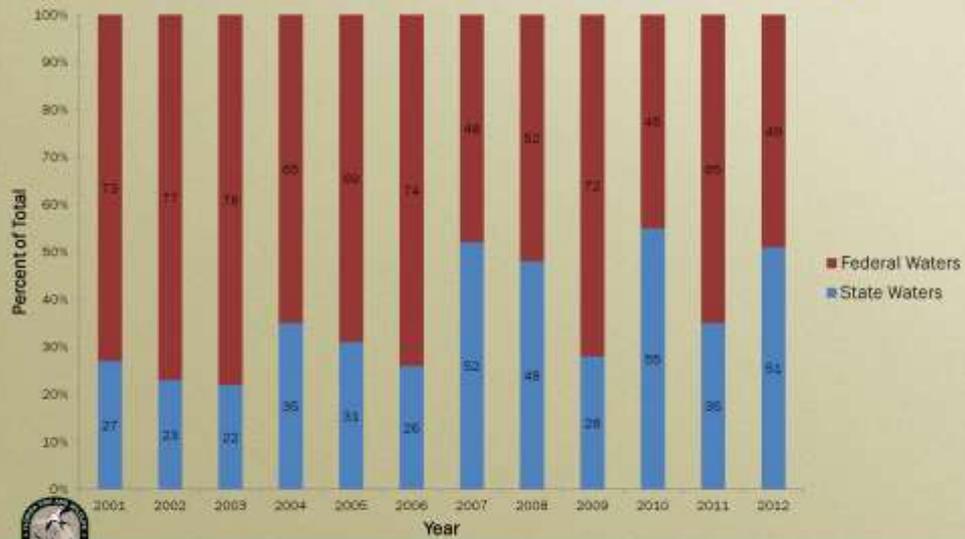
The 2012 Gulf recreational red snapper season was originally June 1 through July 10. The Council increased the catch limit for 2012 to 8.080 mp. Despite this increase, the 2012 season was shorter than the 2011 season because of high fishing effort and heavier fish. The 2012 season was extended by six days to account for lost fishing days during Tropical Storm Debby. As a result, the season was 46 days total and ran through July 16.

In 2013, an emergency rule granted NOAA Fisheries authority to shorten the federal recreational red snapper season off states that adopt inconsistent red snapper regulations in their state waters. The federal season off states with consistent regulations was set at 34 days. The federal season off Florida was set at 26 days because Florida had approved a June 1 – July 14 (44 days) state season. A U.S. District Court overturned the emergency rule, and as a result, a Gulf-wide federal season of June 1-28 (28 days) was established. In September, the red snapper catch limit was raised to 11 mp based on new stock assessment results. This quota increase allowed for a supplemental season. The state supplemental season was Oct. 1-21 and the federal supplemental season was Oct. 1-14.

Florida State and Federal Recreational Gulf Red Snapper Season Lengths, 2005-2014



Harvest of Red Snapper in Whole Weight of Fish in Florida, 2001-2012



Inconsistent Recreational Red Snapper Regulations in Other Gulf States

State	2014 Open Season	Bag Limit	Minimum Size Limit
Texas	Year round	4 fish	15 inches
Louisiana	3 day weekends (Friday, Saturday, Sunday) from February 21 until further notice, plus Memorial Day and Labor Day	2 fish	16 inches



This table shows current state red snapper recreational harvest regulations for Texas and Louisiana. For comparison, the 2014 federal season is currently scheduled to be open June 1 through July 10. The federal bag limit is two fish per person per day and the minimum size limit is 16 inches total length.

Harvest of Red Snapper in Whole Weight of Fish by State, 1986-2012

