



# PUBLIC HEARING GUIDE

10/14/15



## Reef Fish Amendment 39: Regional Management of Recreational Red Snapper





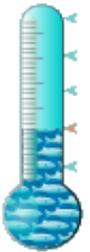
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## What is a Public Hearing?

A public hearing gives you an opportunity to comment on a fishery management plan or amendment that the Gulf of Mexico Fishery Management Council is developing. Public hearings are conducted later in the amendment development process, after the Council has begun selecting preferred alternatives for proposed actions, but before taking final action. Suggestions, issues, and concerns expressed during the public hearings will be presented to the Council for review and consideration before final action is taken.

Focusing your comments on the pros and cons of specific alternatives in each action provides the most useful guidance to the Council. If you are unable to attend a public hearing in person, you are encouraged to submit your comments online. For online comment forms, video presentations, and full Amendment documents, visit our website at [www.gulfcouncil.org](http://www.gulfcouncil.org) and click the thermometer icon at the center of the homepage.



## How does a public hearing affect fisheries management?

Comments provided during the public hearing process are reported to the full Council prior to final action. Your input is considered as the Council deliberates and chooses the most appropriate management measures to address the issue(s) at hand.

## How else can I get involved?

There are many ways you can help the Gulf of Mexico Fishery Management Council identify fishery management needs and develop reasonable management alternatives, each dependent on how actively involved you want to become. The first step to becoming involved is to educate yourself about the management process by visiting our website at [www.gulfcouncil.org](http://www.gulfcouncil.org), signing up to receive our communications, and contacting Council members and staff to discuss management concerns. You can attend meetings, serve on panels and committees that advise the Council on fishery issues, and even apply to become a Council member.

## Introduction to Amendment 39

Recreational red snapper fishing in the federal waters of the Gulf of Mexico is managed with a 2-fish bag limit, 16-inch total length (TL) minimum size limit, and a fishing season that begins June 1 and closes when the quota is projected to be caught. The fishing season has become progressively shorter since 1996 and fishermen have asked for more flexibility to make regulations that provide greater socioeconomic benefits to their particular area. To accomplish this, the Gulf of Mexico Fishery Management Council is considering a regional management approach.

With regional management, regions could adopt management measures to better suit their local area while continuing to achieve federal conservation goals. The measures adopted by a region must be designed to constrain harvest within the region's portion of the recreational quota. Red snapper would remain a federally managed species, and the Council and National Marine Fisheries Service (NMFS) would continue to oversee management and ensure that the annual recreational quota is not exceeded.

If a region does not implement management measures that are consistent with the fishery management plan then NMFS will suspend regional management for that region until the identified inconsistencies are corrected. If a suspension of regional management occurs or if a region opts out of regional management then default federal regulations will be put in effect for the harvest of red snapper in that region.

## Definitions

**ABC - Acceptable Biological Catch** - A scientific calculation of the sustainable harvest level for a species or species group. It is used to set the upper limit on the range of potential annual total allowable catch.

**ACL - Annual Catch Limit** - a harvest level set at or below the Acceptable Biological Catch (ABC) to further reduce the likelihood that the annual catch will exceed the ABC and Overfishing Limit (OFL). The ACL is also the limit of annual catch for a stock that if exceeded, triggers accountability measures. In the case of regional management, the post-season overage adjustment is triggered if the ACL is exceeded.

**ACT - Annual Catch Target** - a management target set below the ACL that provides a buffer to reduce the likelihood of exceeding the ACL. The ACT is an in-season accountability measure (AM).

**AM - Accountability Measure** - Management controls to prevent ACLs from being exceeded and to correct or mitigate overages of the ACL if they occur.

**Conservation Equivalency** - allowing individual regions to propose and establish varied regional management measures such that the aggregate harvest and impacts on the stock from all regions is equivalent to the conservation protections on the resource provided by Gulf-wide management measures.

## Amendment 39 - Summary of Actions

### Action 1. Regional Management

Currently, recreational regulations are the same across all federal waters of the Gulf of Mexico. The Council is considering establishing a regional management program that will allow different regulations to be selected in different regions of the Gulf. The Council is evaluating two approaches to regional management: delegation and the use of conservation equivalency plans (CEPs).

*Note: For Alternatives 2, 3, and 4, if a region elects not to participate, its delegation is inactive, or its CEP is not approved, then the recreational harvest of red snapper in the federal waters adjacent to such region would be subject to the federal default regulations for red snapper.*

**Alternative 1:** No action.

**Alternative 2:** Establish a regional management program that delegates some management authority to a state or group of states (regions). Each region must establish the red snapper season structure and bag limit for the harvest of an assigned portion of the recreational sector annual catch limit (ACL).

**Alternative 3:** Establish a regional management program in which regions submit proposals to **NMFS** describing the conservation equivalency measures the region will adopt for the management of its portion of the recreational sector ACL. The proposals must specify the red snapper season and bag limit. To be a conservation equivalency plan (CEP), the plan must be reasonably expected to limit the red snapper harvest to the region's assigned portion of the recreational sector ACL.

**Preferred Alternative 4:** Establish a regional management program in which regions submit proposals to a **technical review committee** describing the conservation equivalency measures the region will adopt for the management of its portion of the recreational sector ACL. The proposals must specify the red snapper season and bag limit. To be a CEP, the plan must be reasonably expected to limit the red snapper harvest to the region's assigned portion of the recreational red snapper ACL.

The technical review committee reviews and may make recommendations on the plan, which is either returned to the region for revision or forwarded to NMFS for final review.

**Preferred Alternative 5:** Establish a provision to sunset regional management after:

- |                            |                                   |
|----------------------------|-----------------------------------|
| <b>Option a:</b>           | 10 calendar years of the program. |
| <b>Preferred Option b:</b> | 5 calendar years of the program.  |
| <b>Option c:</b>           | 3 calendar years of the program.  |
| <b>Option d:</b>           | 2 calendar years of the program.  |

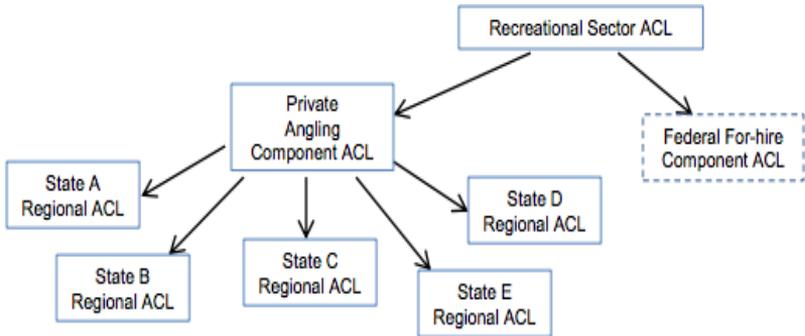
## Action 2: Regional Management and Sector Separation

In October 2014, the Council took final action on Amendment 40 - Sector Separation to apportion the recreational ACL between the federal for-hire and private angling components of the recreational sector for a period of three years (2015-2017). Under all alternatives (except No Action) the sunset provision in Amendment 40 that ends sector separation is removed. If the Council chooses to extend sector separation, it will have to decide whether to apply regional management to both components of the recreational sector or only to the private angling component.

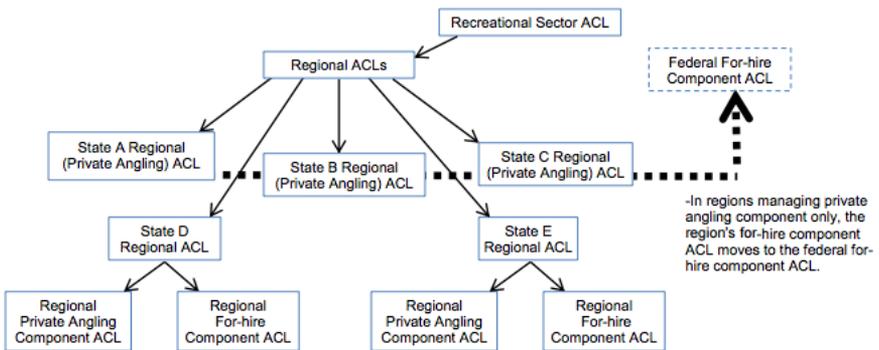
***Note: The sunset provision for sector separation is removed under Alternatives 2, 3, and 4. Regional ACLs and regional component ACLs, if applicable, will be reduced by the established buffer resulting in respective regional ACTs and regional component ACTs.***

**Alternative 1:** No action.

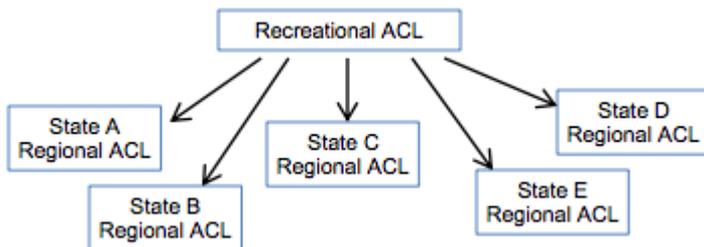
**Alternative 2:** Extend the separate management of federal for-hire and private angling components of the recreational sector. This amendment would apply to the private angling component only. The private angling component would be managed by each region under regional ACLs based on the allocation selected in Action 6.



**Alternative 3:** Extend the separate management of the federal for-hire and private angling components of the recreational sector. The recreational sector ACL will be divided into regional ACLs using the allocation selected in Action 6. The regional ACLs will be further divided into regional component ACLs. A region may manage both components or may opt to manage the private angling component only. If managing the private angling component only, the region's for-hire component ACL would become part of the federal for-hire component ACL.



**Alternative 4:** End the separate management of the federal for-hire and private angling components upon implementation of this amendment, and have this amendment apply to the entire recreational sector. The private angling and federal for-hire components would be managed as a single unit by each region under regional ACLs based on the allocation selected in Action 6.



### Action 3: Establish Regions for Management

Regions could consist of one state or several adjacent states. For example, each of the five states could be a separate region, or regions could be made up of multiple adjacent states.

**Alternative 1:** No action.

**Alternative 2:** Establish an east (Florida, Alabama, Mississippi) and west (Louisiana, Texas) region and allow for different management measures for each region.

**Alternative 3:** Establish an east (Florida, Alabama) and west (Mississippi, Louisiana, Texas) region and allow for different management measures for each region.

**Alternative 4:** Establish five regions representing each Gulf State.

**Preferred Alternative 5:** Establish five regions representing each Gulf State, which may voluntarily form multistate regions with adjacent states.

## Action 4: Modify the Federal Minimum Size Limit

The minimum size limit for recreational red snapper is 16 inches TL in the Gulf and all Gulf states except Texas. In Texas state waters the recreational red snapper minimum size limit is 15 inches TL. Due to biological concerns associated with the stock assessment, the Council has decided that the regions would adhere to the federal minimum size limit. This action evaluates modifying the minimum size limit.

**Alternative 1:** No Action – The federal minimum size limit is 16 inches TL.

**Alternative 2:** Reduce the federal minimum size limit to 14 inches TL.

**Preferred Alternative 3:** Reduce the federal minimum size limit to 15 inches TL.

**Alternative 4:** Increase the federal minimum size limit to 17 inches TL.

**Alternative 5:** Increase the federal minimum size limit to 18 inches TL.

## Action 5: Closures in Federal Waters

Currently, each Gulf State has the authority to open and close its state waters to fishing, while the authority to open and close federal waters to fishing resides with NMFS. If regional management is implemented, the fixed recreational closed season for red snapper in federal waters would be removed and become part of the federal default regulations, applied in the event a region's delegation is inactive or its CEP is not approved.

**Alternative 1:** No Action – Regions may not establish closed areas in federal waters adjacent to their region.

**Preferred Alternative 2:** A region may establish closed areas within federal waters adjacent to their region in which the recreational harvest of red snapper is prohibited.

**Option 2a:** Areas of the Gulf may be closed for up to six months.

**Option 2b:** No more than 50% of the federal waters adjacent to a region may be closed during the year.



Map of state waters (shaded in color for each State) with established and proposed boundaries between states extending into federal waters. Federal waters adjacent to a State or region refer to the portion of federal waters bounded by the State or region's state waters and the boundary line(s) shown in the figure that separate federal waters off of each State.

## Action 6: Apportioning the Recreational ACL Among Regions

The adoption of regional management for the recreational sector will require the recreational sector ACL to be allocated among the selected regions to create regional ACLs.

**Alternative 1:** No Action – Retain current federal regulations for allocating the recreational sector ACL between the private angling component and federal for-hire component for the years **2015-2017**. Do not divide the recreational sector ACL among regions.

**Alternative 2:** Apportion the recreational sector ACL (or component ACLs) among the regions selected in Action 3 based on the average of historical landings for the years **1986-2013**.

**Alternative 3:** Apportion the recreational sector ACL (or component ACLs) among the regions selected in Action 3 based on the average of historical landings for the years **1996-2013**.

**Alternative 4:** Apportion the recreational sector ACL (or component ACLs) among the regions selected in Action 3 based on the average of historical landings for the years **2006-2013**.

**Preferred Alternative 5:** Apportion the recreational sector ACL (or component ACLs) among the regions selected in Action 3 based on 50% of average historical landings for the years 1986- 2013 and 50% of average historical landings for the years **2006-2013**.

**Preferred Alternative 6:** In calculating regional apportionments, exclude from the selected time series:

**Preferred Option a:** 2006 landings

**Preferred Option b:** 2010 landings

**Alternative 7:** Apportion the recreational sector ACL into eastern and western regional ACLs (or component ACLs) divided approximately at the Mississippi River, based on regional biogeographical differences in the stock used in the stock assessments.

**Alternative 8:** Apportion the recreational sector ACL (or component ACLs) among the regions selected in Action 3 such that each region's allocation provides an equivalent number of fishing days.

### **Action 7: Post-Season Accountability Measures (AMs)**

The Magnuson-Stevens Act requires the Council ensure to establish separate commercial and recreational (private and for-hire vessels) sector ACLs and to prohibit the possession of red snapper caught for the remainder of the fishing year once each sector ACL is reached. The National Standard 1 guidelines identify two types of AMs: in-season and post-season. These AMs are not mutually exclusive and should be used together where appropriate. In 2014, the Council adopted an in-season AM that set an ACT that is 20% below the ACL. The Council also adopted a post-season AM that reduces the recreational sector ACL in the year following an ACL overage by the full amount of the overage unless the best scientific information available determines that a greater, lesser, or no overage adjustment is necessary.

**Alternative 1:** No Action. While red snapper are overfished, if the recreational sector ACL (quota) is exceeded, reduce the recreational sector ACL in the following year by the full amount of the overage.

**Preferred Alternative 2:** While red snapper are overfished (based on the most recent Status of U.S. Fisheries Report to Congress), if the combined recreational landings exceed the recreational sector ACL, then reduce in the following year the regional ACL of any region that exceeded its regional ACL by the amount of the region's ACL overage in the prior fishing year.

**Option a:** If a region has both a private-angling ACL and a federal for-hire ACL, the reduction will be applied to the component(s) that exceeded the applicable ACL.

**Option b:** If a region has both a private-angling ACL and a federal for-hire ACL, the reduction will be applied equally to both components.

The Council is collecting input on this proposed amendment at a series of meetings across the Gulf coast. Each of the following meetings will begin at 6:00 p.m. local time and conclude no later than 9:00 p.m.

**Mon, October 19, 2015**  
Courtyard Marriott Gulfport  
Beachfront  
1600 East Beach Blvd.  
Gulfport, MS 39501

**Tues, October 20, 2015**  
Renaissance Mobile  
Riverview Plaza Hotel  
64 South Water Street  
Mobile AL 36602

**Mon, October 19, 2015**  
Hilton Garden Inn  
6717 South Padre Island Dr  
Corpus Christi, TX 78412

**Tues, October 20, 2015**  
Embassy Suites San Antonio  
10110 US Highway 281 N  
San Antonio, TX 78216

**Wed, October 21, 2015**  
Hampton Inn & Suites  
2320 Gulf Freeway South  
League City, TX 77573

**Thurs, October 22, 2015**  
Embassy Suites  
570 Scenic Gulf Drive  
Destin, FL 332550

**Tues, October 27, 2015**  
Hilton St. Petersburg  
Carillon Park  
950 Lake Carillon Dr.  
St. Petersburg, FL 33716

**Wed, October 28, 2015**  
Webinar  
Visit <http://tinyurl.com/ph5dyeu>  
to register

**All in-person meetings begin at 6:00 pm local time and end no later than 9:00 pm local time. Webinars begin at 6:00 pm Eastern Time.**

**Mon, November 2, 2015**  
Doubletree  
4964 Constitution Avenue  
Baton Rouge, LA 70808  
225-925-1005

If you are unable to attend a public hearing, your input is still important. Submit comments online at: <http://tinyurl.com/abzvya2>, or click on the thermometer icon on our home page.





## **Gulf of Mexico Fishery Management Council**

2203 N. Lois Avenue  
Suite 1100  
Tampa, FL 33607

Tel: 888-833-1844

Fax: 813-348-1711

Email: [gulfcouncil@gulfcouncil.org](mailto:gulfcouncil@gulfcouncil.org)

Web site: [www.gulfcouncil.org](http://www.gulfcouncil.org)

