

From: **Bill Staff** <captainbill@seaspraycharterfishing.com>
Date: Mon, Oct 29, 2012 at 2:23 PM
Subject: Public Comment
To: Roy Crabtree <roy.crabtree@noaa.gov>

Hey Roy

Please forward to counsel.

Bill Staff

Sea Spray Charters

32 years charter fishing

Would like to thank counsel for opportunity to comment! Triggerfish(would like to see creel limit(set at 2-4) adjusted to have maximum season length. The size limit and low fishing pressure has definitely helped triggers rebuilding process!

Amberjack leave at status quo! No increase in size limit because every time that happens we see a closed season shortly follow due to increase fish size caught!

Would like to see vermilion creel limit lowered possibly 10, before we have another episode of what happened with trigger this year!

Again would like to reintegrate the man made unbalance of red snapper and that we need to catch more of them to let the other fish have a chance of survival and not get eaten when their an inch long!

Thanks

Bill Staff

Sent from my iPhone

--

Dr. Roy Crabtree

Regional Administrator

Southeast Regional Office

NOAA Fisheries



October 25, 2012

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

RE: Public Hearing Draft for Amendment 37 to the Reef Fish Fishery Management Plan - Modifications to the Gray Triggerfish Rebuilding Plan Including Adjustments to the Annual Catch Limits (ACL) and Annual Catch Targets (ACT) for the Commercial and Recreational Sectors

Dear Chairman Boyd:

Please accept these comments on behalf of the Pew Environment Group regarding the Public Hearing Draft to Amendment 37 to the Reef Fish Fishery Management Plan (Amendment 37). As indicated by the 2011 update assessment and acknowledged by NOAA Fisheries Service¹, the rebuilding plan for gray triggerfish implemented in 2008 through Amendment 30A is not working. The update assessment found that overfishing is occurring at 4% above the sustainable fishing level. The population also remains overfished and is at 39% of the level at which it would be considered rebuilt.² In response, the Gulf Council's Scientific and Statistical Committee (SSC) recommended reducing catch limits to rebuild the gray triggerfish population.³ We urge the Council to comply with this recommendation and finalize Amendment 37 at the October 2012 Council meeting so that the rebuilding plan can get back on track as soon as possible. We also encourage the Council to select preferred alternatives that have a high probability of achieving the recreational and commercial annual catch targets (ACTs) to avoid exceeding the annual catch limits (ACLs). This is critical to ensuring the population will recover within the 5 year timeframe laid out in the Amendment.

Specifically, we recommend:

¹ Gray Triggerfish FAQs. May 2012. http://sero.nmfs.noaa.gov/sf/pdfs/Gray_Triggerfish_FAQs.pdf

² SEDAR 9 Update Assessment. Stock assessment of gray triggerfish in the Gulf of Mexico. December 2011.

³ Draft Interim Rule_03-27-12, Tab B-5(a) for Gulf Council April 2012 meeting.

- That the Council factor in some level of discard mortality (e.g., 5-10 %), as the current assumption of 0% is unrealistic. This discard mortality rate should be incorporated into the data analysis (i.e., management decision tools) for both the commercial and recreational fisheries so that the reduction in mortality achieved in that analysis includes mortality from both landed fish and those that are discarded dead.
- In Action 1, that Alternative 3 remains the preferred alternative. This sets the rebuilding plan based on a constant fishing mortality rate (F) that does not exceed the fishing mortality associated with optimum yield and rebuilds the gray triggerfish population within 5 years.
- In Action 2, that Alternative 4 remains the preferred alternative. This sets the ACLs consistent with the SSC's acceptable biological catch (ABC) recommendation and establishes ACTs based on the ACL/ACT control rule.
- In Actions 3 and 4.1, that Alternative 2 remains the preferred alternative. This establishes a fixed closed season for the commercial and recreational fishery to coincide with the peak spawning season.
- In Action 4.3, that Alternative 2 remains the preferred alternative. This gives the Regional Administrator the authority to close the recreational fishery in-season when the catch reaches the recreational ACT. We recommend that the Council also maintain Alternative 4 as a preferred alternative, which establishes a payback provision when the recreational ACL is exceeded. As currently written, this alternative deducts the amount of the overage from the following year's ACL and ACT. However, we recommend that the adjustment to the ACT be determined by applying the ACT/ACL control rule. This would more explicitly reflect changes in the degree of management uncertainty associated with this fishery.

Some Level of Release Mortality Should Be Factored Into the Rebuilding Plan

Amendment 37 assumes the release or discard mortality rate for gray triggerfish is zero. This assumption was used in the 2006 benchmark assessment of gray triggerfish (SEDAR 9) and carried over in the 2011 update assessment. It is based on research from Dr. Will Patterson and Dr. Walter Ingram in the late 1990s. Their studies examined the condition of released gray triggerfish as a means to indirectly estimate discard mortality but were not intended to be used as direct estimates of release mortality. In a summary paper of these studies, the researchers state that controlled experiments (i.e., more research) are needed to validate that the release condition of individual fish correlates to release mortality.⁴ Changes in management such as the length of the season, size limits or bag limits will affect the level of discard mortality and are being considered in Amendment 37. While some studies indicate these fish may not suffer from barotrauma as much as other species, thorough research on this subject has not been conducted for gray triggerfish. Assuming that release mortality is actually zero is overly optimistic and could hamper the rebuilding plan. Therefore, some level of release mortality should be assumed and factored into the rebuilding plan.

⁴ Patterson William F. III, G. Walter Ingram, Robert L. Shipp, and James H. Cowan, Jr. 2002. Indirect estimation of red snapper (*Lutjanus campechanus*) and gray triggerfish (*Balistes capriscus*) release mortality. Proceedings of the 53rd Gulf and Caribbean Fisheries Institute, pp 526-536.

NOAA Fisheries Service staff have created ‘management decision tools’ that allow Council members to analyze the commercial and recreational management options. However, these tools only factor in the landed portion of the catch. We urge the Council to request that some level of discard mortality (5 or 10%) be included in these decision tools so that the management options selected will factor in all sources of fishing mortality and provide a more realistic scenario. This is both more in keeping with the National Standard 1 Guidelines, which call for ACLs that include all sources of mortality and it is similar to how the decision tools were applied in the gag rebuilding plan (Amendment 32). This will also provide stronger assurance that the gray triggerfish rebuilding plan will be successful.

A Closed Season Should Prioritize Protecting Spawning

In order to reduce the ACL and ACT to the levels required to rebuild the gray triggerfish population, it is necessary to close the commercial and recreational fisheries for several months. Throughout the Gulf, triggerfish spawn starting in April and lasting through September, based on a number of studies identified in SEDAR 9.⁵ However, the bulk of the fishery operates off the coasts of Florida and Alabama. In those areas, the spawning is reported to take place primarily in June and July off Alabama and in August and September off west Florida. Protecting the depleted gray triggerfish population during spawning season should be a priority in the revised rebuilding plan. However, the Council should also account for discard mortality expected to occur when implementing a closed season as described above.

Applying AMs

We support the revisions to the AMs in Action 4.3 that adjust both the ACL and ACT if the ACL is exceeded. However, rather than doing a straight adjustment in ACT based on the amount that landings exceeded the ACL, it would be more appropriate and consistent to adjust the ACT from the ACL using the Council’s ACT control rule, as adopted in the Generic ACL Amendment. As the ACT is a direct reduction of the ACL to account for management uncertainty, it seems that whenever the ACL is exceeded or adjusted, the buffer provided by the control rule should be re-applied to that ACL. Not only does this provide consistency across FMPs, but it is also within the intent of National Standard 1 guidelines⁶ and the Council’s Generic ACL Amendment⁷ for implementing ACLs.

Consistently applying the ACT control rule allows for flexibility to adapt the level of management uncertainty to reflect changing fishery and data conditions. For example, if the fishery maintains catch within the prescribed ACL, there should be a reduction in the buffer between the ACL and ACT as management uncertainty decreases. While the reverse is also true, this approach provides a built-in incentive to improve data and management. Additionally, there are likely occasions when adjustments to an ACT based on a straight deduction of the amount by

⁵ Stock assessment report 1 of SEDAR 9: Gulf of Mexico gray triggerfish. Southeast Data, Assessment and Review. North Charleston, South Carolina. 2006.

⁶ 50 CFR §600.310(f)(6)

⁷ Final Generic Annual Catch Limits/Accountability Measures for the Gulf of Mexico Fishery Management Council’s Red Drum, Reef Fish, Shrimp, Coral and Coral Reefs, Fishery Management Plans. Sept. 2011, Section 1.3, pg 3.

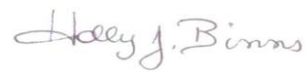
which the ACL was exceeded would be greater than if the ACT were calculated using the control rule. And since the initial ACTs for gray triggerfish in Amendment 37 were calculated using the ACT control rule, it is highly appropriate to use the control rule to re-set ACT levels following any overages and resulting changes to the ACLs.

The proposed management changes in Amendment 37 should set the course to rebuild gray triggerfish by 2017, assuming that discard mortality is appropriately considered and addressed. Thank you for the opportunity to provide comments on the modifications being considered to the gray triggerfish rebuilding plan.

Sincerely,



Chad Hanson
Senior Science and Policy Analyst
Gulf of Mexico Fish Conservation Campaign
Pew Environment Group



Holly Binns
Director
Southeast Fish Conservation Campaigns
Pew Environment Group

449 Central Avenue
Suite 200
St. Petersburg FL 33701



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www.oceanconservancy.org

October 22, 2012

Mr. Doug Boyd, Chair
Gulf of Mexico Fishery Management Council
2203 North Lois Avenue, Suite 1100
Tampa, FL 33607

RE: Comments on the Final Draft of Amendment 37 to the Gulf of Mexico Reef Fish Fishery Management Plan

Dear Mr. Boyd:

On behalf of Ocean Conservancy,¹ please accept the following comments with respect to the Gulf of Mexico Fishery Management Council's (Council) final draft of Amendment 37 to the Reef Fish Fishery Management Plan (Amendment 37) intended to end overfishing and revise the rebuilding plan for gray triggerfish in the Gulf of Mexico.²

Gulf of Mexico gray triggerfish have been managed under a rebuilding plan since 2008, after a 2006 stock assessment (SEDAR 9 2006b) indicated that the population was experiencing overfishing and could be overfished. Amendment 30A (2008) to the Gulf Reef Fish FMP put in place a rebuilding plan for gray triggerfish that included commercial and recreational annual catch limits (ACLs) and annual catch targets (ACTs) as well as in-season and post-season accountability measures (AMs). Implementation of those management measures was projected to have the gray triggerfish population rebuilt by 2013. However, a recent update stock assessment for gray triggerfish (SEDAR 9 Update, 2011) revealed that population status has worsened, that overfishing is still occurring, and that the rebuilding target will likely not be met. As per the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the National Marine Fisheries Service (NMFS) and the Council must now prepare and implement a fishery management plan, plan amendment or proposed regulations to end overfishing immediately and ensure population rebuilding in as short a time as possible, not to exceed ten years.³

¹ Ocean Conservancy, a non-profit organization with over 120,000 members, educates and empowers citizens to take action on behalf of the ocean. From the Arctic to the Gulf of Mexico to the halls of Congress, Ocean Conservancy brings people together to find solutions for our water planet. Informed by science, our work guides policy and engages people in protecting the ocean and its wildlife for future generations.

² GMFMC 2012. Draft Options Paper for Amendment 37 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico. October 2012 GMFMC Meeting Briefing Book Tab B, No. 5(c).

³ 16 U.S.C. § 1854(e).

Amendment 37 proposes changes to the gray triggerfish rebuilding plan to comply with this MSA requirement. Ocean Conservancy supports the new rebuilding timeline selected in Action 1. However, we have some concern about specific management measures to achieve the new rebuilding goal.

The Council is setting the new ACL at the SSC's ABC recommendation of 305,300 lbs. At this catch level, the population is projected to be rebuilt within 5 years, which falls just within the legally allowable rebuilding limit. We support the use of the Council's ACT control rule to determine the level of the ACT (Action 2, preferred alternative 4), set below the ACL to reduce the risk of exceeding the ACL. We furthermore support the establishment of fixed commercial and recreational closures during peak spawning (Action 3.1 preferred alternative 2 and Action 4.1 preferred alternative 4). Lower-than-average gray triggerfish recruitment was identified by the SEDAR 9 Update as a potential issue of concern regarding population rebuilding, and a peak spawning closure will alleviate fishing pressure during this important time. We are also supportive of a recreational in-season closure when the ACT is reached or projected to be reached and an overage deduction if the population is overfished (Action 5, preferred alternatives 2 and 4).

While we commend the Council on the above management decisions, we also have some concerns about the success of Amendment 37. Under the Council's preferred choice of combination of commercial management measures under Action 3 (June and July closure and 50 lb trip limit), the commercial ACT and ACL are projected to be exceeded, meaning an in-season closure will likely be necessary. We recommend that the Council modify its preferred alternatives under Action 3 to a combination of options that results in projected landings that stay below the ACT and certainly below the ACL. This would result in more predictability for commercial fishermen and reduce the risk of exceeding the ACL and compromising the rebuilding schedule.

The preferred recreational management measures in Action 4 do result in projected landings that remain below the recreational ACT, which is highly desirable because in-season recreational landings data are not as timely and accurate as commercial data, making in-season closures a less effective management tool for the recreational than for the commercial sector. Nevertheless, a concern remains because the recreational management alternative evaluation model (as well as the commercial model) assumes that fishermen comply with the 14 inch minimum size limit. However, a 2012 SERO analysis shows that a significant portion of recreational (as well as commercial) landings have remained below the 14 inch minimum size limit over the last three years. If the minimum size limit is not complied with, the actual reduction in landings achieved may not be as great as the SERO model predicts, and recreational landings may in fact end up exceeding the ACT and ACL.

We encourage the Council and NMFS to conduct outreach and education to ensure the minimum size limit is adhered to. Until there is some indication as to the effect of education and outreach efforts, we recommend that NMFS and the Council consider the proportion of undersized fish landed in projection models that evaluate management alternatives to avoid exceeding the ACL in the fishery.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Fetherston', with a long horizontal stroke extending to the right.

Elizabeth Fetherston
Deputy Director, Fish Conservation Program
Ocean Conservancy
449 Central Avenue, Suite 200
St. Petersburg, FL 33701

Subject: Amendment 37 Gag & Triggerfish
Date: Monday, October 15, 2012 8:06 AM
From: Mike & Isabel Graef <capt.mike@cox.net>
To: Info <Info@gulfcouncil.org>
Conversation: Amendment 37 Gag & Triggerfish

To Gulf Council:

Gag Grouper. I am all for a daily bag limit of 1 fish for Gag Grouper (grouper aggregate limit remains at 4) if in fact it will extend the season. The 2012 season July 1st till Oct 31st (Federal Waters) has been a HUGE success so far and with these dates we are assured our longest possible season. The idea of different seasons will be too confusing for charter/head boat customers. The shallow water fishery (State Waters) should have no effect on Federally permitted vessels!!!!

Grey Trigger Fish. Are not being overfished! Since amendment 30a was put into effect (14" fork length). Yes less Triggers are being KEPT! But were throwing a lot of them back due to the increased size limit no other reason!! Once again the Gulf council has been quick to shut down a species before all the facts are in! You closed Trigger on June 11th this year in an emergency measure but during your data collection the hooks to used are too BIG to catch a Trigger! 10 Trigger bag limit is overkill I would like to see a 5 fish daily bag limit with no closed season! We have had to many changes to Snapper, Gag, Greater Amberjack and now Trigger seasons over the last 3 years we need management to keep season opening and closure dates changes to a minimum!!!

Thank You,

Capt. Mike Graef

Charter Boat Huntress

Destin, Fl. 32541

850-685-5593

Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
4/25/2012 7:27:28	Kenny Begneaud	begneauk@bellsouth.net	After reading the proposal, I agree with it. No Action. What's the deal. There is no information in the proposal. Blank pages, blank tables, blank data. The only proposed action is no action. Since the limited opportunity for Red Snapper, I have become a Trigger Fisherman. The only problem is there are so many Red Snapper, I can't catch the 14 inch or bigger Triggers. I think the 14 inch size limit on Triggers is all that is necessary to manage this species. A 14 inch Trigger is a big trigger. I think one of the flaws in obtaining data on Triggers and Red Snapper is the biologist are looking in the wrong places. I fish in Louisiana and I know our state is probably unique with all of the offshore platforms. I have been fishing the GOM for 45 years and in the past 10 have seen dynamic changes in the locaction of fish species. My personal opinion is that the dead zone has changed much of the habits and location of species. Last year in August while speckled trout fishing in 10ft of water in the Eugene Island area we were catching 12 inch Red Snapper 2 at a time on double trout rigs. In 45 years I have never experience this. In June of the past 5 years we have caught 15 to 20 pound Red Snapper in 18 ft. of water. In both places we catch small Trigger fish on a regular basis. For the past few years that I have known about, Red Snapper or being caught by Trout fisherman in 10 ft of water. These are the same rigs that never produced Red Snapper. I think this is being caused by the dead zone. I think no study will be worthwhile without also considering the effect of the dead zone. Hopefully more accurate data will be used for the Trigger Fish than the Red Snapper studies.	Lafayette, La. 70508	
5/2/2012 10:22:10	JOHN LAUBENTHAL MD	jlaubmd@juno.com	I do NOT support increasing the Minimum Size Limit for Recreational Fishermen as I feel the current 14" min. size is appropriate. If the Gray Triggerfish are 'overfished' & 'undergoing overfishing' then consideration should be given to granting them 'Gamefish' status & closing them to Commercial Fishing until their stocks are completely rebuilt & stable. Also more research is needed to consider the negative effects on Gray Triggerfish due to the dramatic rebound of the Red Snapper population.	Panama City Beach	
6/20/2012 11:17:53	Randy J Riha	rjriha@spectraenergy.com	Having fished offshore Texas for 15 years I can truly say that very few people retain triggerfish, as cleaning them is a pain and the amount of meat obtained doesn't justify the effort. However, I have seen the triggers decline over the years and it has coincided with the tremendous increase in red snapper. Looks to me like you guys are causing the problem with your screwed up snapper regs and now you want us to take the hit. Doesn't seem right to me.	Sugar Land TX	Private Recreational Angler
6/21/2012 1:45:44	Paul Alagna	beach_trade@yahoo.com	Once again the recreational sector is being closed out of a fishery while the commercials are allowed continued access. There should be no commercial fishing allowed for any species that is considered overfished or undergoing overfishing. When will the council learn that they are working FOR THE PEOPLE, not just for commercial fishermen exploiting and profiting from a public resource???	Palm Harbor, Florida 34683	Private Recreational Angler
6/27/2012 13:22:39	Mark Thomas Kelley	ladykelleycharters@yahoo.com	On Gray triggerfish if we went with The four bag limit would there still be a two month closure in May and June. If there still is the closure how low would the bag limit need to be to do away with the two month closure. I would be happier with a smaller bag limit and no closure. I feel right know in the rebuilding time frame keeping a few would be better than a closure for two months.	Panama City Florida 32408	Charter/Headboat For-Hire, Commercial Fisher

Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
6/27/2012 15:49:32	Kenny Begneaud	begneauk@bellsouth.net	I think the 4 fish limit is fine along with the 14 inch size limit. What I have a problem with is the May-June closed season. Unlike the Florida angler that can run a few miles to catch their fish, I fish out of Bayou Dularge, La. Almost all of my offshore fishing occurs during Red Snapper season. A normal trip involves 120 to 130 miles of running round trip. 25 miles to get to the coast, then 36 miles to get to 58 feet of water. You've taken away Amberjack and Gag Grouper during the Snapper season and now you want to take away Triggerfish. I know most of these dates are being driven by the wants of the commercial charterboats to have something to fish for every month out of the year but in Louisiana its a totally different story. Look at your own numbers on Triggerfish and you quickly see that only a small percentage of the Triggerfish harvest occurs west of the Mississippi River. This isn't because we don't have them. We have plenty. It's because they are not a targeted species. Most people won't even keep them when they catch them. We all grew up considering them a trash fish. Not the case with me. They are one of my favorite eating fish. You just have to know how to clean them. Please split the gulf into zones. One size does not fit all. Let us catch our Triggers during Snapper season. How do you think the people of South Dakaota would feel if we closed Pheasant season due population of Pheasants in Louisiana? That's about what this amounts to.	Lafayette, La. 70508	Private Recreational Angler
6/28/2012 8:47:47	Terry Migaud	tmigaud@cox.net	On a May-June closure, as mentioned that is part of the peak season for fishing in the Gulf. The Louisiana Council of Underwater Diving Clubs (LCUDC) is against those days. We not not against a longer closure but not doing the summer months when we already close for other fishes.. As most fish spawn in the early spring, we would suggest a closure of November to April as being longer and less disruptive to diving season. On the 4 fish bag limit, that is not a problem as we usully get 0 to 4 triggerfish on most trips. Thanks Terry Migaud, LCUDC Sec/tre	Metairie, LA 70001	Private Recreational Angler
8/7/2012 11:02:30	Richard Coatney	r.coatney@coastaldrilling.com	OVER ABUNDANCE OF RED SNAPPER. NEED LONGER SEASON AND LARGER CREEL LIMITS	LAF. LA. 70508	Private Recreational Angler

Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
10/24/2012 5:10:39	Elizabeth Fetherston	efetherston@oceanconservanc	<p>October 22, 2012</p> <p>Mr. Doug Boyd, Chair Gulf of Mexico Fishery Management Council 2203 North Lois Avenue, Suite 1100 Tampa, FL 33607</p> <p>RE: Comments on the Final Draft of Amendment 37 to the Gulf of Mexico Reef Fish Fishery Management Plan</p> <p>Dear Mr. Boyd:</p> <p>On behalf of Ocean Conservancy, please accept the following comments with respect to the Gulf of Mexico Fishery Management Council's (Council) final draft of Amendment 37 to the Reef Fish Fishery Management Plan (Amendment 37) intended to end overfishing and revise the rebuilding plan for gray triggerfish in the Gulf of Mexico.</p> <p>Gulf of Mexico gray triggerfish have been managed under a rebuilding plan since 2008, after a 2006 stock assessment (SEDAR 9 2006b) indicated that the population was experiencing overfishing and could be overfished. Amendment 30A (2008) to the Gulf Reef Fish FMP put in place a rebuilding plan for gray triggerfish that included commercial and recreational annual catch limits (ACLs) and annual catch targets (ACTs) as well as in-season and post-season accountability measures (AMs). Implementation of those management measures was projected to have the gray triggerfish population rebuilt by 2013. However, a recent update stock assessment for gray triggerfish (SEDAR 9 Update, 2011) revealed that population status has worsened, that overfishing is still occurring, and that the rebuilding target will likely not be met. As per the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the National Marine Fisheries Service (NMFS) and the Council must now prepare and implement a fishery management plan, plan amendment or proposed regulations to end overfishing immediately and ensure population rebuilding in as short a time as possible, not to exceed ten years.</p> <p>Amendment 37 proposes changes to the gray triggerfish rebuilding plan to comply with this MSA requirement. Ocean Conservancy supports the new rebuilding timeline selected in Action 1. However, we have some concern about specific management measures to achieve the new rebuilding goal.</p> <p>The Council is setting the new ACL at the SSC's ABC recommendation of 305,300 lbs. At this catch level, the population is projected to be rebuilt within 5 years, which falls just within the legally allowable rebuilding limit. We support the use of the Council's ACT control rule to determine the level of the ACT (Action 2, preferred alternative 4), set below the ACL to reduce the risk of exceeding the ACL. We furthermore support the establishment of fixed commercial and recreational closures during peak spawning (Action 3.1 preferred alternative 2 and Action 4.1 preferred alternative 4). Lower-than-average gray triggerfish recruitment was identified by the SEDAR 9 Update as a potential issue of concern regarding population rebuilding, and a peak spawning closure will alleviate fishing pressure during this important time. We are also supportive of a recreational in-season closure when the ACT is reached or projected</p>	St. Petersburg, FL 33701	NGO

Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
10/24/2012 5:10:39	Elizabeth Fetherston	efetherston@oceanconservancy.org	<p>supportive of a recreational in-season closure when the ACT is reached or projected to be reached and an overage deduction if the population is overfished (Action 5, preferred alternatives 2 and 4).</p> <p>While we commend the Council on the above management decisions, we also have some concerns about the success of Amendment 37. Under the Council's preferred choice of combination of commercial management measures under Action 3 (June and July closure and 50 lb trip limit), the commercial ACT and ACL are projected to be exceeded, meaning an in-season closure will likely be necessary. We recommend that the Council modify its preferred alternatives under Action 3 to a combination of options that results in projected landings that stay below the ACT and certainly below the ACL. This would result in more predictability for commercial fishermen and reduce the risk of exceeding the ACL and compromising the rebuilding schedule.</p> <p>The preferred recreational management measures in Action 4 do result in projected landings that remain below the recreational ACT, which is highly desirable because in-season recreational landings data are not as timely and accurate as commercial data, making in-season closures a less effective management tool for the recreational than for the commercial sector. Nevertheless, a concern remains because the recreational management alternative evaluation model (as well as the commercial model) assumes that fishermen comply with the 14 inch minimum size limit. However, a 2012 SERO analysis shows that a significant portion of recreational (as well as commercial) landings have remained below the 14 inch minimum size limit over the last three years. If the minimum size limit is not complied with, the actual reduction in landings achieved may not be as great as the SERO model predicts, and recreational landings may in fact end up exceeding the ACT and ACL.</p> <p>We encourage the Council and NMFS to conduct outreach and education to ensure the minimum size limit is adhered to. Until there is some indication as to the effect of education and outreach efforts, we recommend that NMFS and the Council consider the proportion of undersized fish landed in projection models that evaluate management alternatives to avoid exceeding the ACL in the fishery.</p> <p>Sincerely,</p> <p>Elizabeth Fetherston Deputy Director, Fish Conservation Program Ocean Conservancy 449 Central Avenue, Suite 200 St. Petersburg, FL 33701</p>	St. Petersburg, FL 33701	NGO
10/15/2012 14:06:18	Scott Hawkins	scotthawkins2003@yahoo.com	<p>I don't agree with putting a closed season on Triggerfish. With the LONG closed season on Red Snapper, that would leave a recreational fisherman with virtually nothing to keep when they went out for most of the summer. I would agree with putting a bag limit in place, as long as it's not something crazy like 2 per person. Personally when my wife and I go out, we catch a few of triggerfish and usually will only keep 2 to eat. We don't freeze them and only eat fresh, but let's not put something in place that is too restrictive such as has happened with the endangered red snapper that we all catch too many of.</p>	Navarre, FL, 32566	Private Recreational Angler

Subject: Re: Gray Triggerfish Comment Form
Date: Thursday, June 14, 2012 10:50 AM
From: dorothea paprocki <misunderstoodhomey@gmail.com>
To: John Milner <GulfCouncil@gulfcouncil.org>
Conversation: Gray Triggerfish Comment Form

i would like to comment on gray triggerfish.with the 14 inch size limit most of the fish being caught have to be thrown back,with about a 90 to 98%survival rate.i as an owner operator am happy with the results of the 14 inch limit,i have seen a gradual increase of more keeping size fish. we never catch a lot of pounds of them to keep but as far as undersize ones,we throw a lot back.there is a good number of fish that will be of size coming up and as far as i can tell they are not in any danger.they have such a small mouth that it makes it almost impossible to even hook very many of the small ones,which makes theyre existance safe from overharvesting.the 4 inch difference in measuring them has definitely increased the total stocks.

On Mon, Jun 4, 2012 at 8:00 AM, Charlene Ponce
<Charlene.Ponce@gulfcouncil.org> wrote:
Mike:

Here is the link to where you can post your comments online regarding gray triggerfish.

http://gulfcouncil.org/council_meetings/comment_forms/RF%20Amendment%2037%20-%20Gray%20Trig <http://gulfcouncil.org/council_meetings/comment_forms/RF%20Amendment%2037%20-%20Gray%20Triggerfish.php> <http://gulfcouncil.org/council_meetings/comment_forms/RF%20Amendment%2037%20-%20Gray%20Triggerfish.php> ish.php <http://gulfcouncil.org/council_meetings/comment_forms/RF%20Amendment%2037%20-%20Gray%20Triggerfish.php> gerf <http://gulfcouncil.org/council_meetings/comment_forms/RF%20Amendment%2037%20-%20Gray%20Triggerfish.php>

Charlene

Subject: FW: Public Testimony
Date: Monday, April 16, 2012 12:16 PM
From: Trish Kennedy <trish.kennedy@gulfcouncil.org>
To: Emily Muehlstein <Emily.Muehlstein@gulfcouncil.org>, Charlene Ponce <charlene.ponce@gulfcouncil.org>
Conversation: Public Testimony

Please refresh my memory what I'm to do with these. I think send them to you?

From: Capt Johnny Greene [mailto:fishorangebeach@gmail.com]
Sent: Sunday, April 15, 2012 8:35 PM
To: Trish Kennedy
Subject: Fwd: Public Testimony

please forward to all.

Thanks

Johnny Greene

251-747-2872

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----- Forwarded message -----

From: Bill Staff <captainbill@seaspraycharterfishing.com>
Date: Sun, Apr 15, 2012 at 7:25 PM
Subject: Public Testimony
To: Roy Crabtree <roy.crabtree@noaa.gov>
Cc: Ben <benfairey@gmail.com>, Johnni G <fishorangebeach@gmail.com>, Rowell <Mike@captainmikesfishing.com>, Thierry <capthierry@aol.com>

Hey Roy

Hope all is well!

Would like to tell council last season worked well for charter boats and some recreational fishermen I talked to

In Orange Beach. When both amberjack and snapper are closed we have only tuna, really to target! This takes an overnight trip and many people can't afford this. The fall fishery would be terrible without jacks! I would support an increase in the size limit for a year round season but every time we have gone up in size limit in a fishery in a few years we are facing a closure (because the fish get bigger and we catch the quota quicker). Just like with trigger. So unless there were a law passed

guaranteeing us no closure do to larger fish I am shouting stay with what worked well last year! And we all know there will never be any guarantees to us especially anything in our favor.

As for trigger I think a 20 fish bag limit is crazy! Let's get a realistic bag limit(5 per person)and keep the season open all year!

As for red snapper as u know they are taking over everything everywhere! If the benchmark stock assessment doesn't come back with a population the best its been in 30 years u better fire the people doing it!

Thanks for opportunity to voice my opinion!

Bill Staff

Sea Spray

2519793631 <tel:2519793631>

Sent from my iPhone

Subject: triggerfish shortages

Date: Friday, March 16, 2012 3:11 PM

From: tom adams <tomadams@gmail.com>

To: Bob Gill <bgillbgill@embarqmail.com>, Bob Shipp <rshipp@jaguar1.usouthal.edu>, Bonnie Ponwith <bonnie.ponwith@noaa.gov>, Carmen DeGeorge LCDR <carmen.s.degeorge@uscg.mil>, Corky Perret <Corky.Perret@dmr.ms.gov>, Dale Diaz <dale.diaz@dmr.ms.gov>, Damon McKnight <info@venicelouisiana.net>, Douglass Boyd <douglassboyd@yahoo.com>, GulfCouncil Mail <GulfCouncil.Mail@gulfcouncil.org>, Harlon Pearce <nolrah@aol.com>, James Nance <james.m.nance@noaa.gov>, Jessica McCawley <jessica.mccawley@myfwc.com>, John Greene <intimidatorcharters@yahoo.com>, <foote_k@wlf.state.la.u>, Kay Williams <hkaywilliams@hotmail.com>, Kevin Anson <Kevin.Anon@dcnr.alabama.gov>, Larry Abele <labele@fsu.edu>, Larry Simpson <lsimpson@gsmfc.org>, Linda Kelsey <linda_kelsey@fws.gov>, Michael McLemore <michael.mclemore@noaa.gov>, Myron Fischer <mfischer@wlf.la.gov>, Pamela Dana <fish@surelurecharters.com>, Patrick Riley <p.f.riley@comcast.net>, Phil Steele <phil.steele@noaa.gov>, Randall Pausina <rpausina@wlf.louisiana.gov>, Richard Leard <rick.leard@gulfcouncil.org>, Robin Riechers <robin.riechers@tpwd.state.tx.us>, Roy Crabtree <roy.crabtree@noaa.gov>, Shepherd Grimes <shepherd.grimes@noaa.gov>, Steve Bortone <Steve.Bortone@gulfcouncil.org>, Steve Branstetter <steve.branstetter@noaa.gov>, Tom McIlwain <tom.mcilwain@usm.edu>, Tomas Jamir <tom.jamir@noaa.gov>, <tomadams@mexicobeachcharters.com>, All Technical Staff <TechnicalStaff@gulfcouncil.org>
Conversation: triggerfish shortages

Dr Crabtree, Dr Lubchenco

All of you people have ruined our fisheries. The red snapper are fine—catch them before they kill off all the triggerfish and gag grouper—possibly vermillion will be on the decline soon if you do not start getting rid of some Red Snapper. Can all of you not see that you can-not mess with mother nature. We now have more red snapper than I have seen since moving here 10 years ago. It is an outright shame that Dr Crabtree and Dr Lubchenco will not admit to their own complete and utter failure trying to manage our fisheries—at least here on the Gulf. It does seem as though Mr Shipp has an accurate grasp of what is happening in our Gulf – but it falls upon deaf ears. If you want more fish—build more structure—leave the oil platforms in place, build reefs and let mother nature take over. There is actually a natural order to things that you “fisheries managers” are messing up and it shows, especially if you make your living on the water, as we do. More structure = more fish. More fish = more fishing days. Get out of the catch shares business and start helping our fisheries with something that is PROVEN-- Reefs!!

Thanks,

Capt. Tom Adams- Mexico Beach Charters
Recreational Fishing Alliance- Chairman- Forgotten Coast Chapter
311 Nutmeg St, Port St Joe, FL 32456
850 -381-1313 www.mexicobeachcharters.com <http://
www.mexicobeachcharters.com/> or .net

Subject: FW: fishing closures

From: <Turtleskaters@aol.com>

Date: Sat, 9 Jun 2012 12:50:57 -0400

To: Info <Info@gulfcouncil.org>

Subject: fishing closures

Hello,

Just a couple general comments from a citizen of the United States. This is probably not going to be accepted, since I may not have followed proper procedures. I have tried, but it is like keeping up with fishing regs, it is too difficult and they change too often.

First off, I know limits work. Second, I know fish stocks can be overfished.

However, some of the rules you guys set up are quite ludicrous. I will just offer some info, as I conversed with a NMFS employee and he suggested I offer comments/info to you guys.

I'll start with Triggers. First off, you guys just upped them from 12-14 inches FL a couple years ago. So, I would think you would give that time to settle out before you say they are overfished. Common sense dictates that if the limit is 14, up from 12, less will be taken. And I know all about the folks that measure wrong. Well, guess what. How about have one way to measure all fish. If a 14 inch FL trigger has a TL, on average, of 17, then make the limit 17. Same with all the other fish that have FL. Forget the pinching too, just lay it flat on the deck and measure.

Second, I was told by NMFS employee that commercial guys catch more and bigger triggers. Why then have they not reached their quote before the rec sector. This is inherently wrong. Your data says they should reach their quote first. So that means you guys adjust data as you see fit.

Next - red snapper. You guys have no idea how many there are out there. Do any of you even fish? Up here in the Pensacola area they are everywhere. And I mean everywhere.

Next - why would commercial guys get to keep a 14 inch red snapper while taxpayer me has to be 16 inches. And using by catch as a reason is lame. Rec sector has by catch as well. Limits are based on reproduction size, correct? Then how does a commercial caught fish reach sexual maturity before my rec caught fish. You cannot explain this one away. It is inherently wrong.

Next - too many folks fishing, that is what you say. Well, how about anyone that has a fishing infraction, say over their limit, cannot fish, ever. That should ease some of the pressure. Why should I, a citizen who obeys and studies the laws, have the right to fish taken away because the system is afraid or unwilling to weed out the problems.

Amberjack - I have read reports about how now one, that's one, researcher, is indicating they may not do much repro before size 30 inches. That's silly. We see them roed up all the time at that size. 28 inch was just fine. But, I would rather you guys make them 32 than close them all together.

Gag - why open them for 2 months? Same with red snapper. I don't agree at all with your data, or lack of data, because I know you guys are pulling numbers out of the thin air the majority of the time. But why open them at all? Keep them closed until your data changes.

If you guys want all these fish released, you better do a better job of ensuring fish that are released are given the best chance to survive. That means when you renew your license, you get a free venter. You do realize that bottle nose dolphin probably eat 25-30% of the red snapper released up here. If not, you need to look into it. They must think we are the most stupid species on the planet. Release perfectly good fish to them to eat.

Lastly, close the commercial sector first. Those fish belong to the public. Not a commercial fishermen.

So, from me, taxpayer Nicholas, stop these unnecessary closures. If you want to change something, change the size first

by an inch or two and see if that works.

I have been assured these comments will be highly considered. I highly doubt it. I can tell you I am baffled by the NMFS....completely. Same with just about everyone I know that does fish. You guys have lost the confidence of the public. Either win it back, or resign.

Right now your method is broke. You need to fix it.

Mark Nicholas
850 934-6024
1689 Village Parkway
Gulf Breeze, FL 32563

----- End of Forwarded Message