

February 7, 2013

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

Re: Recommendations to ensure the red snapper stock keeps rebuilding

Dear Mr. Boyd:

Thank you for the opportunity to provide comments on the management of Gulf of Mexico fisheries. We urge the Gulf Council to ensure that the management actions it takes foster ongoing progress toward rebuilding the overfished red snapper stock. Certain proposals under consideration threaten to slow or set back rebuilding and raise a concern about pressing the fishery back to “overfishing” status. The rebuilding underway is largely attributed to the commercial red snapper management plan. Now, important improvements to recreational management are needed to further advance rebuilding and meet the goals of recreational interests. Our comments and recommendations are discussed below:

**1. Ensure that the red snapper population keeps rebuilding**

Ending overfishing and getting rebuilding on-track for the overfished red snapper stock is one of the Council’s management successes, and important steps are needed to keep rebuilding underway.

***Maintain effective operation of the commercial management program because it is a leading contributor to the rebuilding underway.*** The Council’s commercial red snapper management plan implemented in 2007 – using individual fishing quotas and eliminating or reducing season closures, trip limits, and size limits – is meeting the objectives established by the Council. The plan’s 5-year review confirms that it has stopped the destructive “race-to-fish”, cut discarding, helped end overfishing, and contributed to expanding stock abundance.<sup>1</sup> For the first time in decades, catch limits are steadily rising, rather than shrinking, for both commercial and recreational fisheries. Keeping the program working effectively is central to continued rebuilding. A few key steps could further improve the program, including eliminating the minimum size limit and implementing better at-sea monitoring.

***Ensure that actions the Council is exploring for recreational fisheries do not slow or reverse red snapper rebuilding progress.*** There are a variety of proposals under consideration to improve recreational

---

<sup>1</sup> NMFS SE Regional Office (2013). Red Snapper IFQ Program: Overview of the Program.

management.<sup>2</sup> Under current management, the recreational sector collectively exceeds the quota most years, even though anglers and for-hire operations as a whole comply with regulations. This is a systems problem, rather than an individual compliance problem.

Unfortunately, options such as adjustments to bag limits and seasons will only perpetuate the failures we have seen under the status quo. For instance, one proposal – Amendment 28 to reallocate red snapper from the commercial to recreational quota – states the “need” for the action as “to prevent overfishing while achieving the optimum yield.”<sup>3</sup> However, without improvements in management the pattern of overages will continue even if the recreational quota is higher, and the result is almost certain to be quota overages even larger than those in recent years. In addition, commercial management’s contribution to rebuilding would be undermined by reducing fishermen’s long-run economic stake in the fishery.

Management actions that introduce risks to rebuilding and threaten to return the stock to “overfishing” status can be in violation of the Magnuson-Stevens Act’s central requirement to prevent overfishing and the requirement to rebuild fisheries as soon as possible.<sup>4</sup> Considerations of shifting quota to the recreational sector prior to improving catch accountability would call into question the red snapper FMP’s requirement to contain “measures to ensure accountability,”<sup>5</sup> and appears to violate National Standard 4, which states that allocations shall be “reasonably calculated to promote conservation.”<sup>6</sup> In addition, while the Council currently emphasizes economic efficiency, National Standard 5 requires that economic efficiency cannot be the sole criterion in allocation decisions, overriding other national standards and rebuilding requirements.<sup>7</sup>

It is also important to note that alternatives in Amendment 28 are not supported by the economic analysis presented. The issue of “economic efficiency” is being highlighted in relation to improving net benefits for the nation, one objective of fishery management. However, analysis from NMFS and the Council’s Socioeconomic SSC show that the proposals simply replace one inefficiency with another.<sup>8,9</sup> While the analysis suggests the values (willingness to pay) for additional red snapper quota are different in the commercial and recreational sectors, it does not suggest that efficiency will be improved by shifting quota. This is because values change as allocations change, and how much those values could change is unknown. The best science available cannot measure how reallocation will change net benefits to the nation. For these reasons, in its January 2013

---

<sup>2</sup> Gulf of Mexico Fishery Management Council (2013). Fisheries Management Alternative for Extending the Red Snapper Recreational Season.

<sup>3</sup> Gulf of Mexico Fishery Management Council (2013). Red Snapper Allocations. Draft Options Paper for Amendment 28 to Fishery Management Plan for the Reef Fish.

<sup>4</sup> Magnuson-Stevens Act, 16 U.S.C. §§ 1851(a)(1), 1854(e)(4)(A)(i).

<sup>5</sup> Magnuson-Stevens Act, 16 U.S.C. § 1853(a)(15).

<sup>6</sup> Magnuson-Stevens Act, 16 U.S.C. § 1851(a)(4).

<sup>7</sup> See Magnuson-Stevens Act, 16 U.S.C. § 1851(a)(5) "Conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose."

<sup>8</sup> Gulf of Mexico Fishery Management Council (2013). Report: Socioeconomic SSC Meeting. January 16, 2013.

<sup>9</sup> Agar, J.J and D.W. Carter (2012). Is the 2012 allocation of red snapper in the Gulf of Mexico economically efficient?

motion, the Council's Socioeconomic SSC stated it does not support reallocation except by trading quota across sectors.<sup>10</sup>

**2. The Council and stakeholders should focus the Council process on designing new recreational management that contributes to rebuilding and provides longer seasons and other benefits anglers and recreational fishing businesses seek.**

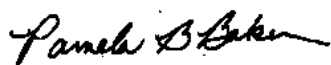
Today's recreational management is failing, and status quo options will not solve the problem. Recreational regulations are not working for anglers, fishing businesses, or the goal of rebuilding the stocks. Although individual anglers comply with the regulations, the seasons get shorter and shorter, leading to frustration and a lack of faith in the management system. Understandably, no one is happy with the prospect of a 27 day season in 2013. Proposals to adjust bag limits, seasons, and allocation extend seasons by a few days at best.

Instead, we recommend the Council and stakeholders focus on developing new red snapper recreational management with the goals to contribute to rebuilding of the stock and meet other important objectives including longer fishing seasons. The Council has already discussed new management models that are a good place to start. Examples include proposals for headboat IFQs, charter days-at-sea, harvest tags, and inter-sector quota transferability. These options should be further developed to see how they can provide needed benefits for the stock and recreational fisheries: longer seasons, improved access and flexibility, better data and information, and contributions to rebuilding.

**Conclusion**

Recreational and commercial fisheries are important to the region's economy and culture. Both sectors seek long seasons and management that accomplishes this goal can also be good for the economy and rebuilding of the stock – the commercial red snapper fishery is one example. Just as the Council made significant changes to commercial management seven years ago which are now paying off, now it needs to make significant improvements to improve recreational fisheries management. This is not easy and there are no perfect off-the-shelf models for effective long-term management in joint commercial/recreational fisheries. However, new management models offer promising features and potential to expand recreational fishing access without undermining rebuilding. This can improve economic efficiency, preserve conservation incentives, and help relieve the allocation impasse that is stalling fishery management progress in the Gulf.

Sincerely,



Pamela Baker  
Director, Gulf of Mexico Oceans Program



Daniel Willard, Ph.D.  
Economist, Gulf of Mexico Oceans Program

---

<sup>10</sup> The motion reads: "The Committee does not support a reallocation between sectors of the GOM red snapper as large as 1% without giving strong consideration to the market transferability across the two sectors." Agar & Carter (2012) reach the same conclusion: "Inter-sector trading would allow the market to provide valuable price signals to help ensure that the red snapper quota is allocated efficiently and in a way that provides the greatest economic benefits to the nation."