

NOAA Fisheries' Response to Deny Request to Rescind Two Gulf of Mexico Fishing Rules to Alter the Length of the 2013 Federal Recreational Red Snapper Fishing Season

Frequently Asked Questions

Posted: 5/14/13

Background

- The Gulf of Mexico Fishery Management Council sets annual quotas for the Gulf of Mexico red snapper recreational fishery.
- NOAA Fisheries Service determines the length of the federal recreational fishing season based upon these quotas and projects when the quota will be reached as the Magnuson-Stevens Fishery Conservation and Management Act requires the fishery to close when its annual quota is caught.
- Historically, NOAA Fisheries shortens the federal season off all states by the same amount to correct for any additional harvest resulting from less restrictive state regulations regardless of where they are adopted.
- Since 2009, federal regulations (30B rule) require federally permitted for-hire vessels to comply with stricter federal regulations for reef fish (which includes red snapper) when fishing in state or federal waters.

Request to rescind red snapper season length emergency rule

Why are the 2013 red snapper recreational fishing season lengths different for federal waters off each Gulf state?

- [In February 2013](#), the Gulf of Mexico Fishery Management Council requested NOAA Fisheries implement an emergency rule giving NOAA Fisheries the authority to set the recreational red snapper season in federal waters off each state independently versus having a single Gulf-wide federal fishing season.
- This was to avoid unfairly penalizing some states for the actions of others establishing less restrictive state-water seasons which would have required NOAA Fisheries to shorten the 2013 federal season Gulf-wide to compensate for additional catch occurring in these states during their extended fishing seasons.
- NOAA Fisheries implemented the emergency rule on March 25, 2013, in time to notify the Gulf of Mexico recreational fishing community of the federal fishing season lengths off of each state in advance of the June 1, 2013, season opening.

What are the less restrictive Texas, Louisiana, and Florida state-water recreational fishing seasons?

- Texas state waters are open year round with a four fish per person bag limit;
- Louisiana state waters opened March 23 and will be open a total of 88 days on three day weekends until the end of September with a three fish per person bag limit;
- Florida state waters will be open 44 days from June 1 through July 14 with the same two fish per person bag limit as federal waters.

In April 2013, the Gulf Council requested the emergency rule to be rescinded.

Why did NOAA Fisheries deny that request?

- NOAA Fisheries denied the request to rescind the emergency rule because the Gulf Council did not provide sufficient and compelling reason for its request to reverse its previous decision to implement the emergency rule back in February 2013.
- To read the full agency response, [click here](#).

How long will the 2013 federal recreational red snapper fishing season be open off of each Gulf state?

- Alabama and Mississippi: 28 days
- Florida: 21 days
- Texas: 12 days
- Louisiana: 9 days

How did the less restrictive state regulations impact the 2013 federal recreational fishing season length?

- If all Gulf states implemented consistent regulations, the season would be 28 days Gulf-wide.
- If Texas, Louisiana, and Florida maintained less restrictive regulations and the emergency rule were rescinded, the Gulf-wide season would be 22 days.

Request to rescind federally permitted for-hire vessel regulations (30B Rule)

In April 2013, the Gulf Council also asked NOAA Fisheries to rescind the 30B rule.

Why did NOAA Fisheries deny their request?

- NOAA Fisheries implemented a rule commonly referred to as the “30B rule” at the request of the Gulf Council in 2009. This rule requires federally permitted for-hire vessels to comply with stricter federal regulations for reef fish when fishing in state or federal waters.
- The Gulf Council failed to provide sufficient and compelling rationale for the requested action and NOAA Fisheries determined the circumstances underlying the requested action do not constitute recent and unforeseen events or recently discovered circumstances.
- To read the full agency response, [click here](#).

What would the federal recreational fishing season length be if NOAA Fisheries approved the Gulf Council’s request to rescind both the emergency rule and the 30B rule?

- If both the emergency rule and the 30B rule were rescinded, the season would be 13 days Gulf-wide.