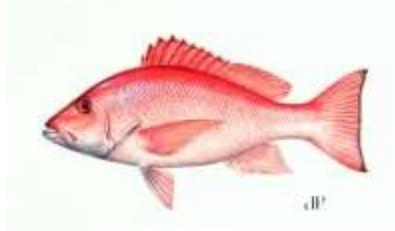


Gulf of Mexico Reef Fish Amendment 40

Establishment of Separate Recreational Quotas for Private and For-hire Fishermen

Frequently Asked Questions

April 2015



What does Amendment 40 do?

- Amendment 40 establishes a separate federally permitted for-hire and private angling component within the Gulf of Mexico (Gulf) recreational sector fishing for red snapper.
- It allocates the red snapper recreational quota into a federally permitted for-hire sub-quota and a private angling sub-quota.
- It establishes separate red snapper annual catch targets and season closure provisions for the federal for-hire and private angling components.
- It sunsets the federal for-hire and private angling components and associated management measures after three years.

Definitions

Annual catch target is the acceptable level of landings that provide a buffer, if needed, for management uncertainty.

Accountability measures are actions taken if the annual catch limit or quota is exceeded.

When does this rule become effective? When does it expire?

- The rule is final and becomes effective May 22, in time for the 2015 federal recreational fishing season, which starts June 1.
- It sunsets after three years.

Who is in the federal for-hire component and who is in the private angling component?

- The **federal for-hire component** is comprised of all for-hire operators with a valid or renewable federal reef fish charter vessel/headboat permit.
- Harvesting red snapper in the federal for-hire component would be done by anglers using federal for-hire vessels. The captain and crew of these vessels are not allowed to retain a red snapper bag limit.

- The **private angling component** is comprised of private recreational anglers and other for-hire operators who do not have a federal reef fish charter vessel/headboat permit.

Why was Amendment 40 developed?

- To increase the stability of the federal for-hire component.
 - Federal for-hire fishing opportunities have decreased due to shorter federal red snapper fishing seasons.
 - Operators of federal for-hire vessels cannot allow their customers to retain red snapper in state waters if federal waters are closed to red snapper fishing.
 - The federal red snapper season has been reduced to compensate for extended fishing seasons in state waters.
 - Over time, for-hire vessel landings have represented a reduced proportion of the total recreational red snapper harvest (e.g., for-hire vessels landed 47.3% of the harvest in 2003 and only 16.7% in 2013).
- To provide a basis for increased flexibility in future management of the entire recreational red snapper harvesting sector.
 - Landings data for different elements of the recreational sector have different degrees of uncertainty.
 - Separating management of the components is expected to:
 - Improve season-length projections.
 - Allow future management to focus on improving fishing opportunities for each component.
- To reduce the chance of recreational quota overruns, which could jeopardize the rebuilding of the red snapper stock.

How did the Gulf of Mexico Fishery Management Council (Council) determine how to divide the recreational quota between federally permitted for-hire fishermen and private anglers?

- The Council recommended this action to NOAA Fisheries
- The Council looked at landings from past years for each component.
- They selected an alternative that used a historical time series of landings from 1986-2013 and combined it with a more current time series from 2006-2013.
- The resulting allocation was 42.3% of the recreational quota and annual catch target going to the federal for-hire component and 57.7% of the quota and annual catch target going to the private angling component.
- This approach has been used by the Council for setting the allocations for other species (e.g., the jurisdictional apportionment of black grouper and yellowtail snapper resources between the Gulf and South Atlantic Fishery Management Councils).

How will this allocation affect the length of the 2015 federal red snapper recreational season?

- The length of the federal for-hire and private angling seasons will be announced before June 1, 2015, in a final rule that increases the recreational quota.
- The season length for the different components will differ from each other.
- Federally permitted reef fish for-hire vessel operators can only allow their customers to harvest red snapper in state waters when the federal season is open and cannot take advantage of extended state fishing seasons.
- Unlike the federal for-hire component, private anglers and state-permitted for-hire operators can continue to harvest red snapper in state waters during extended state fishing seasons.
- The federal season for the private angling component would be reduced to account for fish caught in state waters during the extended state seasons.
- If federal and state seasons were compatible, the federal private angling component's season would be longer in federal waters.

How many days will federally-permitted for-hire fishermen and private anglers be authorized to fish in 2015?

- At this time, it is unknown how long the federal for-hire and private angling seasons will last under the proposed measures.
- Preliminary projections indicate the private angling component's season in federal waters between 7 and 11 days and the federal for-hire season between 40 and 46 days.
- Season lengths cannot be projected until the final rule to increase the 2015-2017 commercial and recreational quotas is published.
- For both components, the season begins on June 1.
- The season length will be projected from each component's annual catch target.

What happens if one component exceeds its catch limit and the other one does not?

- As long as the total recreational quota (the sum of the federal for-hire and private angling sub-quotas) is not exceeded, nothing will happen.
- If the total recreational red snapper quota is exceeded, an overage adjustment will be applied for the following fishing year.
- The overage adjustment, a type of accountability measure, will deduct the amount of the overage from the following year's total recreational quota unless scientific information allows for a different amount.
- Both the federal for-hire and private angler component sub-quotas would then be calculated based on the adjusted recreational quota.
- If, in any fishing year, one component exceeds its quota to a point that the total recreational quota had been met or exceeded, and the other component was still fishing under its projected season, both components would be closed immediately as a result of Section 407(d) of the Magnuson-Stevens Fishery Conservation and Management Act.

Does approval of Amendment 40 mean that state management of red snapper is not going to happen?

- No. The Council continues to work on Amendment 39 to the Reef Fish Fishery Management Plan.
- Amendment 39 evaluates different ways the states can regionally manage red snapper in both state and federal waters.
- Amendment 39 is more commonly called “Regional Management.”

Does Amendment 40 affect commercial fishing for red snapper?

- No. Commercial red snapper fishing is managed under a separate quota and under an individual fishing quota program.

Links to additional information on red snapper management and rulemaking

- You may obtain electronic copies of Amendment 40 and the final rule from the NOAA Fisheries Web site:
http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_fisheries/reef_fish/2013/am40/index.html
- Information on recreational red snapper accountability measures can be found at:
http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_fisheries/reef_fish/2014/rs_a_m_framework/index.html.
- Information on the framework action to modify the quotas for red snapper in the Gulf (2015-2017+) can be found at:
http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_fisheries/reef_fish/2015/rs_framework_quota/index.html
- An overview on red snapper recreational management in the Gulf of Mexico can be found at:
http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_fisheries/red_snapper/index.html