

EXEMPTED FISHING PERMIT APPLICATION - Headboat Pilot Project
(Revised 12/2012)

1. The applicant's name, mailing address, and telephone number.

The Gulf Headboat Cooperative

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Research Partners:

1. Greg Stunz, Harte Research Institute for Gulf of Mexico Studies at Texas A&M University-
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2. Joshua K. Abbott, Assistant Professor, School of Sustainability, Arizona State University.

2. A statement of the purposes and goals of the exempted fishery for which an EFP is needed, including justification for issuance of the EFP.

2.1 - Purposes and Goals

We request approval by the National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS), for a two-year Exempted Fishing Permit (EFP) to test an alternative management system for the headboat industry. The Gulf Headboat Cooperative (Cooperative) is a group of 8 headboat captains who seek to conduct a pilot project to evaluate the efficacy of an allocation-based system to more effectively manage red snapper and gag grouper.

The for-hire industry, including both headboats and charter vessels, is the primary means for the general non-boat owning public around the country to access the fishery resources in the Gulf of Mexico. The for-hire industry has lost an average of 39 permits per year since implementation of the for-hire reef fish permit moratorium in 2003. The purpose of this pilot project is to test an

alternative approach to managing the headboat sector in an attempt to preserve an industry that provides valuable public access to resources while supporting jobs and local economies. As headboat business owners, we believe that increased flexibility to structure our fishing activities will enable us to operate more stable and profitable businesses with a long-term stake in sustainable Gulf fisheries.

The goals of the headboat pilot project are to:

1. Assess whether a cooperative program can achieve conservation and economic goals more effectively than the existing management system.
2. Test a new electronic data collection method and evaluate its effectiveness in providing accurate, next to real-time catch and effort data.
3. Conduct a comparative socio-economic study between the existing headboat industry, and the headboat Cooperative before, during, and after the pilot project, to determine the potential economic impacts of an alternative management method on the headboat industry.

Under the Fishery Management Plan for the Reef Fish Fishery of the Gulf of Mexico (FMP) the recreational sector receives an annual catch limit (ACL) for certain species based on harvest projections provided by NMFS. The current management system for recreational fisheries in the Gulf of Mexico utilizes traditional tools such as bag limits, size limits, and shortened seasons to remain within the ACL, and to achieve the other goals and objectives outlined in the FMP. Although managed along with the broader recreational sector, the for-hire industry has operated under a limited access system since 2003 (Reef Fish Amendment 20). The businesses that comprise the for-hire industry operate under different regulatory requirements than do private anglers.

Since 1986, headboats have been required to maintain logbooks to account for all landings as part of the NMFS Southeast Regional Headboat Survey (SRHS). Due to the lack of real-time accountability measures to monitor catches in the recreational sector, the annual catch targets for red snapper have been exceeded in 15 of the last 20 years. These overages have posed challenges to the conservation and management of Gulf of Mexico reef fish, and in particular red snapper. Lack of effective mechanisms to account for catches also has harmed the recreational sector in general, and the headboat industry in particular, by requiring the imposition of stricter controls to manage catches and to address the conservation implications from exceeding catch limits in prior years. These measures have forced excessive regulatory discards and imposed economic hardship on the headboat fleet through the continual shortening of fishing seasons. In addition, the results of the 2009 update to the gag grouper stock assessment required the Council to enact very restrictive regulatory measures for the recreational sector aimed at reversing overfishing, which caused additional hardship to the mainly Florida-based headboat captains who depend on gag grouper. The headboat pilot project would be able to test a mechanism to report catch in real-time, which could be used as a model to more effectively monitor catch in-season and thereby prevent overages in the recreational sector.

Regulatory responses to overharvesting in the recreational sector and poor stock assessments have resulted in shorter fishing seasons, reduced bag limits, and other factors that make it difficult to operate successful headboat businesses. Since headboat operators can now only fish for certain species during brief seasons in each year, they often lose out on potential customers during periods of high tourist traffic along the coasts that do not coincide with those open fishing seasons. In addition, even long-time customers are losing confidence that if they book a headboat trip in advance that the fishing seasons for their target species will be open by the time their fishing trip occurs. This lack of certainty makes customers reluctant to book fishing trips.

In recent years, the headboat industry brought its challenges to the Council and asked for assistance in addressing them. In response, the Council formed an ad hoc Headboat Advisory Panel (AP) in 2011, composed of headboat captains, to evaluate alternative management options for improving the health of the industry. The AP met in 2011 and discussed the significant challenges faced by the headboat industry, which included: the inability for customers to fish when fishing is most valuable to them (inability to set season); the lack of safety in a derby fishery; the lack of stability in the crew, and the challenge of keeping good captains and deckhands on a consistent basis; the financial challenges presented by shorter seasons to the industry even though the fish stocks are increasing; the decreasing value of businesses within the current regulatory climate; the inability to make capital improvements and the devaluation of the vessels and businesses; the slow data collection which leads to overfishing and triggers accountability measures; and regulatory discards.

The AP members discussed changes they wanted to see in the fishery, and debated various options for obtaining those changes. After careful deliberation, the AP concluded that an individual fishing quota program, an allocation-based management system, would most effectively address the challenges faced by the headboat industry because it would give headboats the flexibility to operate year-round and when their customers wanted to go fishing. It would allow headboats to set their own seasons to maximize economic benefit to businesses, promote safety at sea, and ensure public access to the fish and to the most efficient method of harvest. The AP proposed a design for a pilot program for the Council's consideration.

2.2 Structure of the Proposed Cooperative Program

Operating under an EFP, the Cooperative seeks to test on a pilot basis a modified version of the AP's recommended design to determine if an allocation-based system could achieve the goals and objectives of the FMP more effectively than current management. To enable the Cooperative to carry out its goals for this pilot project, a portion of the red snapper and gag grouper ACLs corresponding to the Cooperative members' recent landings would be made available for use for Cooperative activities occurring under the EFP. Specifically, we propose that the quantity of fish available for use by Cooperative activities be calculated by NMFS based on the Cooperative participants' 2011 aggregate individual landings relative to total recreational landings (all modes) in 2011. This amount would maintain the proportion of participants' landings of red snapper in 2013 and 2014 equal to that of their landings in 2011.

This method would ensure that the Cooperative catches proportionally similar amounts of red snapper and gag grouper under the EFP as reported in prior fishing years. By limiting the amount of fish available to the Cooperative to its members' recent catch levels, this will ensure that season lengths and regulatory restrictions for private recreational and charter for-hire vessels are not affected by this EFP. In other words, the red snapper and gag grouper season lengths for the general recreational sector would be the same duration regardless of whether or not this EFP was effective.

NMFS would convert the portion of the ACLs (expressed in pounds of fish) into a fixed number of individual red snapper and gag grouper using formulae to approximate the average weight of fish expected to be caught on headboat trips (as informed by data from the headboat logbooks and the NMFS SRHS). Average weights would be based on average weights from the prior season as adjusted for increases in weight associated with stock rebuilding. The Cooperative would thereby have a fixed number of red snapper and of gag grouper that its members could harvest throughout the 2013 and 2014 calendar years. Once the EFP is approved, Cooperative members would be allowed to land red snapper and gag grouper for the duration of the calendar year or until the Cooperative's quotas for red snapper and gag grouper are used up.

To ensure 100% catch accountability and to enable a transparent monitoring system, the Cooperative would adhere to strict protocols to track each fish caught and landed during a headboat trip. As a participating captain is leaving the dock, he/she would "hail out" using a VMS device or by calling in. The captain would receive a confirmation number for that particular trip. This confirmation number would be entered into the *iSnapper* computer application (see section on data collection below). Before returning to the dock, the headboat captain would enter the species and number of fish caught into the *iSnapper* system, which will also collect approximate GPS location to identify fishing zones. At the end of the trip, the captain would use the *iSnapper* data to print out a receipt for each individual customer, which would include summary information such as species and number of fish caught, the date of the trip, and the name of the vessel. This receipt would be used at the dock to track the fish that had been caught on the Cooperative vessel. In addition, the captain would "hail in" using the VMS or by calling in one hour prior to landing, alerting law enforcement and port agents to his/her return, and allowing for a dockside intercept if deemed necessary by enforcement and headboat port samplers.

By using *iSnapper*, the Cooperative would maintain a real-time, internet-based tracking system to ensure that each fish was accounted for. The *iSnapper* data would be collected on remote servers and sent directly to NMFS. Each Cooperative member would maintain an electronic vessel account with NMFS, specifying the numbers of red snapper and gag grouper that could be caught. As fish are caught, they would be deducted from the remaining fish in each member's vessel account. Finally, headboat captains would continue submitting completed NMFS SRHS logbook data for each trip in compliance with 50 C.F.R. Part 622.

The Cooperative would operate pursuant to contractual agreements between members. These agreements would require each member to:

- i) abide by all federal fishing regulations and specific requirements imposed by NMFS under this EFP;
- ii) agree that by participating in the pilot program, vessels will not be able to participate in the regular red snapper or gag grouper recreational open fishing season for the year;
- ii) retain all legal-sized fish that appear to be mortally injured (a minimum of 16" for red snapper and 22" for gag grouper) caught by anglers on their headboats as long as the vessel has not reached its catch limits for those species (i.e., full retention of mortally injured red snapper and gag grouper until catch limits are reached, and mandatory release thereafter) and bag limits for the vessel have not been reached;
- (iii) agree to a two-fish per person per species (red snapper and gag grouper) maximum daily bag limit to be consistent with current recreational fishing regulations;
- (iv) account and collect data for each individual red snapper and gag grouper caught aboard that member's boat using the *iSnapper* program (see below), with data keyed to the VMS confirmation number for each trip;
- (v) strictly adhere to the catch limits applicable to the Cooperative, including holding a portion of the Cooperative's total catch limit in reserve to guard against overfishing by one member;
- (vi) cease targeted fishing for red snapper and gag grouper upon exhausting that member's distribution of fish (regardless of whether the general recreational season is otherwise open for those species), at which point that member could either acquire additional distributions from other Cooperative members in order to take additional headboat trips to target red snapper or gag grouper, or elect to cease targeted fishing for red snapper and gag grouper for the remainder of that calendar year (releasing any red snapper or gag grouper caught incidentally in targeting other species, even if the red snapper and/or gag grouper recreational seasons are open);
- (vii) install, maintain and operate a vessel monitoring system (VMS);
- (viii) provide enforcement agents with notification upon leaving and returning to a pre-approved landings location ("hail in/hail out") and abide by any other enforcement or dockside monitoring requirements implemented by the Cooperative or at the request of NMFS;
- (ix) agree that red snapper and gag grouper distributions will only be used by Cooperative members carrying out the EFP;
- (x) forego any privileges of fishing during the general recreational seasons for red snapper and gag grouper under a headboat limited access permit for any vessel enrolled in the Cooperative for that fishing year. Participating vessels would engage in fishing based on the terms and conditions outlined in the EFP only;
- (xi) abide by decisions of the Cooperative's Board, as well as the Cooperative Manager (who would be elected by the Board and responsible for communicating with NMFS during the course of the pilot program while the EFP is valid).

NMFS could terminate the EFP for all participants even if only a single participant is responsible for violating the terms and conditions of the EFP. *See* 50 C.F.R. § 600.745(b)(8). Accordingly, pursuant to the Cooperative contracts and any terms and conditions outlined in the EFP, failure to abide by

the applicable contractual and EFP provisions could result in: 1) warning letters, “stop fishing” orders and/or monetary penalties from the Cooperative, enforceable by court order; 2) expulsion from the Cooperative and termination of that member’s ability to participate in the Cooperative and pilot program; 3) forfeiture to NMFS without compensation of any distributions of fish issued to an expelled member; and 4) disclosure of the violation to the NMFS along with a request to remove the offending member’s vessel(s) from the list of vessels authorized to fish under the EFP (effectively terminating that member’s ability to target red snapper or gag grouper for that year).

At the end of 2013, participants could choose to opt out of the pilot program and not participate for the second year. The Cooperative also desires flexibility to add new participants, subject to vote by the Cooperative’s Board, to the EFP who wish to join the pilot for the 2014 calendar year, and who would be subject to the same conditions as the original participants. The amount of the ACLs made available for use under year two of the EFP would be adjusted according to the modified number of participants and based on the formulae described above.

For the purposes of this pilot project, we request that we be exempted from the following regulations pertaining to red snapper and gag grouper:

1. Seasonal openings and closures;
2. Any other necessary or appropriate regulations as determined by NMFS to carry out the pilot program.

The pilot project seeks these exemptions to assess whether the conservation and economic goals outlined in the FMP for the Reef Fish Fishery of the Gulf of Mexico and the Magnuson-Stevens Fishery Conservation and Management Act can be better achieved through an alternative management system.

At the close of each of the two years of the pilot program, the Ad Hoc Headboat Advisory Panel will reconvene to review the progress of the pilot based on the project goals listed above. The research partners will present their findings to the AP. The Panel should consider the status of the research initiatives, as well as the opinions of the pilot program participants. The AP will present its findings to the Gulf of Mexico Fishery Management Council.

2.3 Data Collection

This headboat pilot will provide further opportunity to test a new electronic data collection method and evaluate its effectiveness in providing accurate, next to real-time catch data. The *iSnapper* is an iPhone/iPad application developed by the Harte Research Institute for Gulf of Mexico Studies at Texas A&M University-Corpus Christi (Harte Institute) and funded by NOAA’s Cooperative Research Program. It is currently being tested in the charter industry with high success¹. The headboat pilot represents another opportunity to test the utility of the device by expanding the data collection options. This project will particularly be a value in assessing the socio-economic data collection

¹ Stunz, Greg; Harte Research Institute for Gulf of Mexico Studies at Texas A&M University-Corpus Christi <http://www.hartheresearchinstitute.org/isnapper>

component of this device (e.g., estimating the economic impacts). Dr. Greg Stunz, the lead PI on the *iSnapper*, has agreed to make the program available for this pilot study.

Headboat operators in the Cooperative using the *iSnapper* input catch data into the iPhone/iPad, such as number of fish, location of capture, and discard information along with socioeconomic data about the anglers involved. These data are collected on remote servers at the Harte Institute, and could be made easily available over the internet to a variety of users, such as Cooperative participants, in the form of reports and spreadsheets. NMFS would also receive the data directly from the Harte Institute. Data collected will be used to track catch and effort, but could also be used to answer biological questions, such as those related to discards, out-of-season mortality, and predation mortality. In addition, the *iSnapper* will be able to collect socio-economic data concerning fishermen in the pilot program (see Socio-economic Study below).

To maintain the data stream for the NMFS SRHS, the headboat captains of the Cooperative would also continue to submit completed SRHS logbook data for each trip. The possibility of using *iSnapper* to submit data directly to the NMFS SRHS will be explored with the NMFS Southeast Fisheries Science Center and the Harte Institute.

2.4 Socio-Economic Study

The pilot project offers a unique opportunity to evaluate the impacts of an alternative management system on the economic performance of the headboat industry. It also provides a valuable opportunity to customize data collection to maximize their usefulness for answering important management questions. Academic researchers, in collaboration with the Gulf Headboat Cooperative, will conduct a socio-economic study of the *ex ante* effects of the change in headboat cooperative management using currently available data sources. Simultaneously, they will develop additional survey instruments to gather economic data for *ex post* analysis of the effects of the pilot project on Cooperative vessels after its first and second years. Data collection will emphasize *ex post* impacts of the pilot project. A partial list of impacts to assess in the study includes:

1. How has the pilot project changed the temporal and spatial distributions of fishing by Cooperative members?
2. How has the number of anglers/customers changed as a result of Cooperative members being able to better target their trips to the seasonality of demand?
3. Do headboat owners utilize increased flexibility to provide a more differentiated recreational product to customers?
4. How has the pilot project affected the cost and net revenue associated with a representative trip?

Data collection will include trip-level catch and effort characteristics (e.g. retained and discarded catch, spatial location, and number of customers), trip and season-level variable revenues and costs (e.g. trip pricing, gear, bait, ice, fuel, and maintenance expenditures), and labor employment and compensation information. Many trip-level data will be collected using the *iSnapper* application, whereas seasonal data will be collected through supplementary survey instruments.

2.5 - Justification

The FMP for the Reef Fish Fishery of the Gulf of Mexico (1984) was instituted by the Gulf of Mexico Fishery Management Council (Council) to address several key problems in the fishery, including declining fish stocks, for which overfishing by directed recreational and commercial users is stated as a known factor. Another problem listed was that "an insufficient data base exists to pinpoint the causes and magnitude of the decline by exact geographical area."

To address these problems, the Council set as its goal that the fishery "attain the greatest overall benefit to the Nation with particular reference to food production and recreational opportunities on the basis of the maximum sustainable yield as modified by relevant economic, social, or ecological factors."

In addition, as its objectives for the FMP, the Council listed the following:

1. to rebuild the declining reef fish stocks wherever they occur within the fishery;
2. to establish a fishery reporting system for monitoring the reef fish fishery;
3. to conserve reef fish habitats and increase reef fish habitats in appropriate areas and to provide protection for juveniles while protecting existing and new habitats; and
4. to minimize conflicts between user groups of the resource and conflicts for space.

The Magnuson-Stevens Fishery Conservation and Management Act also establishes National Standards for Fishery Conservation and Management that must be applied to all fishery management plans. The headboat pilot addresses several in particular:

(1) Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.

By instituting a near real-time monitoring program to account for all landings, the pilot project will help ensure that the Cooperative meets but does not exceed its catch limits. If successful, the program could thus help prevent overfishing while achieving optimum yield. A persistent management problem in the recreational sector has been the exceeding of catch limits for certain reef fish species, sometimes by large amounts, that hampers efforts to conserve, manage and rebuild these species. This pilot program is designed to test a different management approach along with the use of cutting-edge data collection methods to determine whether catch limits can be adhered to more effectively in the recreational sector.

(2) Conservation and management measures shall be based upon the best scientific information available.

The monitoring and data collection programs implemented by the pilot project will provide substantial data on the economic and conservation aspects of the headboat fishery. These include hail in/hail out requirements, as well as use of VMS and *iSnapper*. The pilot project thus will help

determine whether there are alternative or better methods of collecting scientific information necessary for management purposes.

(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.

Headboats provide one of the most efficient means of recreational harvest, because they enable resource access to a large number of anglers at the lowest cost per individual. By attempting to preserve the headboat sector through exploring an alternative management approach, the pilot project will help ensure the FMP maintains compliance with this standard.

(8) Conservation and management measures shall, consistent with the conservation requirements of this Act (including the prevention of overfishing and rebuilding of overfished stocks), take into account the importance of fishery resources to fishing communities by utilizing economic and social data that meet the requirements of paragraph (2), in order to (A) provide for the sustained participation of such communities, and (B) to the extent practicable, minimize adverse economic impacts on such communities.

One overriding purpose of the pilot program is to determine whether an allocation-based system can help preserve the headboat industry and the families, jobs, and communities that industry supports throughout the Gulf of Mexico. The current FMP is not providing for sustained participating of these fishing communities, and the pilot program is designed to test an alternative approach.

(9) Conservation and management measures shall, to the extent practicable, (A) minimize bycatch and (B) to the extent bycatch cannot be avoided, minimize the mortality of such bycatch.

One goal of the pilot project is to determine whether a self-imposed requirement to land and count against the Cooperative's catch limits all fish that appear to be mortally wounded, as long as the vessel holds unused red snapper or gag distributions and has not reached its bag limits, can reduce dead discards. Cooperative members may also test methods of reducing mortality of fish that are released.

(10) Conservation and management measures shall, to the extent practicable, promote the safety of human life at sea.

Instead of being forced to fish during the short open seasons for red snapper and gag grouper, participants in the Cooperative can fish year-round and can reschedule trips to avoid taking customers fishing in bad weather. The pilot program will explore whether a cooperative system could improve safety in the for-hire sector.

In addition, enhanced data collection for biological and socio-economic purposes will help measure the impacts of the pilot program and its success in achieving its goals. This includes targeted ecological goals. For example, by carefully monitoring catch in a real-time basis, Cooperative participants will test whether this alternative management system will help prevent overfishing and achieve optimum yield under MSA, and whether it significantly improves data collection. By providing flexibility to fishermen in when they fish, requiring Cooperative members to retain and count against their catch limits all legal-sized fish that are mortally wounded (instead of discarding or releasing such fish), and requiring Cooperative members to cease targeting red snapper or gag grouper upon exhausting their individual catch limits, this project also seeks to reduce regulatory discards that are wasteful and contribute to overages. By distributing effort over longer spatial and temporal scales, the pilot project attempts to prevent localized overfishing.

Economically, the headboat pilot will test a management approach that improves accountability in the fishery while giving participants the flexibility that is critical to running a business. Fishermen can schedule their trips to take advantage of market, weather, fishery and customer needs, and other conditions. Cooperative participants will also test the ability to achieve management, business and employment stability under a more rationalized system, with the goal of increasing the economic viability of coastal fishing businesses that contribute to local economies. Fishermen will test whether they can provide sustainable jobs through long-term, non-seasonal crews in this alternative management system.

U.S. experience with commercial fishing rationalization demonstrates that allocation-based tools such as IFQs and harvest cooperatives have been successful in achieving economic and biological management goals. Allocation-based tools have successfully aligned fisheries management goals with industry incentives. Similar to commercial fishing, regulations can incentivize a race to fish and result in excessive investment in capital and trip inputs. Despite being under a limited access system, biological and industry outcomes observed in the for-hire industry, and in particular in the red snapper segment of the reef fish fishery, resemble those observed in overcapitalized commercial derby fisheries. The Gulf of Mexico headboat industry has experienced shorter seasons and lower customer bag limits under new recreational fishing constraints. As recreational contributions to fishing mortality increase for several species in the Gulf of Mexico, we believe that there could be a role for allocation-based management and improved accountability. This pilot project, while not a comprehensive rationalization program, may help determine whether such an approach would be an appropriate regulatory response to solve longstanding problems observed in the headboat industry.

3. For each vessel to be covered by the EFP, as soon as the information is available and before operations begin under the EFP:

- (A) A copy of the USCG documentation, state license, or registration of each vessel, or the information contained on the appropriate document.**
- (B) The current name, address, and telephone number of the owner and master, if not included on the document provided for the vessel.**

In accordance with 50 C.F.R. § 600.745(b)(2)(iv), the Cooperative will provide the final list of participating vessels to NMFS, including their USCG documentation and ownership information, as soon as that information is available and before operations begin under the EFP. This list will include no more than 20 vessels.

4. The species (target and incidental) expected to be harvested under the EFP, the amount(s) of such harvest necessary to conduct the exempted fishing, the arrangements for disposition of all regulated species harvested under the EFP, and any anticipated impacts on the environment, including impacts on fisheries, marine mammals, threatened or endangered species, and EFH.

- A. NMFS will specify the number of red snapper and gag grouper necessary and appropriate to conduct activities under this EFP for the listed applicants. As set forth above, these amounts will be based on the applicants' logbook landing records in recent years.
- B. Customers of the headboat vessels would be allowed to keep the fish caught under the purview of the permit.
- C. Since the headboat captains will be harvesting within the recreational quota, there will be no additional impacts to the red snapper and gag grouper fisheries. The recreational fishing seasons for non-participating vessels will not be affected by this EFP, because the participating vessels will catch the same proportion of fish under this EFP that they caught during prior seasons. The recreational sector as a whole could benefit from reduced discards and accurate, real-time monitoring of catches by participating vessels, given that one management problem observed in that sector is frequent exceeding of catch limits. Moreover, the EFP itself could help reduce overages in the recreational sector because the participating vessels would not be contributing to any excess harvests during the general recreational open seasons.
- D. We do not believe the EFP will cause any impacts to marine mammals, threatened or endangered species, or EFH. The entire vertical-line recreational fishery for all Gulf reef fish through the Gulf of Mexico is estimated to result in 125 sea turtle interactions annually, or 375 takes over a three-year period. See ESA Section 7 Biological Opinion (Sept. 30, 2011) at 117, available at <http://sero.nmfs.noaa.gov/pr/Section7FisheryBiologicalOpinions.htm>. Compared to the number of participants in the Gulf-wide recreational fishery for reef fish, the number of headboats participating in the Cooperative is minimal and any changes to sea turtle interactions are therefore likely to be *de minimis*. The Gulf reef fish fishery is classified in the 2011 Marine Mammal Protection Act List of Fisheries as Category III fishery, 75 Fed. Reg. 68468 (Nov. 8, 2010). This classification indicates the annual mortality and serious injury of a marine mammal stock resulting from the fishery is less than or equal to 1% of the potential biological removal. Dolphins are the only species documented as interacting with this fishery. Bottlenose dolphins may predate and depredate on the bait, catch, and/or released discards of the reef fish fishery. Since overall fishing effort is not likely to change in a material amount, existing analyses of recreational fishing impacts

under the current FMP should not change as a result of this EFP². In the rare event that an interaction should occur, it will be noted in the Cooperative participant's logbook and be listed as part of the *iSnapper* dataset.

5. For each vessel covered by the EFP, the approximate time(s) and place(s) fishing will take place, and the type, size, and amount of gear to be used.

The original intent of the Cooperative was that the EFP would be in effect for the duration of two full calendar years, January 1, 2013 - December 31, 2014. Given the date of resubmission of this EFP application, however, an effective date of January 1, 2013 is not feasible. The Cooperative therefore requests that NMFS approve the EFP as soon as practicable in 2013 with an effective date for year one through December 31, 2013, and an effective date for year two starting January 1, 2014 and continuing through December 31, 2014. The Cooperative seeks approval for participating vessels to be allowed to target red snapper and gag grouper for the duration of each calendar year for which the EFP is in effect, provided that they have not exceeded their catch limits for both red snapper and gag grouper. All fishing will be performed by anglers on a licensed and documented headboat with typical recreational fishing gear (i.e., rod and reel).

As noted above, the Cooperative seeks approval for up to 20 vessels to participate in the pilot program described in this EFP. To date, Cooperative members have indicated that the following 11 vessels would participate:

- 1 vessel from Galveston, TX, Federal waters off Galveston, TX
Captain John (Johnny Williams)
- 4 vessels from Orange Beach, AL, Federal waters from Destin, FL to Mobile Bay, AL
Gulf Winds II, SanRoc Cay Marina (Randy and Susan Boggs)
Reel Surprise, SanRoc Cay Marina (Randy and Susan Boggs)
Zeke's Lady - Zeke's Landing Marina (Tom Steber, Representative)
Outcast - Flora-Bama (Eddie Sims)
- 4 vessels from Clearwater, FL, Federal waters off Clearwater, FL
Super Queen (Eric Spaulding)
Gulf Queen (Eric Spaulding)
Double Eagle II (Chad Haggert)
Double Eagle III (Chad Haggert)
- 1 vessel from Tarpon Springs, FL, Federal waters off Tarpon Springs, FL
Gulf Star (Richard Castellano)
- 1 vessel from Destin, FL, Federal waters off Destin, FL
Sweet Jody (Cliff Cox)

² see Section 2.1.1 Endangered Species Act - Section 7 Consultation, Biological Opinion for the Continued Authorization of Reef Fish Fishing under the Gulf of Mexico Reef Fish Fishery Management Plan, NMFS Southeast Regional Office, 2011

6. The signature of the applicant.

Randy Boggs, Cooperative Manager
On Behalf of the Gulf Headboat Cooperative