

From: [Steve Branstetter - NOAA Federal](#)
To: [0648-XC528 Headboat.IFT.EFP - NOAA Service Account](#)
Subject: Fwd: RIN 0648-XC528 - Headboat IFQ
Date: Friday, May 03, 2013 6:32:21 PM
Attachments: [Gulf Headboat Cooperative Economist Letter.pdf](#)

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

From: Joshua Abbott <[REDACTED]>
Date: Thu, May 2, 2013 at 1:55 PM
Subject: RIN 0648-XC528 - Headboat IFQ
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Cc: Steve.Branstetter@noaa.gov, Roy.Crabtree@noaa.gov

Dr. Branstetter:

As economists working in the field of environmental and natural resource economics, we are writing to offer our support for the Gulf Headboat Cooperative's application for an exempted fishing permit. Please accept the attached letter in support of this EFP pilot program.

Sincerely,

Joshua Abbott

Joshua Abbott
Associate Professor, Environmental & Resource Economics
School of Sustainability, Arizona State University
Phone: [REDACTED]
[REDACTED]
[p://\[REDACTED\]](#)

--
Steve Branstetter, Ph.D., Gulf Branch Chief
NMFS, SERO
263 13th Ave. S.
St. Petersburg, FL 33701
727-551-5796

Joint Statement from Economists on the Gulf Headboat Cooperative Application for Exempted Fishing Permit

May 2, 2013

Dr. Steve Branstetter
Southeast Regional Office, NMFS
263 13th Ave South
St. Petersburg, FL 33701

Re: Headboat IFQ RIN 0648-XC528

Dear Dr. Branstetter:

As economists working in the field of environmental and natural resource economics, we are writing to offer our support for the Gulf Headboat Cooperative's application for an exempted fishing permit (EFP) to test a new approach to managing recreational for-hire fishing. We would like to offer our support from both the perspective of its merit in contributing to the state of knowledge in fisheries economics and in improving the quality of information for fisheries management in the Gulf of Mexico and beyond.

The objective of this pilot is to analyze how headboats adapt in a regime where, instead of being constrained by uncertainty about season closure, their catch allocation is secure, they have flexibility to book trips through the year, and they can plan, market, and fish accordingly. The pilot has substantial potential to improve the state of knowledge in both the academic and management communities of the effects of changes in management on the for-hire sector. Such knowledge is increasingly needed in mixed-use fisheries with a large recreational component. While there is a small amount of conceptual modeling in this area and some existing data outlining the current economic and social context of for-hire fisheries, there remains precious little policy experience to guide decision making. Experience in commercial fisheries demonstrates that fishing cooperatives can successfully meet the economic and biological objectives of fisheries management. However, extrapolation from commercial fisheries is of limited applicability given the unique economic structure and incentives reflected in this mixed commercial/recreational fishery and the headboat sector's unique role in coastal economies. The state of knowledge would be greatly enhanced by purposeful, targeted data collection and evaluation in anticipation of important management changes.

The EFP reflects collaboration between fishermen and academic partners to establish exactly such a protocol. The impacts are of clear importance to owners, crew and clients of the for-hire sector and fisheries managers as well. An especially important aspect of the EFP is the fact that it leads to samples from the headboat fleet that are inside and outside of the pilot Cooperative. After control for selection effects, this allows those vessels that do not participate to serve as a control group for those that do. This creates the potential for researchers to compare the change in important performance metrics before and after the EFP for both groups of vessels.

Dr. Steve Branstetter

May 2, 2013

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Such a scenario is fairly rare in fisheries management and offers the potential for a far more robust contribution to knowledge than studies that focus on before/after impacts alone.

In summary, the Gulf Headboat Cooperative pilot program presents a significant opportunity to expand the scientific foundations for sound management of the for-hire sector through thoughtful data collection and analysis. The data and research protocol presented within the EFP represent a framework to maximize the useful information from such a policy experiment while fostering collaboration between the for-hire sector and researchers. These features will enhance the credibility of the associated data and research in the academic community while facilitating the ongoing adaptive management of for-hire recreational fisheries in the Gulf of Mexico and beyond.

We urge you to approve the Gulf Headboat Cooperative EFP.

Sincerely,

Joshua K. Abbott, PhD
Associate Professor, Environmental & Resource
Economics, School of Sustainability
Arizona State University

Christopher M. Anderson, PhD
Associate Professor of Fisheries Economics, School of
Aquatic and Fishery Sciences
University of Washington

Lee G. Anderson, PhD
Maxwell P. and Mildred H. Harrington Professor,
College of Earth, Ocean, and Environment
University of Delaware

Gardner Brown, PhD
Professor Emeritus, Department of Economics
University of Washington

Christopher Costello, PhD
Professor of Environmental & Resource Economics,
Bren School of Environmental Science & Management
University of California, Santa Barbara

Robert T. Deacon, PhD
Professor, Department of Economics
University of California, Santa Barbara

Eli Fenichel, PhD
Assistant Professor, School of Forestry &
Environmental Studies
Yale University

Corbett Grainger, PhD
Assistant Professor, Department of Agricultural &
Applied Economics
University of Wisconsin, Madison

Theodore Groves, PhD
Professor Emeritus, Department of Economics
Director, Center for Environmental Economics
University of California, San Diego

W. Michael Hanemann, PhD
Chancellor's Professor, Department of Agricultural &
Resource Economics
University of California, Berkeley

Dr. Steve Branstetter

May 2, 2013

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Daniel D. Huppert, PhD
Professor Emeritus, School of Marine and
Environmental Affairs
University of Washington

Sherry L. Larkin, PhD
Professor, Food and Resource Economics Department
University of Florida

Donald Leal
Senior Fellow
Property and Environment Research Center

Dominic P. Parker, PhD
Assistant Professor, Department of Agricultural &
Applied Economics
University of Wisconsin, Madison

Kurt E. Schnier, PhD
Associate Professor, Department of Economics
Georgia State University

V. Kerry Smith, PhD
Distinguished Sustainability Scientist, Global Institute
of Sustainability
Regent's Professor, Department of Economics
Arizona State University

Thomas Sterner, PhD
Professor, Department of Economics
University of Gothenburg
Visiting Chief Economist
Environmental Defense Fund

Jon G. Sutinen, PhD
Professor Emeritus, Department of Environmental &
Natural Resource Economics
University of Rhode Island

Gil Sylvia, PhD
Professor, Department of Agricultural & Resource
Economics
Oregon State University

Quinn Weninger
Associate Professor, Department of Economics
Iowa State University

John Whitehead, PhD
Professor and Chair, Department of Economics
Appalachian State University

James Wilen, PhD
Professor, Department of Agricultural & Resource
Economics
University of California, Davis

Daniel Willard, PhD
Economist, Oceans Program
Environmental Defense Fund

Richard Woodward, PhD
Professor, Department of Agricultural Economics
Texas A&M University

Tracy Yandle, PhD
Associate Professor, Department of Environmental
Studies
Emory University

From: [REDACTED]
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Head Boat IFQ
Date: Thursday, April 04, 2013 5:55:00 PM

I support the moving forward with the Head boat pilot. It is time to start letting these legitimate business begin the exploration of a program that will let them stabilize their legal tax pay bushiness. This is a forward thinking move by the Head boat industry and I applaud the developers of the program for seeking a solution to the box that they were forced into.

Thanks
Jason Delacruz

From: [REDACTED]
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Head boat IFQ
Date: Tuesday, April 02, 2013 8:27:33 PM

I support this concept. The current system to manage CFH headboats is simply awful and has failed the country and the fishery. Its about time progress was made in evaluating new solutions. Thanks and congratulations NMFS! Capt. Scott Hickman [REDACTED]
[REDACTED] [REDACTED] Texas

From: [brian lewis](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Head boat Ifq / pilot program
Date: Tuesday, April 02, 2013 7:33:31 AM

I think it's about time that the charter for hire industry have a accountable system to work with .
Kudos to them for trying to work together with fishery management to get this done .
Ok now we need a similar system for the private recs !
Stop overfishing and promote good stewardship
Brian Lewis
F/V Trip limit

Sent from my iPad=

From: [Daniel Willard](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Headboat IFQ - RIN0648-XC528
Date: Thursday, May 02, 2013 3:00:27 PM
Attachments: [EDE Support Letter.pdf](#)

Dr. Branstetter:

Please accept the attached letter with Environmental Defense Fund's recommendation that NMFS approve the Gulf Headboat Cooperative application for an exempted fishing permit.

Thank you,
Daniel

Daniel Willard, PhD

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED], TX 78701
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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May 2, 2013

Dr. Steve Branstetter
Southeast Regional Office, NMFS
263 13th Avenue South
St. Petersburg, FL 33701

Re: Headboat IFQ RIN 0648-XC528

Dear Dr. Branstetter:

Environmental Defense Fund recommends that the National Marine Fisheries Service approve the Gulf Headboat Cooperative application for an exempted fishing permit (EFP).

Commercial and recreational fishing are valuable economic and leisure pursuits in the Gulf of Mexico region. A growing number of commercial fisheries, including Gulf red snapper and groupers, are operating under effective management that provides significant benefits to communities while ensuring fishermen stay within strict catch limits. This is good for the environment, the region’s economy, and seafood consumers around the country.

However, current management of recreational fisheries is a different story. This is especially true for popular fish like red snapper and gag grouper, for which recreational fishing contributes more to fish mortality than commercial fisheries. Unfortunately, these reef fish fisheries are following a failed pattern that is well-known in commercial fisheries: fishing under regulated open-access promotes a “race to fish” which inevitably results in shorter seasons, shrinking bag limits, and growing waste of fish.

Current management of reef fish recreational fishing squanders fishing opportunities and economic potential for for-hire operators, tackle and supply stops, and many other businesses. The data collection and monitoring system does not allow for in-season adjustments and leads to persistent and large recreational overharvests. For red snapper, this means that even though the stock is now rebuilding, ongoing overharvests can threaten to return the stock to “overfishing” status.

In this atmosphere the Gulf Headboat Cooperative is proposing an EFP to test a promising new system. The pilot will test how headboats can make the best use of a strict limit of red snapper and gag grouper by allowing flexibility to plan fishing trips for anglers throughout the year. The pilot will also provide faster and more accurate reporting of landings and other data and facilitate greater enforcement capabilities through use of vessel monitoring systems and a hail-out/hail-in requirement. This is a badly needed test of how Gulf fisheries can benefit from significant improvements over existing for-hire management.

However, there are those who object to the EFP, seemingly in favor of the status quo. They argue that the EFP will have negative impacts on the fishery by taking fish from others and allowing a “fish grab” for a few vessels. In reality the participating vessels are constrained to the proportion of fish they would retain in a typical

Dr. Steve Branstetter

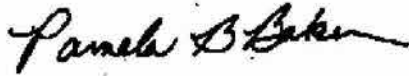
May 2, 2013

Page 2 of 2

season (using 2011 data). Thus, there will be no adverse effect on fish stocks or the length of fishing seasons for others. The captains will not obtain "ownership" of fish as some claim; instead they will test how vessels with a defined allocation for the EFP period can offer better fishing opportunities for Gulf coast residents and tourists while contributing to – rather than reversing – the health of fish populations.

No one disputes that there is an urgent need to improve recreational reef fish management. In fact, many agree that a complete overhaul is needed. By approving this EFP, NMFS will be taking an important step toward better management of the Gulf's recreational reef fish fisheries. We urge NMFS to approve this EFP and work for timely implementation in January 2014.

Sincerely,



Pamela Baker
Director, Gulf and Southeast Oceans Program



Daniel Willard, PhD
Economist, Gulf and Southeast Oceans Program

From: [form](#) [REDACTED] on behalf of [REDACTED]
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Headboat IFQ
Date: Wednesday, May 01, 2013 9:44:52 PM

First Name: william
Last Name: regina
Street Address: [REDACTED]-[REDACTED]
City: [REDACTED]
State: Florida
Zip Code: 34684
Email Address: [REDACTED]
: Dear NOAA:

I support the Gulf Headboat Cooperative's application for an Exempted Fishing Permit (EFP). Recreational fishing regulations for red snapper and gag grouper aren't working in the Gulf of Mexico. Fishermen and for-hire captains need new options and more flexibility. The EFP will authorize a pilot program to test whether there is a better way to conserve fish while increasing access for fishermen.

Because headboat captains participating in the pilot program will use state-of-the-art technology to accurately report and track their catches in real-time, the EFP should authorize year-round fishing. Increased access through responsible management will be good for the captains, the fishermen that hire them and the communities that rely on a strong recreational fishery, and will provide better data to evaluate the pilot program.

I urge the National Oceanic and Atmospheric Administration to quickly approve this EFP.

From: richard_eberle
To: 0648-xc528.headboat.ifq.epf@noaa.gov
Subject: Headboat IFQ
Date: Thursday, April 11, 2013 3:57:59 PM

Dear Sirs,

I am in favor of a trial of IFQ (individual fishing quotas) for the Gulf of Mexico headboats targeting Red Snapper. The system as it presently stands is not satisfactory! Although it appears that the decreasing number of days which Red Snapper may be retained indicates a diminishing population this is not the case. Out of Galveston, Texas there is no structure in Federal waters (9-200 miles) that does not hold a large number of Red Snapper. At many places you cannot catch anything but snapper because they have literally taken over. I have been fishing these waters on the headboats for the last 57 years and have seen dramatic improvement in both number and quality of catches since there have been restrictions in place. We cannot go back to the anything goes days, that is clear, but for the continued existence of the recreational Red Snapper fishery some changes will need to take place. Allowing the individual headboats to set their own days which they can harvest snapper will really help.

Richard L. Eberle

██████████. ██████████
██████████, Tx 77590

email: ██████████

From: [Tommy Stewart](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Headboat IFQ
Date: Tuesday, April 02, 2013 1:00:17 PM

I think the program would be worth a trial, but would object to the quota being applied to the Recreational Quota. Head boats are a commercial interest and any catch should be reported against the commercial, not the recreational quota. As a recreational fisherman/diver, I am upset with the ever dwindling recreational season. I know the comment is about the headboat IFQ, but I would also like to see some changes to the snapper/grouper seasons. Perhaps a Fri-Sat-Sunday recreational season for the overfished species.

Thanks for reading!
Tom Stewart
[REDACTED], FL

From: [Grey Cane](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Headboat IFQ
Date: Tuesday, April 02, 2013 11:19:54 AM

If this program will help gather more data on the population of Red Snapper in the Gulf of Mexico then I say go for it.

I am curious about using Headboat catch data only. What not also spread it around some and also collect data from some for hire charter boats and maybe even a select few recreational fishermen too?

Please take a hard look at the Red Snapper population in the Gulf. I fished in the Gulf, out of Orange Beach, on Friday March 29, we had to work hard to find spots that were not covered up with snapper. We fished out to 40 miles from shore, the Snapper are everywhere.

Thank you for your hard work to protect our resources.

Grey Cane

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█. ██████████, █

██████ - █████ - █████

████████████████████

From: [REDACTED] on behalf of [Steve Tomeny](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Headboat IFQ
Date: Wednesday, May 01, 2013 4:30:23 PM

As the owner and operator of two headboats in Louisiana I believe that the headboat ifq will be an improvement over our present system. We need the flexibility use our red snapper and grouper allocations in ways that suite our specific business needs.

This program will also bring the headboats into very high accountability standards , in real time.

Please help us advance this new idea of fisheries management.

Captain
Steve Tomeny

--

Steve Tomeny

[REDACTED]

[REDACTED], LA 70357

[REDACTED]

[REDACTED]

From: [TJ Tate](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Headboat IFQ
Date: Wednesday, May 01, 2013 3:36:26 PM
Attachments: [Headboat EFP Support Letter.pdf](#)
[Untitled attachment 00025.htm](#)

May 2, 2013

Steve Branstetter,
NOAA Fisheries,
Southeast Regional Office,
263 13th Avenue South,
St. Petersburg, FL 33701



RE: RIN 0648-XC528 Exempted Fishing Permit for a Pilot Study by Gulf of Mexico Headboats Evaluating an Allocation-Based Management System

Dr. Branstetter,

Please accept this letter in support of the proposed Gulf of Mexico Headboat EFP. The Shareholders Alliance has supported innovation and stewardship since our inception in 2008. We have worked to strengthen the commercial fishing industry through our exploration of IFQ's, video monitoring and bycatch reduction research. We have also been advocates for positive change in the recreational and for-hire industries in efforts to create fully accountable Gulf fisheries.

The proposed EFP for the Headboat operators will not only take that first big step toward accountability for a portion of the recreational industry but provide a much needed exploration of how an alternative management option might work for the recreational for-hire sector.

The Headboat operators proposed and created this plan through diligence and commitment to program design by defining- data collection- establishing that there would be no impact on season lengths for private anglers or non-participating for-hire vessels- voluntary participation and finally, garnering support from the Gulf Council.

This is a group of hardworking men and women who have been struggling in their businesses due to a lack of flexibility. It is now upon the NMFS to sign off on this flexibility and give Gulf Headboat operators an opportunity to not only be successful but provide increased access to fishermen across the country. Please put this EFP into motion so that our Headboat fishermen can get back to fishing.

Thank you for your Consideration,

Tj Tate

Tj Tate
Executive Director
Gulf of Mexico Reef Fish Shareholders Alliance

Tj Tate
Executive Director
Gulf of Mexico Reef Fish Shareholders Alliance

[REDACTED]

Managing Director- Gulf Wild

[REDACTED]
[REDACTED]

From: [The Charter Fisherman Association](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Headboat IFQ
Date: Tuesday, April 30, 2013 8:14:17 PM
Attachments: [2013.04.30.Dr.Branstetter.docx](#)

April 30, 2013

Dear Dr. Branstetter

The Charter Fisherman's Association (CFA) submits its full support for the Gulf Headboat Cooperative's application for an exempted fishing permit (EFP). Recreational fishing for species like red snapper and gag grouper in the Gulf of Mexico has been severely restricted over the last few years from management that is not working. For-hire captains can't continue to work with short seasons, small bag limits, and growing tension between state and federal managers.

The Cooperative and EFP were developed by headboat captains to find alternatives to short seasons set by NOAA and the Gulf Council. After being approved by an advisory panel made up of Gulf fishermen, the Gulf of Mexico Fishery Management Council supported the EFP application by majority vote last year.

The two-year pilot will allow headboats to offer their customers year-round access to red snapper and gag grouper, as long as they stay under their catch limit. Participating captains would catch the same proportion of fish they did in 2011 but be given greater flexibility.

As a part of the pilot, headboat captains will use new systems to report their catch in near real-time. Better reporting and data collection are essential to a healthy fishery. Although some people claim the opposite, it will not impact the length of season for the rest of the recreational fishery. By ensuring fast and accurate accounting for fish kept by headboat customers, it can only serve to help the rest of the red snapper fishery, the gag fishery, and ultimately others.

The pilot will provide an important opportunity to test how new management can work for the for-hire industry and learn valuable lessons for both headboats and charter boats. Like any American business, we need freedom and flexibility, not government micromanagement that hurts us and the Gulf. If we don't find a way to fix this problem, it will spread to all of our fish, causing tremendous economic and conservation damage.

It is important that as a part of this pilot NOAA authorizes participants to fish for red snapper and gag grouper year-round. Demonstrating year-round flexibility is fundamental to showing how fishing businesses can operate efficiently while improving conservation of the stock.

Coastal communities across the Gulf of Mexico rely on a healthy recreational fishing industry and millions of fishermen rely on for-hire vessels to fish Gulf waters every year. On behalf of our members and our customers, we recommend that you implement this EFP.

Sincerely,

Michael Jennings, President
Charter Fisherman's Association

From: [Allan Willis](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Headboat IFQ
Date: Thursday, April 25, 2013 10:04:59 AM

Hello,

I am a member of the NMFS HMS AP, and a technical advisor to the ICCAT delegation. I am writing to comment on the proposed pilot study to allocate recreational fishing shares in the GOM. I understand the economic rationale for transferrable quota within the commercial sector. In that case the economics indicate that this provides a better system for more rational and efficient behavior and reduces the likelihood of derby situations. In this case you maximize the overall value of the fishery. However, in the recreational sector, there are NO similar incentives. Recreational fishermen fish for the love of the activity, and for food to put on their table. There is no market for recreationally caught fish, and therefore no market to optimize. When you allocate shares to specific fishermen you are effectively stealing from all other recreational fishermen. This would be commoditizing an activity, rather than a commodity. This is very dangerous, as it leads to a situation where a few people can force others to pay them for the right to recreationally fish for specific species. This is just a terrible idea for the recreational fishery. The recreational fishery is not the commercial fishery and should not be managed as such. I could make a lot of money if you gave me those shares, but it would be at the expense of the rest of the community. I urge you in the strongest terms possible to find other pathways to manage this fishery, as this is one of the worst concepts that I have ever seen presented. Effectively this will minimize the overall economic value of the recreational fishery, which is something NMFS is absolutely supposed to avoid.

Sincerely,
Allan Willis

From: [GulfCouncil](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Headboat IFQ
Date: Monday, April 22, 2013 11:45:37 AM

I want to support the Headboat Pilot program.

The concept is one that should be approved for several reasons.

The current FMP needs revisions. It is outdated and just doesn't work well and no one is happy.

This program will provide an alternate management plan to be studied and tested without making changes to the original plan and if some features of the pilot program are proven beneficial they can be implemented with less risks since the testing phase was done.

If the way to improvements is thru pilot programs then more programs should be granted exempted permits. Other programs should be created and tested parallel to this program.

The Charter for hire needs flexibility which would allow more economic stability but more importantly they need the flexibility to make decision on what days to fish to provide safety at sea.

The best example is in Texas the for hire EEZ season for 2013 is June 1 to June 12. Only 12 DAYS.

These days are chosen by the NMFS. From talking to the Charter boats in that area its really windy at that time and snapper fishing will be attempted .

Doesn't logic tell you it would be a better choice to let the Texas for hire EEZ permitted boats choose the safest 12 days to fish instead of NMFS choosing.

It's easy when you are fishing for fun to cancel a day but when you trying to make a living its a different story. Ask any commercial fisherman and listen to their answer. The CFH is really no different. Derby fishing is not and was not the best method for either group.

The CFH was placed under a moratorium . Here is the recap in the federal registry.

This final rule establishes a limited access system for charter vessel/headboat (for-hire) permits for the reef fish and coastal migratory pelagic fisheries in the exclusive economic zone (EEZ) of the Gulf of Mexico and will continue to cap participation at current levels. In addition, this final rule incorporates a number of minor revisions to remove outdated regulatory text and to clarify regulatory text. The intended effect of this final rule is to provide for biological, social, and economic stability in these for-hire fisheries.

We were told this was done to provide biological, social, and economic stability to the for hire fisheries. I remember this so well...

Well its a decade later and we have lost over 30% of the permits...and with some states only getting to snapper fish for 12 days.... how does this LAPP achieve that goal of economic stability it was intended for.

We started with 1700 and now there are less than 1200. (about 30% -50% of the 1200 are permits where the CFH has given up the hope of making a living by chartering and just haven't given up the permit yet)

So when you are looking at whose is making a living by chartering the number has dropped even more.

But 12 Days? Geez.....I don't think the charter industry can hold on much longer...

The problem is not the charter industry. Their growth was capped to 2003 levels.

A moratorium was placed upon them without an allocation based management system that would have provided that the true purpose of the amendment could achieve its goals.

Logic tells you that when the CFH is included with a user group that has uncontrolled growth amendment 25 's intent effect could not be met.

The only thing that would improve on this program would be to allow ANY Charter for hire to participate and be given an allocation using the same methodology from the Charter for hire landings data. This would then guarantee a fair program without one for hire group having an economic advantage over the other.

Please approve this program.

Please approve a similar program being developed using the same methodology as this program that charter for hire vessels can participate in.

Please approve Days at Sea Pilot Program

Please approve any Regional Management Pilot Program.

Sincerely,
Debbie Wilhite

████████████████████

████████████████████.

████████████████████, AL 36542

----- End of Forwarded Message

From: [George Mckinney](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Headboat IFQ
Date: Tuesday, April 16, 2013 1:22:27 PM

Dear Mr. Branstetter,

The purpose of this letter is to express my strong support for the Gulf Headboat Cooperative's application for an exempted fishing permit (EFP) for red snapper.

My personal angling history includes 60 years harvesting red snapper from the northeast Gulf of Mexico on commercial boats, headboats, charter boats, and private vessels. Twenty-plus years of management (dating from Amendment 1 to the Reef Fish Management Plan) have resulted in a current red snapper population that far exceeds anything I witnessed during the preceding 59 years.

Current populations notwithstanding, this commercially-valuable and recreationally-popular species would rapidly undergo overfishing absent sound management and attendant restricted harvests.

I have concluded that the EFP paradigm may offer the optimum way to apportion allowable harvests in accordance with governing National Standards. Individual quotas provided commercial fishermen enhanced participant safety and financial returns because participants are able to make personal- and market-based decisions. It is logical that similar results will be achieved by allowing participants in the recreational fishery to do likewise.

The Cooperative's proposed EFP offers a low-/no-risk opportunity to obtain empirical data that will facilitate informed decisions about potential positive effects of broader implementation of this concept and should therefore be approved.

Most Respectfully,
George McKinney

████████████████████
██████████, FL 32571-██████████
(██████) ██████████

From: [jeff gerrans](#)
To: [The EFP Comments](#)
Subject: Headboat IFQ
Date: Tuesday, April 16, 2013 10:50:08 AM

Dear The Comments,

Please allow catch shares for the for hire and head boat industries. Look at the history of the commercial sector. Catch Shares is working for them.

Sincerely,

jeff gerrans

██████████
██████████, TX 77429

From: [John Zukley](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Headboat IFQ
Date: Monday, April 15, 2013 12:22:34 PM

In favor of study if:

- 1.) Same notification to authorities as Commercial IFQ;
- 2.) Pre-trip notification.
- 3.) 3-hour notification of landing
- 4.) Specified landing location
- 5.) Poundage verification by Conservation Officers
- 6.) Poundage of Snapper and Gag Grouper from Recreational allotment
- 7.) Log requirements
- 8.) Permit requirements, State and Federal
- 9.) Size requirements equal to Recreational
- 10.) No sale of fish, not even throats as is now being done by Charter boats

Thank you
John Zukley



From: [John Schmidt](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Headboat IFQ
Date: Thursday, May 02, 2013 12:16:15 AM
Attachments: [GFA Headboat exper.docx](#)

Dear Dr. Branstetter

The Gulf of Mexico commercial fishing industry is very pleased to see members of the recreational sector taking actions to try new ideas to better manage their fishing. The Gulf Fishermen's Association fully supports the Gulf Headboat Cooperative's application for an exempted fishing permit (EFP).

Commercial fishermen can easily remember the days of mismanagement, shortened seasons and derbies that we endured for reef fish like red snapper and grouper. Now, through fishermen working together, like the headboat captains have with this EFP, those commercial fisheries are sustainably managed and on a good track toward being rebuilt.

Now is the time for new ideas for recreational fishermen. The group of recreational fishermen that developed this pilot project and applied for this EFP is trying to find a balance between complying with the recreational sector catch limits and providing necessary flexibility for their businesses and fellow anglers.

This two-year pilot will allow participating headboat captains to take customers on fishing trips for red snapper and gag grouper year-round and ensure they stay within their set limit through daily electronic reporting of landings. Captains will also install vessel monitoring systems and provide a landing notification for every trip, similar to procedures required of commercial vessels fishing for red snapper and grouper. This improved accountability is important to all of us that depend on these fish. This pilot will help not only the for-hire industry to find innovative alternatives to current management, but help individual anglers and commercial fishermen through more accurate accounting and compliance by these captains.

Commercial fishermen can attest: year-round flexibility is fundamental to showing how fishing businesses can operate efficiently while still conserving the stock. Once this pilot is authorized by NMFS, it should allow participating headboat captains to provide fishing access for red snapper and gag grouper year-round.

Gulf communities, anglers and others are depending on work like this to improve the tense situation currently unfolding in the management of the Gulf's fisheries. Pilots like this can help provide insights to new ideas that will improve flexibility for businesses that depend on these fisheries

while ensuring their long-term sustainability.

On behalf of our members and the consumers we serve we strongly urge NMFS to approve this EFP and implement this pilot without delay.

Sincerely,

Gulf Fisherman's Association Board of Directors:

Glen Brooks: President, ██████████, FL	██████████
Dean Pruitt: Vice President, ██████████, FL	██████████
Jim Clements, Board Member, ██████████, FL	██████████
Brad Kenyon: Board Member, ██████████ ██████████, FL	██████████
Jason Delacruz: Board Member, ██████████, FL	██████████
John Schmidt: Board Member, ██████████ ██████████, FL	██████████
Will Ward: Board Member, ██████████ ██████████, FL	██████████

Gulf Fishermen's Association

The Largest Offshore Commercial Fisherman's Organization in the SE US
██████████, ██████████, FL 33756

Formatted: Normal, Centered

Dear Dr. Branstetter

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The Gulf of Mexico commercial fishing industry is very pleased to see members of the recreational sector taking actions to try new ideas to better manage their fishing. The Gulf Fishermen's Association fully supports the Gulf Headboat Cooperative's application for an exempted fishing permit (EFP).

Commercial fishermen can easily remember the days of mismanagement, shortened seasons and derbies that we endured for reef fish like red snapper and grouper. Now, through fishermen working together, like the headboat captains have with this EFP, those commercial fisheries are sustainably managed and on a good track toward being rebuilt.

Now is the time for new ideas for recreational fishermen. The group of recreational fishermen that developed this pilot project and applied for this EFP is trying to find a balance between complying with the recreational sector catch limits and providing necessary flexibility for their businesses and fellow anglers.

This two-year pilot will allow participating headboat captains to take customers on fishing trips for red snapper and gag grouper year-round and ensure they stay within their set limit through daily electronic reporting of landings. Captains will also install vessel monitoring systems and provide a landing notification for every trip, similar to procedures required of commercial vessels fishing for red snapper and grouper. This improved accountability is important to all of us that depend on these fish. This pilot will help not only the for-hire industry to find innovative alternatives to current management, but help individual anglers and commercial fishermen through more accurate accounting and compliance by these captains.

Commercial fishermen can attest: year-round flexibility is fundamental to showing how fishing businesses can operate efficiently while still conserving the stock. Once this pilot is authorized by NMFS, it should allow participating headboat captains to provide fishing access for red snapper and gag grouper year-round.

Gulf communities, anglers and others are depending on work like this to improve the tense situation currently unfolding in the management of the Gulf's fisheries. Pilots like this can help provide insights to new ideas that will improve flexibility for businesses that depend on these fisheries while ensuring their long-term sustainability.

On behalf of our members and the consumers we serve we strongly urge NMFS to approve this EFP and implement this pilot without delay.

Sincerely,

Gulf Fisherman's Association Board of Directors:

Glen Brooks: President, [REDACTED], FL	[REDACTED] - [REDACTED] - [REDACTED]
Dean Pruitt: Vice President, [REDACTED], FL	[REDACTED] - [REDACTED] - [REDACTED]
Jim Clements, Board Member, [REDACTED], FL	[REDACTED] - [REDACTED] - [REDACTED]
Brad Kenyon: Board Member, [REDACTED], [REDACTED], FL	[REDACTED] - [REDACTED] - [REDACTED]
Jason Delacruz: Board Member, [REDACTED], FL	[REDACTED] - [REDACTED] - [REDACTED]
John Schmidt: Board Member, [REDACTED], [REDACTED], FL	[REDACTED] - [REDACTED] - [REDACTED]
Will Ward: Board Member, [REDACTED], [REDACTED], FL	[REDACTED] - [REDACTED] - [REDACTED]

From: [Chad Hanson](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: Headboat IFQ: Pew letter
Date: Thursday, May 02, 2013 3:17:46 PM
Attachments: [Pew Comments Headboat IFQ EFP_05-02-13_final.pdf](#)

Mr. Branstetter,

Please see the attached letter from The Pew Charitable Trusts in support of the proposed Headboat IFQ exempted fishing permit application but with recommendations to ensure the success of this pilot study.

Thanks
Chad

Chad W. Hanson
Science and Policy Analyst
Gulf of Mexico Fish Conservation
The Pew Charitable Trusts

█ : ██████████ : ██████████ █ : ██████████





May 2, 2013

Steve Branstetter
Southeast Regional Office
National Marine Fisheries Service
263 13th Avenue South
St. Petersburg, Florida 33701

RE: Reef Fish Headboat IFQ Exempted Fishing Permit Application [RIN 0648-XC528]

Dear Mr. Branstetter,

On behalf of The Pew Charitable Trusts, please accept these comments for consideration of the Reef Fish Headboat IFQ Exempted Fishing Permit (EFP) Application (RIN 0648-XC528). We are generally supportive of the EFP application and agree it warrants approval, with certain conditions, as a means to test an alternative management strategy and data monitoring program in the recreational for-hire fishery. If successful, this approach could be potentially expanded for the entire headboat fleet to better track fishing activity and catch while preventing overfishing and allowing a more flexible means for headboat fishermen to operate their businesses. However, we have specific recommendations for the implementation and operation of this program so that its effectiveness at constraining catch and applicability to the entire reef fish headboat fishery can be fully evaluated.

All EFP Catch Should be Counted Towards the Recreational Catch Limits

According to the EFP application, this headboat pilot purports to test a mechanism to report catch of red snapper and gag in “real time” that could be used as a model to more effectively monitor catch in-season and prevent overages of the recreational sector.¹ In doing so, the EFP proposes to set aside a proportion of the red snapper and gag recreational catch limit for a select number of headboat operators² participating in this IFQ pilot. The collective amount of landings of these two species from 2011, as reported through the Southeast Regional Headboat Survey, is to be used as the total allocation for this EFP, which will be divided up among the participants. However, it is not clear from the EFP application or the Federal Register notice³ if the fish assigned for this pilot will in fact be included in the total catch monitored under the specific annual catch limits (ACL) for each species. **We strongly recommend that the red snapper and gag caught under this EFP be counted toward the ACLs** to ensure that the entire recreational ACLs aren’t exceeded. Accounting for these fish caught under this headboat EFP in the recreational ACL monitoring is consistent with National Standard 1 guidelines, which define

¹ Tab L-3, April 2012 Gulf Council Briefing Book. EFP Gulf Headboat IFQ Cooperative.

² According the application, 9 operators representing 13 vessels are to be part of this IFQ cooperative.

³ Federal Register Vol. 78, No. 63, Tuesday April 2, 2013, pp 19649-19651.

catch *as including fishing mortality from the fishery that is retained for any purpose* [emphasis added].⁴

To not count the fish caught in this pilot against the catch limits for each species would allow fishing mortality to exceed science-based catch levels. This would both violate the goals and objectives of the two rebuilding plans for these species and the intent of the Magnuson-Stevens Fishery Conservation and Management Act to maintain all catch within the prescribed scientific levels.⁵ Due to the frequent and large overages in the red snapper recreational fishery in five of the past six years, allowing recreational catch in excess of the specified limit could lead to catch exceeding the overfishing level (OFL). This could constitute overfishing and trigger further regulatory restrictions on the entire red snapper fishery, including the commercial fishery. Setting aside a portion of the existing recreational quota for this pilot would not reduce the overall allowable catch for the rest of the recreational fishery, as these fish would otherwise be counted against the limit whether in this pilot or not.

Vessel Monitoring and Data Validation Should be in Place Prior to Implementation

In order to effectively and fully test this proposed pilot's primary objective to better track headboat catch and fishing activity, strong validation measures must be in place and operational prior to implementation. We support the voluntary use of vessel monitoring systems (VMS) or similar electronic tracking systems. But for this program, those systems would be ineffective in tracking reported trips and catch without appropriately designed dockside sampling at statistically significant levels, even with "hail out/hail in" requirements that alert law enforcement officials and samplers of these trips. Simply relying on law enforcement officers and port samplers to check fishing activity and catch during their daily workload is highly insufficient. **The EFP must specify how these headboat trips will be sampled and what level of sampling coverage is needed to ensure that the catch data reported through the pilot is accurate and reliable.** This will likely require additional funds and increased sampling. If trips and catch cannot be reliably verified, the primary objective of this pilot will fail, and a great deal of time, effort, and resources will be wasted.

To ensure the pilot study is properly monitored and validated, we strongly recommend that the Headboat IFQ Cooperative, in coordination with the National Marine Fisheries Service, consult with the Marine Recreational Information Program (MRIP). MRIP recently published a report regarding monitoring and validating self-reported logbook data in the Gulf of Mexico reef fish charter boat fishery⁶, and recommendations from that report⁶ should be employed in this headboat pilot. Specifically, the MRIP report states in the executive summary:

"...methods to independently validate self-reported fisheries data are needed to certify whether a true and accurate census of catch and effort is actually achieved, and to account for instances when it is not. Tracking methods are also important with any mandatory reporting requirement so that late or missing reports can be identified and

⁴ 50 CFR §310(f)(2)(i)

⁵ MSA § 302(h)(6)

⁶ For-Hire Electronic Logbook Pilot Study in the Gulf of Mexico. Final Report. March 27, 2013.

participants in the fishery can be contacted in a timely manner. Tracking is also important to facilitate enforcement...

While the MRIP report focused on electronic logbooks in the charter fishery, its recommendations may be useful for all self-reported data systems and purposes, particularly those proposed for this headboat pilot. Examples include:

- Electronic logbooks are not recommended if full census of catch is required, as self-reported data is subject to recall bias and inaccuracies.
- Electronic logbooks cannot be used to track daily estimates precisely, especially at the individual vessel level.
- Catch data produced from individual logbook records should not be considered equivalent to data produced from dockside sampling of those individual trips.
- Certifying reporting accuracy at the individual vessel level requires high validation of vessel activity with high frequency of dockside sampling of catch.
- Self-reported data with only dockside sampling cannot reliably count or estimate discarded fish. Only at-sea observation data can accurately track discards.

A small number of vessels are participating in this volunteer pilot, so that 100% reporting compliance could be possible. But as noted above, reliance on self-reported data is insufficient to track catch from individual vessels without high levels of monitoring and dockside validation. Therefore, NMFS, in consultation with MRIP, should **design and implement a monitoring and validation program at levels statistically sufficient to accurately track vessel activity and fish caught** in this pilot.

Conclusion

Pew supports investigating new ways to manage recreational fisheries that allow for more fishing opportunities while keeping the catch within science-based limits. Therefore, we support testing alternative management strategies and new data collection programs in the for-hire fisheries as proposed. But we also strongly urge that appropriate monitoring and validation occur at sufficient levels to ensure accuracy of the reported catch. The affected fisheries under this EFP are both overfished and in rebuilding plans and it is important that all catch is counted against the annual catch limits to prevent overfishing and maintain progress toward recovery. With these important elements addressed, this pilot should be a good test of alternative means to manage red snapper and gag for-hire fisheries that not only allows a more flexible approach for headboat operators but also better tracks fishing activity while preventing overfishing. Thank you for considering our comments.

Sincerely,



Chad Hanson
The Pew Charitable Trusts

From: [REDACTED] on behalf of [Joshua Abbott](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Cc: Steve.Branstetter@noaa.gov; Roy.Crabtree@noaa.gov
Subject: RIN 0648-XC528 - Headboat IFQ
Date: Thursday, May 02, 2013 1:55:27 PM
Attachments: [Gulf Headboat Cooperative Economist Letter.pdf](#)

Dr. Branstetter:

As economists working in the field of environmental and natural resource economics, we are writing to offer our support for the Gulf Headboat Cooperative's application for an exempted fishing permit. Please accept the attached letter in support of this EFP pilot program.

Sincerely,

Joshua Abbott

Joshua Abbott
Associate Professor, Environmental & Resource Economics
School of Sustainability, Arizona State University

Phone: [REDACTED]-[REDACTED]-[REDACTED]
[Joshua.\[REDACTED\].\[REDACTED\]](#)
[p://\[REDACTED\].\[REDACTED\]](#)

Joint Statement from Economists on the Gulf Headboat Cooperative Application for Exempted Fishing Permit

May 2, 2013

Dr. Steve Branstetter
Southeast Regional Office, NMFS
263 13th Ave South
St. Petersburg, FL 33701

Re: Headboat IFQ RIN 0648-XC528

Dear Dr. Branstetter:

As economists working in the field of environmental and natural resource economics, we are writing to offer our support for the Gulf Headboat Cooperative's application for an exempted fishing permit (EFP) to test a new approach to managing recreational for-hire fishing. We would like to offer our support from both the perspective of its merit in contributing to the state of knowledge in fisheries economics and in improving the quality of information for fisheries management in the Gulf of Mexico and beyond.

The objective of this pilot is to analyze how headboats adapt in a regime where, instead of being constrained by uncertainty about season closure, their catch allocation is secure, they have flexibility to book trips through the year, and they can plan, market, and fish accordingly. The pilot has substantial potential to improve the state of knowledge in both the academic and management communities of the effects of changes in management on the for-hire sector. Such knowledge is increasingly needed in mixed-use fisheries with a large recreational component. While there is a small amount of conceptual modeling in this area and some existing data outlining the current economic and social context of for-hire fisheries, there remains precious little policy experience to guide decision making. Experience in commercial fisheries demonstrates that fishing cooperatives can successfully meet the economic and biological objectives of fisheries management. However, extrapolation from commercial fisheries is of limited applicability given the unique economic structure and incentives reflected in this mixed commercial/recreational fishery and the headboat sector's unique role in coastal economies. The state of knowledge would be greatly enhanced by purposeful, targeted data collection and evaluation in anticipation of important management changes.

The EFP reflects collaboration between fishermen and academic partners to establish exactly such a protocol. The impacts are of clear importance to owners, crew and clients of the for-hire sector and fisheries managers as well. An especially important aspect of the EFP is the fact that it leads to samples from the headboat fleet that are inside and outside of the pilot Cooperative. After control for selection effects, this allows those vessels that do not participate to serve as a control group for those that do. This creates the potential for researchers to compare the change in important performance metrics before and after the EFP for both groups of vessels.

Dr. Steve Branstetter

May 2, 2013

Page 2

Such a scenario is fairly rare in fisheries management and offers the potential for a far more robust contribution to knowledge than studies that focus on before/after impacts alone.

In summary, the Gulf Headboat Cooperative pilot program presents a significant opportunity to expand the scientific foundations for sound management of the for-hire sector through thoughtful data collection and analysis. The data and research protocol presented within the EFP represent a framework to maximize the useful information from such a policy experiment while fostering collaboration between the for-hire sector and researchers. These features will enhance the credibility of the associated data and research in the academic community while facilitating the ongoing adaptive management of for-hire recreational fisheries in the Gulf of Mexico and beyond.

We urge you to approve the Gulf Headboat Cooperative EFP.

Sincerely,

Joshua K. Abbott, PhD
Associate Professor, Environmental & Resource
Economics, School of Sustainability
Arizona State University

Christopher M. Anderson, PhD
Associate Professor of Fisheries Economics, School of
Aquatic and Fishery Sciences
University of Washington

Lee G. Anderson, PhD
Maxwell P. and Mildred H. Harrington Professor,
College of Earth, Ocean, and Environment
University of Delaware

Gardner Brown, PhD
Professor Emeritus, Department of Economics
University of Washington

Christopher Costello, PhD
Professor of Environmental & Resource Economics,
Bren School of Environmental Science & Management
University of California, Santa Barbara

Robert T. Deacon, PhD
Professor, Department of Economics
University of California, Santa Barbara

Eli Fenichel, PhD
Assistant Professor, School of Forestry &
Environmental Studies
Yale University

Corbett Grainger, PhD
Assistant Professor, Department of Agricultural &
Applied Economics
University of Wisconsin, Madison

Theodore Groves, PhD
Professor Emeritus, Department of Economics
Director, Center for Environmental Economics
University of California, San Diego

W. Michael Hanemann, PhD
Chancellor's Professor, Department of Agricultural &
Resource Economics
University of California, Berkeley

Dr. Steve Branstetter

May 2, 2013

Page 3

Daniel D. Huppert, PhD
Professor Emeritus, School of Marine and
Environmental Affairs
University of Washington

Sherry L. Larkin, PhD
Professor, Food and Resource Economics Department
University of Florida

Donald Leal
Senior Fellow
Property and Environment Research Center

Dominic P. Parker, PhD
Assistant Professor, Department of Agricultural &
Applied Economics
University of Wisconsin, Madison

Kurt E. Schnier, PhD
Associate Professor, Department of Economics
Georgia State University

V. Kerry Smith, PhD
Distinguished Sustainability Scientist, Global Institute
of Sustainability
Regent's Professor, Department of Economics
Arizona State University

Thomas Sterner, PhD
Professor, Department of Economics
University of Gothenburg
Visiting Chief Economist
Environmental Defense Fund

Jon G. Sutinen, PhD
Professor Emeritus, Department of Environmental &
Natural Resource Economics
University of Rhode Island

Gil Sylvia, PhD
Professor, Department of Agricultural & Resource
Economics
Oregon State University

Quinn Weninger
Associate Professor, Department of Economics
Iowa State University

John Whitehead, PhD
Professor and Chair, Department of Economics
Appalachian State University

James Wilen, PhD
Professor, Department of Agricultural & Resource
Economics
University of California, Davis

Daniel Willard, PhD
Economist, Oceans Program
Environmental Defense Fund

Richard Woodward, PhD
Professor, Department of Agricultural Economics
Texas A&M University

Tracy Yandle, PhD
Associate Professor, Department of Environmental
Studies
Emory University

From: [REDACTED] on behalf of [Susan Boggs](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: RIN 0648-XC528
Date: Thursday, April 25, 2013 12:01:16 PM
Attachments: [GS OB Tourism Support Letter.pdf](#)

Good morning, Steve!

Attached is a letter from Gulf Shores/Orange Beach Tourism in support of the Headboat EFP.

--

Susan Boggs

[REDACTED]
[REDACTED]
[REDACTED] - [REDACTED] - [REDACTED] | [REDACTED] - [REDACTED] - [REDACTED]
[REDACTED] - [REDACTED] - [REDACTED] ([REDACTED])
[REDACTED] - [REDACTED] - [REDACTED] ([REDACTED])
[REDACTED]



GULF SHORES & ORANGE BEACH

Alabama's white-sand beaches

May 8, 2012

NOAA National Marine Fisheries Service
Gulf of Mexico Fishery Management Council

To Whom It May Concern:

On behalf of Gulf Shores and Orange Beach Tourism, I am writing to urge you to support the voluntary pilot program for the Gulf Headpoint Cooperative.

This pilot program is a two-year Exempted Fishing Permit to test an alternative management system for the headboat industry. The Gulf Headboat Cooperative is a group of 9 headboat captains with 13 vessels who seek to conduct a pilot project to evaluate the efficiency of a rights-based system to more effectively manage red snapper and gag grouper.

It is my understanding that this would allow headboat business owners increased flexibility to structure their fishing activities which would enable them to operate more stable and profitable businesses with a long-term stake in sustainable Gulf fisheries. Through this pilot, they are attempting to preserve an industry that provides valuable public access to resources while supporting jobs and local economies.

Tourism is a \$2 Billion industry here on Alabama's Gulf Coast, and recreational fishing via both private boat and charter boat, is an extremely important component of this economy. Your favorable consideration on this matter will be greatly appreciated.

Yours truly,

A handwritten signature in black ink that reads "Herbert J. Malone, Jr." in a cursive style.

Herbert J. Malone, Jr.
President/CEO

HJMj/cv

From: [REDACTED] on behalf of [Susan Boggs](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: RIN 0648-XC528
Date: Thursday, April 25, 2013 11:59:38 AM
Attachments: [COB EFP Support Letter.pdf](#)

Good morning, Steve!

Attached please find a letter from the City of Orange Beach in support of the Headboat EFP.

--

Susan Boggs

[REDACTED]
[REDACTED]
[REDACTED] - [REDACTED] - [REDACTED] | [REDACTED] - [REDACTED] - [REDACTED]
[REDACTED] - [REDACTED] - [REDACTED] ([REDACTED])
[REDACTED] - [REDACTED] - [REDACTED] ([REDACTED])
[REDACTED]

City of
Orange Beach
Life is better here



July 12, 2012

NOAA National Marine Fisheries Service
Gulf of Mexico Fisheries Management Council

To Whom It May Concern:

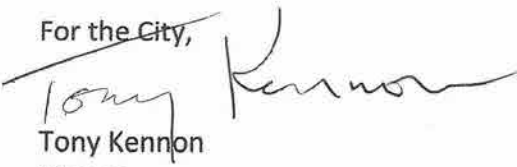
On behalf of the City of Orange Beach, the Municipal Council and the largest charter fleet on the Gulf of Mexico, I am writing to urge you to support the headboat pilot program in the Gulf of Mexico.

This pilot program is a two-year Exempted Fishing Permit to test an alternative management system for the headboat industry. The Gulf Headboat Cooperative is a group of 9 headboat operators with 13 vessels who seek to conduct a pilot project to evaluate the efficiency of a rights-based system to more effectively manage red snapper and gag grouper.

We believe the increased flexibility the program would afford these vessels is not only a positive step for red snapper and gag grouper management, but will create a more stable and profitable business with a long-term stake in sustainable Gulf fisheries. The Gulf headboats support jobs and local economies, while providing valuable public access to marine resources.

Recreational fishing, whether through private boats or charter boats, is a vital component of our economy. Your favorable consideration of this innovative program will be greatly appreciated.

For the City,


Tony Kennon
Mayor

From: [REDACTED] on behalf of [Susan Boggs](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: RIN 0648-XC528
Date: Thursday, April 25, 2013 12:09:32 PM
Attachments: [AGCACC Headboat Support Letter.pdf](#)

Steve, attached is a letter from Alabama Gulf Coast Area Chamber of Commerce in support of the Headboa EFP.

--

Susan Boggs

[REDACTED]
[REDACTED]
[REDACTED] - [REDACTED] - [REDACTED] | [REDACTED] - [REDACTED] - [REDACTED]
[REDACTED] - [REDACTED] - [REDACTED] ([REDACTED])
[REDACTED] - [REDACTED] - [REDACTED] ([REDACTED])
[REDACTED]



ALABAMA GULF COAST AREA CHAMBER OF COMMERCE

proudly serving the business community in and around Gulf Shores - Orange Beach - Fort Morgan

NOAA National Marine Fisheries Service
Gulf of Mexico Fishery Management Council

To Whom It May Concern:

The Alabama Gulf Coast Area Chamber of Commerce strongly supports a voluntary headboat pilot project in the Gulf of Mexico. Our association represents close to 900 businesses on the Gulf Coast who are intensely interested in the long term health of our marine ecosystem.

Headboat captains are critical part of our region's economy. These captains are often the CEO's of family businesses providing jobs for thousands of Gulf coast residents. In addition, headboats and charter boats provide access to the fisheries resources of the Gulf of Mexico for millions of Americans every year. These captains and their customers support out coastal community.

The "season length" approach to fishery management does not work for anyone. It is unpredictable from year to year and it forces all fisherman to make questionable safety decisions. These businesses need flexibility and stability to sustain their livelihoods. The Gulf Headboat Cooperative, wants to explore new management options.

The Exempted Fishing Permit (EFP) is a voluntary pilot project that would:

- Allow participating captains to provide their customers year-round access to Gulf of Mexico red snapper and gag grouper;
- Eliminate the "derby style" fishing season for participating head boats; and
- Have no affect on the annual catch limits set by the GOM Fishery Management Council.

Charter boats and private anglers, as well as headboat operators who choose not to sign up for the project, will not see any change in their season length or catch limit as a result of this project. Our Chamber's Board of Directors believes that this pilot program is a great opportunity to try a new management strategy without affecting the overall fish harvest. Programs like EFP could lead to a more sensible management system.

Our Chamber represents almost 900 businesses on the Gulf Coast who are intensely interested in the long term health of our marine ecosystem and the management of a sustainable fishery. These families that operate these businesses are our friends who live in our community. We urge you to support approval of this voluntary pilot program for the Gulf Headboat Cooperative.

Sincerely,

Edward M. Rodriguez
President & CEO

[Redacted]



[Redacted], Alabama 36542

[Redacted], Alabama 36547

([Redacted]) [Redacted] ([Redacted]) [Redacted]

[Redacted]

From: [Michael McKinney](mailto:Michael.McKinney@noaa.gov)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Cc: Steve.Branstetter@noaa.gov
Subject: "Headboat IFQ"
Date: Tuesday, April 16, 2013 12:39:40 PM

Dear Mr. Branstetter,

The purpose of this letter is to express my strong support for an allocation-based management system for Gulf of Mexico reef fishes. The recent application for an EFP from the Gulf Headboat Cooperative represents an opportunity for a pilot study through which the merits of such a management system could be evaluated. My personal involvement in both the commercial and recreational fisheries in the Gulf of Mexico coupled with my experience with the Pacific halibut commercial fishery, a successful allocation-based management system, make me uniquely qualified to provide insight on this topic.

I grew up in Destin and began fishing in the Gulf of Mexico at age 7. In the eighties, I worked as a deckhand aboard the Destin-based party boat *Her Majesty II* and was a crew member aboard the commercial fishing vessel *Mary J*. I was also an avid recreational fisherman during this time. I harvested large numbers of Gulf reef fishes, particularly red snapper, prior to their being regulated.

In 1987 I moved to Alaska and quickly became involved in the commercial halibut fishery, which up until 1995 was considered a "derby-style" fishery, with the entire annual quota caught in a single, frenzied 24-hour opening. These were marathon endurance tests where efficiency and safety were frequently sacrificed in the effort to catch as much as possible in a very short amount of time. In 1995, the Individual Fishing Quota (IFQ) management system was implemented for the halibut fishery. Each boat owner was awarded a percentage of the Total Allowable Catch (TAC) based on their historical contribution (the average of three "qualifying" years in the early '90s was used to determine this) and was given a 9-month season to catch it. It rationalized the fishery. No longer are fisherman forced to go out in storms or go for days without sleep. They can also now take the time to take better care of their catch and carefully release undersized fish.

In 2001, I returned to Destin for an extended visit. While there, I was employed as a crew member aboard the headboat *Destin Princess*, the charter boat *Sunrise* and the commercial fishing vessel *Lady Em*. In 2001, these vessels were responsible for some of the highest landings of red snapper in their respective categories. During this time, I was delighted to see how effective the regulations had been since their institution ten years earlier. The fishing out of Destin was better than it had ever been in my adult life. This is still the case in 2013. There are a lot of fish out there.

Lots of fish, however, doesn't necessarily make for happy anglers if they are only rarely allowed to harvest them. Having seen their effectiveness, I am a strong supporter of Gulf reef fish regulation in terms of how much to harvest annually. Having said that, I oppose the current "derby-style" openings during which the entire quota is harvested in a very short time period. Adopting an allocation-based management system like the IFQ system used for Pacific halibut would truly rationalize the way Gulf reef fishes like red snapper are managed.

There are, of course, stark differences between the halibut and red snapper fisheries. One of

the biggest differences, from a management perspective, is demand. The amount of halibut available annually (TAC) is much greater than the annual TAC for red snapper in the Gulf. At the same time, the number of individuals and boats desiring to target red snapper is much greater than the number of individuals and boats desiring to target halibut. This makes comparing the two fisheries a bit of an "apples to oranges" issue in some ways. For example, roughly 85% of halibut are caught by the commercial sector. With red snapper, nearly half are caught by recreational anglers.

It is still "apples to apples", however, to look at the effectiveness of the IFQ system in the commercial halibut fishery and consider how a similar allocation-based management system could be effective, albeit more complicated, in managing both the commercial and recreational sectors of the Gulf red snapper fishery. The pilot study by the GHC would be a great way to establish the new system, working out the kinks with a relatively small number of vessels, before bringing the charter boats and, eventually, private boats on board. Private boats would be a logistical nightmare from an enforcement standpoint, but I'm sure there's a way ... perhaps tags.

Please feel free to contact me for further discussion on this topic.

Sincerely,

Mike McKinney

██████████

██████████ AK 99775

(████) ██████████

From: [REDACTED] on behalf of [Susan Boggs](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: "Headboat IFQ"
Date: Thursday, May 02, 2013 2:47:26 PM
Attachments: [BIN0648-XC528.Comment.pdf](#)

Good afternoon, Steve.

Attached you will find comments regarding the Exempted Fishing Permit application submitted by the Gulf Headboat Cooperative ("Cooperative"). These comments are being submitted by Randy Boggs, Cooperative Manager, on behalf of the Cooperative.

Thank you for your consideration.

--

Susan Boggs

[REDACTED]
[REDACTED]
[REDACTED] - [REDACTED] - [REDACTED] | [REDACTED] - [REDACTED] - [REDACTED]
[REDACTED] - [REDACTED] - [REDACTED] ([REDACTED])
[REDACTED] - [REDACTED] - [REDACTED] ([REDACTED])
[REDACTED]

May 2, 2013

Steve Branstetter
Southeast Regional Office
National Marine Fisheries Service
263 13th Avenue South
St. Petersburg, FL 33701

Re: RIN 0648–XC528; Exempted Fishing Permit Application of the Gulf Headboat Cooperative

Dear Mr. Branstetter:

Thank you for the opportunity to provide comments to the National Marine Fisheries Service (“NMFS”) regarding the Exempted Fishing Permit (“EFP”) application submitted by the Gulf Headboat Cooperative (“Cooperative”). I am a founding member of the Cooperative and submit these comments on behalf of the Cooperative in my current capacity as Cooperative Manager. We urge NMFS to promptly approve the Cooperative’s EFP application so we can prepare for fishing to begin under the EFP on January 1, 2014. While the justification for the Cooperative’s proposal is largely detailed in its EFP application, we take this opportunity to address specific issues raised in NMFS’s Federal Register notice requesting comments on the EFP application and other issues raised before the Gulf of Mexico Fishery Management Council (“Gulf Council”) during its April 2013 meeting in Gulfport, Mississippi.

Rationale for the Cooperative’s EFP Proposal

Headboats are a primary means by which non-boat-owning anglers throughout the country can access the fishery resources of the Gulf of Mexico. The two headboats that I own each take 30 anglers per trip, and we fish approximately 100 trips per year on each vessel. That totals 6,000 anglers on my two boats alone who are able to enjoy fishing for Gulf reef fish each year. Extrapolated to the 20 vessels for which we seek authorization under the EFP, the Cooperative as whole could be responsible for as many as 60,000 angler trips per year. Unfortunately, recreational fishing seasons for certain species are becoming shorter each year. This year the federal recreational red snapper season is projected to be just 28 days long, and may be as short as nine days off certain states.¹ These short fishing seasons make it extremely difficult to operate year-round businesses that take people fishing. The charter-for-hire (CFH) sector has lost 67% of its historical catch in the last 10 years, and NMFS data show about a substantial decrease in CFH boats over the last 10 years.²

The purpose of the Cooperative’s EFP proposal is to test an alternative approach to regulating headboats in the Gulf of Mexico that utilizes near real-time data collection and full accounting of

¹ See 78 Fed. Reg. 20292, 20293 (Apr. 4, 2013).

² See NMFS and Gulf Council, *Scoping Document for an Amendment to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico Days-at-Sea Pilot Program for Recreational Red Snapper* (Feb. 2013) at pp. 3-5.

landings to allow increased operational flexibility. In a nutshell, the Cooperative members merely seek to take the same approximate number of fish (red snapper and gag grouper) they would catch during the short recreational seasons but to have the entire calendar year to catch those fish. Because Cooperative boats would be limited to catching the same approximate number of red snapper and gag grouper they would catch each year during the regular recreational seasons, our proposal does not affect the number of days in the recreational or commercial seasons. Our plan does not take any fish from the public; instead it assures the public access to the fish in good weather and provides headboat owners and their crews with a safe and effective way to catch fish.

In talking with numerous people over the past year and a half spent developing this program, the common thought by most that have read and understand the EFP proposal is that it has merit, in that it would work towards achieving a totally accountable fishery so managers would have near real-time data on the exact number of anglers, days fished, number of fish caught, and then we could see responsive management based on current facts and not models and formulas.

The Cooperative designed its EFP to test whether an allocation-based approach to management would provide stability in the fishing seasons that is not available under the current system. This plan was put together by fishermen for fishermen. We hope that this proposal will help find a better way to manage headboat fishing in the Gulf of Mexico that provides jobs that are stable year-round and allows increased access to reef fish by the public. All red snapper and gag grouper caught will be sent home with recreational anglers. The members of the Cooperative do not want to sell fish or shares, we simply seek access to enable our customers to catch fish and take them home and enjoy. The Cooperative members are not taking from the many to give to the few. We are seeking ways to expand access for many in the face of increasing regulatory constraints.

Cooperative Vessels Cannot Fish Both Under the EFP And General Recreational Rules

Under the Cooperative's proposal, a vessel fishing under the Cooperative's EFP would forego any ability to fish under the general recreational regulations for red snapper and gag grouper for the calendar year(s) in which the EFP is in effect. Our proposal was intentionally designed to prevent "double-dipping," the situation where a Cooperative member would exhaust its allocation of fish through the Cooperative and then also seek to fish during the open seasons for the general recreational sector. Cooperative vessels would thus fish exclusively under the EFP, and all red snapper and gag grouper landed during the calendar year would be deducted from the Cooperative's allocations. While a Cooperative vessel might be on the water during the general open recreational seasons, any red snapper or gag grouper caught by that vessel during the open seasons would be accounted for under the EFP and deducted from the Cooperative's allocations. A contract between Cooperative members, enforceable by sanctions issued by the Cooperative's board and also by court order if necessary, prevents any vessel fishing under the EFP from also participating in the general recreational seasons for red snapper and gag grouper.

No Referendum is Required because the Cooperative Is Not An IFQ Program or LAPP

We agree with the conclusion in the Federal Register notice that no referendum is required for NMFS to issue the EFP to the Cooperative, but for different reasons than stated by NMFS. NMFS concluded that no referendum is required because the EFP does not implement a "fishery management plan or plan amendment" establishing an IFQ program to which the referendum

requirement applies.³ While that is true, NMFS did not need to reach that issue because the Cooperative's EFP simply does not meet the definition of an IFQ program. We respectfully disagree with NMFS's statement that "the allocation-based system requested by the Cooperative might reasonably be considered to create...an IFQ program."⁴

An IFQ is defined as "a Federal permit under a limited access system to harvest a quantity of fish, expressed by a unit or units representing a percentage of the total allowable catch of a fishery that may be received or held for exclusive use by a person."⁵ Thus, to constitute an IFQ program, there must be a permit that allocates to "a person" a specific quantity of fish "representing a percentage" of the TAC that is held for the "exclusive use" by that person.

In litigation regarding the New England sector program implemented by Amendment 16 to the Northeast Multispecies FMP, NMFS argued,⁶ and both the district court⁷ and First Circuit Court of Appeals agreed, that a cooperative-type program where an allocation is granted to a group of vessels based upon their respective catch histories, but where no particular vessel enjoys an exclusive privilege to harvest a specific quantity of fish, does not constitute an IFQ program. Specifically, the First Circuit held that to constitute an IFQ program (or a limited access privilege program ("LAPP"), the definitions of which are nearly identical), "the permit must also be 'to harvest a quantity of fish' and 'for exclusive use by a person'...the permit must allow its recipient, and *only its recipient*, to catch fish."⁸ Rejecting the plaintiffs' contentions that the sector program constituted a LAPP or an IFQ program, the court explained:

Plaintiffs argue that A16's [potential sector contribution] PSC allocation meets both of these two additional requirements. Not so. There is no dispute that the PSC assigned to fishermen does not, by itself, allow them to catch any fish. It is only upon joining a sector that a fisherman's PSC becomes an allocation of catch. Even then, federal defendants emphasize, the quantity of fish an individual member is allowed to harvest is uncertain; sectors may assign individual members an ACE allocation according to the sector's own preferences, as expressed through a binding management plan. The federal defendants' conclusion that the A16 sector program does not meet the statutory elements for a LAPP or an IFQ conforms to long-standing regulations governing fisheries and is permissible.⁹

³ 78 Fed. Reg. at 19651 (citing 16 U.S.C. § 1853a(c)(6)(D)).

⁴ 78 Fed. Reg. at 19651.

⁵ 16 U.S.C. § 1802(23). The definition of a limited access privilege program ("LAPP") is nearly identical. *Id.* § 1802(26).

⁶ See *Lovgren v. Locke*, No. 11-1952, Brief for the Federal Defendant-Appellees (Dkt. # 116344164) at 42 (1st Cir. Mar. 7, 2012) ("Neither A[mendment] 16 nor the [groundfish] permit confers on any fisherman the right to catch the PSC [catch history] associated with that permit, nor does it limit any fisherman to catching the PSC. Because neither the permit nor the associated PSC authorize the permittee to 'harvest a quantity of fish expressed by a unit or units representing a portion of the [TAC] of the fishery that may be received or held for exclusive use by a person,' neither the permit nor the associated PSC is a LAPP."). While this portion of the government's brief addressed LAPPs, the definitions of a LAPP and IFQ are nearly identical and this same rationale applies to both.

⁷ See *City of New Bedford v. Locke*, No. 10-10789, 2011 WL 2636863, at *4 (D. Mass. June 30, 2011).

⁸ *Lovgren v. Locke*, 701 F.3d 5, 26 (1st Cir. 2012) (emphasis in original).

⁹ *Id.* at 27.

In this case, the Cooperative's EFP does not constitute an IFQ program (or LAPP) for the same reasons articulated by the First Circuit. The EFP does not confer "a quantity of fish" for "exclusive use by a person." Like the PSC associated with sector vessels in New England, each Cooperative member has catch history from which its contribution to the Cooperative's total allocation will be derived. But that catch history alone does not allow the Cooperative member to catch any fish. That Cooperative member must join with other members to convert their respective contributions into a total allocation, but the allocation is granted to the Cooperative as a whole, not to any individual member, and the Cooperative decides how to apportion its allocation among its members under the Cooperative's operations plan. Like a sector, the Cooperative itself is not a "person" and holds no permits or other authority to engage in fishing, and thus cannot "use" the allocation granted to it for the benefit of its members. Just like with sectors in New England, the EFP does not grant the exclusive ability to harvest a specific quantity of fish to a specific person. As such, the EFP does not meet the definition of an IFQ Program or a LAPP. Thus, neither the referendum requirement nor any other provision of Section 303a of the MSA¹⁰ is triggered by NMFS's issuance of this EFP to the Cooperative.¹¹

NMFS Should Allow Cooperative Members to Target Red Snapper Year Round

In the Federal Register notice soliciting comments on the Cooperative's EFP application, NMFS explained that Cooperative members "would be able to select days outside the designated season where they could use their red snapper allocation to meet specific customer demands" but that under Section 407(d)(1) of the MSA "headboats participating under the EFP would have to cease retaining red snapper, even if the Cooperative still has allocation of red snapper available" if NMFS "determines the recreational red snapper fishing quota is reached."¹²

NMFS should grant the Cooperative's request to fish for the full calendar year. The Regional Administrator has express statutory authority under Section 318(d) of the MSA to issue "experimental fishing" permits.¹³ Accordingly, the regulations implementing Section 318(d) provide that the Regional Administrator "may authorize...the target...harvest of species...that would otherwise be prohibited."¹⁴ These statutory and regulatory provisions authorize the Regional Administrator to issue the Cooperative's EFP for the full calendar year notwithstanding any potentially applicable requirements of Section 407(d)(1). In addition, any exemption from the requirements of Section 407(d)(1) necessary for the Cooperative members to fish year round would be *de minimis* and thus within NMFS's discretion to authorize.¹⁵ Doing so here would

¹⁰ 16 U.S.C. § 1853a.

¹¹ In addition, to constitute a LAPP, a permit must be "issued as part of a limited access system under section 1853a of this title." 16 U.S.C. § 1802(26). Here, the EFP is issued not under Section 303a (16 U.S.C. § 1853a), but instead pursuant to the Regional Administrator's authority to grant experimental fishing permits by Section 318(d) of the MSA (16 U.S.C. § 1867(d)) and its implementing regulations at 50 C.F.R. § 600.745. Thus, the EFP falls outside the definition of a LAPP for this independent reason.

¹² 78 Fed. Reg. at 19651.

¹³ 16 U.S.C. § 1867(d).

¹⁴ 50 C.F.R. § 600.745(b).

¹⁵ See *Ala. Power Co. v. Costle*, 636 F.2d 323, 358 (D.C. Cir. 1980) ("Certain limited grounds for the creation of exemptions are inherent in the administrative process, and their unavailability should not be presumed save in the face of the most unambiguous demonstration of congressional intent to foreclose them."); *Env. Def. Fund, Inc. v. EPA*, 82 F.3d 451, 466 (D.C. Cir. 1996) ("categorical exemptions from the requirements of a statute may be permissible"); *Ober v. Whitman*, 243 F.3d 1190, 1995 (9th Cir. 2001); *Ohio v. EPA*, 997 F.2d 1520, 1534-35 (D.C. Cir. 1993).

enable more robust scientific and economic analyses of the Cooperative's experimental program to find ways of improving management of the red snapper fishery.

NMFS Should Promptly Grant the EFP

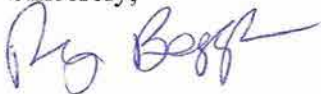
The Cooperative has substantial work to complete prior to the start of fishing under the EFP on January 1, 2014. For example, the Cooperative has requested authority for up to twenty vessels to participate under the EFP but to date has filled only 11 slots. The Cooperative must solicit additional members, review their applications and make final selections. The Cooperative then must finalize and execute its operations plan, the contract under which its members will operate pursuant to the EFP. NMFS must review the 2011 landings by Cooperative vessels and assign the Cooperative its allocations of red snapper and gag grouper for the 2014 fishing year. The Cooperative will then need to apportion its allocations of red snapper and gag grouper among its members. The Cooperative must also finalize the details regarding data collection and submission and its members must ensure they have the necessary functioning equipment and catch accounting programs on board. Finally, Cooperative members must make business plans for 2014 and advertise to customers accordingly.

As NMFS recently recognized, headboat operations "need as much time as possible to adjust their business plans and plan their fishing seasons" because they "book trips for clients months in advance and many times these anglers are visiting from out-of-state and are also in need of as much advance notice as the for-hire operations they are hiring."¹⁶ We therefore urge NMFS to promptly issue the EFP so that we have as much advance notice as possible prior to the start of fishing under the EFP.

* * * * *

We appreciate the time and effort NMFS staff have devoted to our EFP application over the past year. Thank you for seriously evaluating the merits of this proposal and considering our views. Please let me know if we can provide the agency with any additional information.

Sincerely,



Randy Boggs
Cooperative Manager
Gulf Headboat Cooperative

¹⁶ 78 Fed. Reg. 17882, 17883 (Mar. 25, 2013).

From: [REDACTED]
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: head boat IFQ
Date: Sunday, April 07, 2013 2:35:06 PM

It is about time that the NMFS and the Gulf Council begin to explore new Fishery Management Plans for recreational fisheries that will lead to increased access to rebuilding fisheries. Until the NMFS and Gulf Council are willing to move into a 21st century management system for recreational fisheries, the present situation of loss fishing access, non compliant state seasons and the threat of total closures to rebuilding fisheries will never end. The present management system can not , nor will not , ever be able to give recreational fishers increased access to any fishery even if that fishery is the best its ever been. The present Staus Quo FMP was not designed nor has the capability to manage annual allocations / ACL in a manner that will stop over fishing the annual allocation. That is where the lost access lies and that is where it must end, to stabilize our seasons and in the case of allocation increases actually realize more fishing opportunities. So until we explore things like Head Boat IFQ, Sector separation, a National recreational redeemable tags, days at sea or other more flexible and accountable management schemes chaos is all we will continue to experience in recreational fisheries.

Capt Gary Jarvis

[REDACTED] FI.

From: [REDACTED]
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: headboat ifq
Date: Monday, April 08, 2013 8:28:05 AM

Yes, I support the concept of a head boat EFP on the merits of flexibility it may allow, EXPLORING a IFQ for the head boat industry could possible be the very answer to the fore hire sectors desperate need for sector separation. We need to examine this for the federally permitting charter fishing fleet as well. Thank you

Billy Archer

From: [Capt. Jim Zurbrick](#)
To: 0648-XC528.Headboat.IFQ.EFP@noaa.gov
Subject: headboat ifq
Date: Saturday, April 13, 2013 9:27:46 AM

Hope this finds you well. The underlying reason for allowing an exempted permit is to build a better fishery through better management. This particular request fulfills all the requirements for good management, that being, Accountability leading to Sustainability documented with historical data. What more could any fishery manager ask for than a sector of the fishery offering to be the Guinea pig. The benefits from approving this request will certainly be apparent early on in the program as data will stream into the Science Lab at an accelerated rate like the Commercial sector provides now. This is a time in our management scheme to take the turn in the road that points to a total accountability in the Gulf. Jim Zurbrick (██████████ FL)