



Orange Beach Fishing Association

P. O. Box 1202

Orange Beach, AL 36561-1202

Phone: 251.981.2300

www.gulffishing.net

August 25, 2006

Vice Admiral Conrad Lautenbacher
Under Secretary of Commerce for NOAA
14th & Constitution Avenue
Washington, DC 20230

Dear Secretary Lautenbacher,

A great number of people are extremely concerned that the Gulf of Mexico is fixing to explode. The Gulf of Mexico Fishery Management Council spoke clearly at their meeting last week with a 10-5 vote to delay any further action on the red snapper rebuilding plan for four months. Yes, you read that right a **4-month delay** to better assess the data that is not currently available after the devastating 2005 storm season. Hurricane Katrina was the worst natural disaster in our nation's history. People along the entire Gulf Coast are trying to put their lives back together and the Regional Administrator (Dr. Crabtree) threatened the council that if they delayed for 4 months, he would take action and do it himself. Sounds like a "**my way or the highway**" attitude! I was not aware that congress intended Regional Administrators to manage fisheries and ignore their Regional Councils. Our personal opinion is this is a Regional Administrator that has totally lost perspective. This stock is showing sound signs of recovery, anglers report landing red snapper in areas where they have not encountered them in decades. Fishermen who have fished in the Gulf for over 30 years are saying the stock is bigger than they have ever seen it and their catching larger fish. Additionally, at the last Gulf Council meeting NMFS scientist (Dr. Gledhill) reported on fishery independent observations in the Eastern Gulf and stated, "red snapper stocks had increased every year."

We will outline for you numerous reasons why this 4-month delay will be insignificant to the recovery of the fishery and will give the council a better idea of how severe new management regulations will need to be. It is incomprehensible to us how anyone could have so little compassion for a sector of our nation who is trying to survive the worst natural disaster in history.

1. This year the National Research Council reviewed the recreational data set that is used to manage the recreational sector and found it fatally flawed! These recreational data sets are used in these models when determining the status of our stocks. A new charter boat survey implemented in 2000 concluded that effort in the recreational red snapper fishery was being over estimated by 30%-35%. Apparently this system over estimates offshore effort and underestimates inshore effort.

2. The industry sector that kills the largest number of red snapper every year is the shrimp fleet in the Gulf of Mexico. They are experiencing at least a 58% reduction in effort after Hurricane Katrina and that is what NMFS reported. Industry says it's higher and the Gulf Council should have a better handle on these data in four months.
3. Secretary Gutierrez declared the Gulf Region a commercial fishery failure. Does this sound like an area where a four-month delay on a rebuilding plan will make a difference?
4. The Regional Administrator pointed out that recreational discards were up and the council needed to minimize this number. However in the final SEDAR 7 report, (current stock assessment on red snapper) Figure 4.5 shows a steady decrease in eastern recreational discards starting in 2001, with those last data sets being 10% lower than 1995. This is important because the eastern Gulf of Mexico is where the majority of red snapper (77%) are landed recreationally. Additionally, neither the Regional Administrator nor the Gulf Council has ever defined what is practicable in bycatch reduction for any sector. Currently the mortality associated with bycatch (or regulatory discards) in the recreational sector is 20%, for the commercial sector 80% and of course the shrimp trawl fishery (up until 2005) was killing 80% of the age 0 and 1 red snapper annually.
5. By NMFS' own estimates the red snapper stock is experiencing some of the highest recruitment since management began and it will continue with the reduction in shrimp trawl bycatch that is not being harvested now.
6. The spawning potential ratio for red snapper was estimated at 0.4% in the 2000 stock assessment and the new assessment model shows the SPR at near 3%. That is 7 times more than where we started 5 years ago! The current management regulations must be working or the stock would not be recovering at that pace. We believe with the reduction of shrimp trawl effort this growth is going to explode within the next 5 years. One SSC member argued that recruitment is higher now than when it was at virgin level.
7. The data sets prove that the red snapper is recovering. Anglers off the State of Florida are now catching their bag limits for the first time in decades! One of the problems these models have is when they are estimating the biomass they use the SEAMAP data, however the SEAMAP data does not include areas east of Cape San Blas Florida. This area would show a larger biomass than the current models are showing. Somehow NMFS has got to better estimate the size of the stock. As we mentioned earlier NMFS scientist (Dr. Gledhill) in a report to the Gulf Council reported the Eastern Gulf red snapper stock has increased every year.
8. The Gulf Council heard testimony from over 60 individuals at their last meeting. The Council attempted to get the Regional Administrator to understand that with the high cost of fuel effort was going to be reduced substantially in the recreational sector because anglers don't choose to spend that kind of money to harvest 4 red snapper. NMFS has taken the incentive out of recreational fishing with their closed seasons, lower bag limits and general mismanagement of this fishery.

9. Instead of targeting the single most important element to the red snapper recovery the NMFS has continued to push for tightened regulations on the recreational sector. The Gulf Council's first amendment included all sectors so they could successfully manage this fishery, the Regional Administrator pushed them to split the amendment where they were only dealing with the directed fishery and would delay the shrimp bycatch issue in a later amendment. Please remember only 17% of the red snapper survive the shrimp trawls and natural mortality to be available for the directed fisheries. This advice was also contrary to the stock assessment review panel's advice.
10. Models that predict fishery abundance have never been accurate. A recent example is the vermillion snapper. A few years ago the model stated that this fishery was overfished and overfishing was occurring, however the latest model states that this fishery was never overfished and overfishing had never been occurring. Since the 1990's scientist and environmentalist have pointed to models that projected the red snapper stock crashing, however it has done the opposite. The fishery has recovered down the coast of Florida where anglers are now catching their bag limits when a decade ago they never encountered a red snapper. The same holds true for the King Mackerel fishery in the Gulf.
11. In the last stock assessment the review panel, which included two individuals from the Center of Independent Experts (CIE), notified the council that before they could recommend Total Allowable Catch (TAC) the council needed to determine their goal of reduction in shrimp trawl bycatch. In other words, shrimp trawl bycatch constrains the ultimate stock status of red snapper and the level of Total Allowable Catch (TAC). Several Gulf Council members kept questioning the Regional Administrator on this issue and were not comfortable setting a TAC without first having this critical piece of information. Apparently he even ignores reviewers of the stock assessment.
12. The recreational fishery in the Gulf of Mexico is valued at over \$8 Billion annually compared to a commercial fishery value of about \$10 Million. Approximately 86 commercial individuals enjoy 51% of the red snapper TAC, while the multitudes of recreational anglers split up 49%. The consolidated report for the congressional mandated peer review (NMFS 1997) states, "In view of the size of the recreational allocation, several panel members expressed concern about the apparent marginal treatment of the issue of recreational fishing demand. Wilson for example thinks this is one of the most disturbing aspects of the management initiatives to date. Townsend warns that changes in recreational demand will eventually render the present allocation inappropriate and urges the undertaking of an economic analysis to evaluate the importance of these changes. The key issue would be the relative value of red snapper as commercial landings versus its value as a recreational target. Townsend states there are suggestions that the recreational value of reef fish is quite high. This accords with the report of Bell that the recreational fishery generates immense economic value as measured by user value or economic impact on local communities and states. Brown expresses surprise that no attempt has been made and that no data have ever been made available that informs policy makers about order of magnitude estimates for a substitute recreational fish in the regions, which might provide some sense for possible values." This is one of the most important recreational stocks in the Gulf of Mexico we need an economically sound comparison that deals with allocation across all sectors. Without this we cannot make rational

decisions that affect the economy in the Gulf States and other areas. We need to know what the economic implications are for all management scenarios.

13. Out of the data inputs from stock assessment 2005 Table 4 shows that the recreational sector averaged 8% less than their quota share, however the Regional Administrator did not favor giving them any credit for this underage.
14. In the Gulf Council Reef Fish Committee meeting the Regional Administrator supported lowering the commercial size from 15" to 13" because of the mortality (80%) associated with their discards. The increase in catch of young immature red snapper would reduce SPR and yield-per-recruit and would likely require a reduced TAC to achieve a rebuilding program. The current rebuilding plan included an option to relocate the commercial sector far enough offshore to reduce their chances of catching these juvenile fish, that have not spawned, but the Regional Administrator didn't think that was a problem. It seems that the Regional Administrator is backing up instead of moving forward with regulations that will protect the stock.
15. Studies show when red snapper are left out of the water (surface interval) over 7 minutes they experience a 50% greater release mortality compared to 20% mortality when the surface interval is only 3 minutes. Restricting the number of hooks and gear that is used would accomplish a reduction in bycatch mortality because you would drastically lower the amount of fish handled and the surface time of each fish. It makes good common sense to support alternatives in a rebuilding plan that will change the way a fishery is prosecuted to reduce dead discards. You don't just lower the size limit with any thought to what it will do for the fishery.
16. The Regional Administrators arguments are not defensible in supporting the lower size limit for the commercial sector. He never acknowledged the difference in the number of fish that would be killed with a lower size limit. For instance a 13" fish weighs approximately 1 lb. thus one million pounds would equate to one million fish dead. A 15" fish weighs approximately 2.6 lb. thus one million pounds would equate to 384,600 dead fish. Certainly science cannot conclude by killing more numbers of fish, especially those that have not had a chance to spawn is better. Is this reduction in size limit a net gain for the stock? Shouldn't an FMP recommending this have a rational quantitative analysis of this? We should be managing for number of fish in the Gulf of Mexico. The current size limits have effectively reduced the numbers of fish being harvested, which has resulted in the rebuilding of this stock.
17. The NMFS refuses to look at alternatives that will help the stock recover and not hurt people. There is an established black market that has been operating in the Gulf for years. Crewmembers on commercial vessels have alleged that when red snapper are brought in the dealers mark them as vermilion on the trip tickets. Numerous vessels have been caught with hidden compartments and thousands of pounds of red snapper out of season and under the size limit. These vessels would not be bringing these fish in if they did not have an illegal method to get rid of them. This equates to millions of pounds of fish a year. Stopping or curtailing this black market would do more for the fishery than lowering the TAC and would only hurt those people who are operating illegally. Other alternatives can rebuild this stock without hurting people and pitting them against each

other. Industry buyouts without any cost to the taxpayer, establishing important habitat off of each state and then making them protected no take areas or limiting the gear that can be used so that undersized fish are taken care of when released. The Gulf Council has established two such closed areas already and they received a report on one of these areas where red snapper numbers had tripled in a short period of time.

18. Recreational anglers have reached the drop dead level of participation. A six month season with a four fish bag limit is as low as they can go before they just throw their hands in the air and quit fishing or worse continue to fish and ignore the regulations. Recreational anglers want the red snapper stock to recover, they personally fund building habitat, they have self imposed measures to protect the stock before regulations were implemented and they continue to practice and improve releasing undersized fish to assure their survival. The economy of our nation cannot withstand the loss of the \$8 Billion recreational sector.

We appreciate your time and consideration of our comments. We look forward to hearing from you about this important Gulf of Mexico issue.

Sincerely,

A handwritten signature in cursive script that reads "Bobbi Walker".

Bobbi Walker

President

Orange Beach Fishing Association

BMW/sim

cc: Secretary Carlos Gutierrez
Dr. Bill Hogarth