

WRITTEN TESTIMONY
OF
MRS. PAMELA W. ANDERSON
VICE PRESIDENT
PANAMA CITY BOATMAN'S ASSOCIATION

FOR HEARING ON

MANAGEMENT OF RED SNAPPER IN THE GULF OF MEXICO UNDER THE
MAGNUSON-STEVENSON FISHERY CONSERVATION AND MANAGEMENT ACT

BEFORE THE
UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON NATURAL RESOURCES

JUNE 27, 2013

Chairman Hastings, Committee members, my name is Pam Anderson and I am appearing today on behalf of the Panama City Boatman's Association (PCBA) and Capt. Anderson's Marina in Panama City Beach, FL. Thank you for the opportunity to speak with you regarding the Red Snapper fishery issues in the Gulf of Mexico. I could spend my allotted time here today telling you of hardships, businesses lost, families put on welfare or the choosing of winners and losers in the fishing industry. I could tell you how our federal fishery managers have made fish lords of some who still want even more fish, while demanding for others not to be let into the fishery, even though the annual catch limit has increased. These are just a few story lines from last week's Gulf Council meeting.

Instead I'll get right to the most serious issues with the Magnuson Act that caused the previously mentioned results.

1. **Arbitrary Deadlines** – As long the red snapper fishery was steadily rebuilding, why was it necessary to rebuild more quickly and eliminate so many jobs? We could have had a slower approach and kept more people employed. Please eliminate deadlines that are not science-based and arbitrary as they are now.
2. **Catch Shares** - We have been inundated by NOAA Fisheries management and environmental groups pushing catch shares, sector separation, inter-sector trading, days-at-sea programs and fish tags. All are aimed at reducing participation in the fishery, which is NOAA's answer to rebuilding the fishery.
3. **Accurate Data** – The recent red snapper benchmark assessment was just published in the last month. It has been 8yrs since the prior benchmark assessment on this economically important fish was completed. In Alaska, stock assessments are conducted annually for economically valuable fish.

4. **Commercial IFQ** – According to the shareholders left in the sector, IFQs are working well. These are the winners, not those pushed out of the fishery. Now several large shareholders want more allocation so they can lease them to the recreational sector. They do not want new allocation given to other commercial operators who discard thousands of pounds of red snapper off Florida’s west coast. These operators have gag grouper shares only and now that red snapper have spread to their fishery they must discard them because they do not own red snapper IFQs or catch shares. According to NOAA observers, these grouper shareholders are discarding as much as 700,000 pounds of large red snapper.
5. **Consistent Seasons** – Customers need to know how to plan their days off and vacations well in advance of the season. In 2013 the season dates changed four times in two months and is still not listed correctly on the Gulf Council’s own website. It’s best for the tourism economy of our community to have the red snapper season open when the tourists are visiting. Due to Section 407 of the 1996 Magnuson, the recreational red snapper season must close when the quota is projected to be met. The SSC should provide advice to the Council and the Council should be able to determine higher or lower ABCs based on any new information provided and therefore, not be bound by the SSC recommendation as it is today.
6. **Regional Management**—State fishery managers realize the economic importance of our recreational fishery and are anxious to step up and assist us.

What was the intent of Congress in implementing the Magnuson-Stevens Act? Was the intent to manage our fisheries by putting fishermen out of work? If not, it certainly has been an unintended consequence. Did Congress want fishery managers to provide frequent, accurate stock assessments on economically-valuable species? This has not been the case in the Gulf. Did Congress intend for fishery managers to oversee the growth of the fishery so it could meet the needs of fishing businesses and the fishing public? A 28 day red snapper season doesn’t meet the needs of anyone. When Congress mandated the “fatally flawed” MRFSS recreational survey be corrected and updated by 2009, was it because members of Congress recognized that accurate data is necessary for good management? As of 2013, that mandate has not been completed. In fact NOAA Fisheries’ own Dr. Richard Merrick testified here last month and said “phone surveys don’t work anymore.” In spite of his testimony and outcry from fishermen, phone surveys are still being utilized by NOAA.

Infrequent stock assessments, and flawed recreational catch data leads to what’s called uncertainty. Uncertainty in the data leads to burdensome buffers that reduce the allowable catch. Reducing the allowable catch reduces fishing seasons. We need more accurate data and more flexibility in the regulations. We need fishery managers to understand the importance of the economic impact of the fishery on our communities and states. We need fishery managers working in a way that grows the fishery and access to it instead of working to eliminate our businesses.

Despite the good intentions of Congress to grow and maintain a healthy fishery, there have been significant unintended consequences with the 2007 Magnuson Act. Though fishery managers

have been slow and even derelict in updating stock assessments and catch surveys, make no mistake, all of the new Annual Catch Limits and Accountability Measures of the 2007 Magnuson were put in place as quickly as they could implement them. ACLs and AMs have crushed the industry, causing confrontations between the commercial industry, the for-hire industry and the private anglers. Everyone is trying to survive in their businesses and private anglers are trying to justify the expense of owning their own boats.

Our Gulf States are keenly aware of the economic importance that fishing brings to coastal communities. Three of the five Gulf States have recently given up on the expectation that federal fishery management will work for their citizens. Texas, Louisiana and Florida have opted for a red snapper season in state waters that is inconsistent with the federal season. In an effort to keep states in line, the Gulf Council proposed and passed amendment 30B which prohibits federally permitted for-hire boats from fishing for red snapper in state waters when federal waters are closed to red snapper. Since 2009 for-hire fishermen have been used as pawns in this battle between the states and federal fishery managers. This unfair punishment and violation of National Standards 4 and 9 should be removed from Amendment 30B, regulation 50 cfr 622.20(b)(3).

Will NOAA Fisheries management plan for Catch Shares, Sector Separation, Inter-sector trading, Days-at-Sea and Fish tags work to rebuild the red snapper fishery? Sure it will, if your intent is to put enough people out of work and off the water. But why not look at ways to rebuild the fishery with artificial reefs and new science that enhances the growth of the fishery to meet the needs of the Nation and the coastal communities? Wouldn't we be better off creating more habitat, more jobs, selling more fish to the American public? The demand is there. 80% of the Nation's seafood is imported.

The recent Red Snapper Benchmark Assessment is the first assessment to implement the new methods of data collection from the MRIP program that is replacing MRFSS and it includes updated modeling. This new assessment shows what the fishermen have been saying all along. The Red Snapper fishery *is* rebuilding much quicker than expected, but as we see in other studies it is to the detriment of other species on the reefs, eating the juveniles of other species such as gag grouper and triggerfish. We really didn't have to have such harsh restrictions on this fishery in order to meet the deadlines set in the Magnuson after all.

Every year we have seen the fishery improve, the quotas, measured in pounds have increased. But, because the fish are increasing dramatically in weight and size as happens in a rebuilding fishery, we meet our quotas much quicker. This type of management is what causes the seasons to be so short. For instance, in 2006 the quota was almost the same in pounds as in 2012 with a 6 month season compared to a 45 day season. In 2006, the average weight of the fish was 3.2 pounds, so the available harvest was approximately 1.4 million pounds. In 2012, with the average weight over 7.5 pounds the available harvest was only about 580,000 fish. Now that extra million fish are still out there, at varying sizes, but due to the quota being figured in pounds we do not have access to them. Short seasons are hurting tourism across the coast.

While the communities in NW FL have not invested in an economic study to tell them specifics about the fishing industry, there is overwhelming consensus that everyone prospers during Red Snapper season. I have enclosed a chart that shows the impact of the shorter seasons on headboats at our marina and on our fuel sales. I know of similar reports from other marinas across the coast. Ticket sales and fuel sales increase dramatically with the availability of Red Snapper. The longer trips and private charter trips are especially impacted because they are more expensive and the case is made, why pay more if you can catch your 2 Red Snapper in ½ the time at ½ the price? That is why you see the longer trips decreasing and the shorter trips increasing, bringing less revenue to the marina from ticket sales and fuel.

This years' yo-yo of changes in the length of the fishing season hurt sales. Folks made reservations thinking they had 28 days in Florida. Then it changed to 21, changing hotel reservations and days off work, too. Then it was 26, and they changed again. Now it is 28 days, but some are still looking on the Gulf council website which says 21 days. Reservations are down this week compared to the last three weeks of full boats. As far as the local economy, our Tourist Development Council is reporting increases overall in bed taxes. But when you get specific about where the dollars are being spent and the hotels that are being used, there is a decrease in those which are close to the fishing and boating activities. Restaurants, from Waffle Shops to fine dining establishments in our area of the beaches have had several years of reduced business. To put it in the words of the owner of the Capt. Anderson Restaurant, if the parking lot is full of fishermen in the morning, we are going to have a good night at the restaurant. If people are not fishing? Not so much.

Now that the recent Emergency Rule has given the Regional Administrator power to close the season if he believes we have overfished the quota, not going by facts, but by estimates, it could be even worse. If folks were to come to the coast, having made fishing and hotel reservations when they thought we could harvest Red Snapper, and it closed before we could notify them, we would take the blame.

After six years of costing our communities jobs and businesses, fishery managers are just now admitting Red Snapper must be more abundant and more prolific than first thought, in spite of our overfishing. (Keep in mind that overfishing in their terms is harvesting more than the Annual Catch Limit that has been set at least 25% below the true overfishing level set by the Science & Statistical Committee. We have never reached that true overfishing level.)

The MRIP data still does not show how many private anglers there are who fish for reef fish. Some reports show researchers are using a number 5 times the true amount. Our States, Florida in particular, are working on a plan to collect this data inexpensively, but accurately. This should improve the harvest data even more in the near future and these plans should not place an expensive hardship on the anglers. That is the goal of the industry in working with State fishery managers.

We know from experience that it is best for our customers and our businesses to have consistency in our seasons. It is best for the tourism economy of our community to have the Red

Snapper season open when the tourists are visiting. That being said, knowing from the SSC we have a fishery growing more quickly than expected, we need the fishery managers to not hold back on allocating as much quota as possible. One fear the Council has is needing to reduce the following season if there is an overrun of harvest. Due to section 407 of the 1996 Magnuson, the recreational Red Snapper season must close when the quota is projected to be met. The SSC should provide advice to the Council and the Council should be able to determine higher or lower ABCs based on any new information provided and therefore, not be bound by the SSC recommendation as it is today. The science gives guidance for National Standard 1, but the other impacts of the rest of the National Standards should have just as much weight in the decision-making process.

The Council can *set* a consistent season over several years now if the SSC sets the ABCs accordingly, but if the harvest overruns the ABC set in any one year, they must compensate for the overrun the next year, causing another inconsistent season. Between 2000 and 2006, the Council was able to use average catches over time, some years going over the ACL, others not meeting it. This gave them the ability to grant consistent seasons-much better for business. And, the fishery was steadily rebuilding.

In addition, Federal fishery managers have heard testimony after testimony in the Council meetings of the supreme habitat provided by petroleum platforms with divers and anglers speaking against their demise through the Idle Iron project. These platforms are home to millions of pounds of Red Snapper as well as thousands of other species, some of which are endangered. Letters have been written to appropriate agencies from the Gulf Council, designating them as Essential Fish Habitat. But now, they are discussing having them closed to fishing and diving. Anglers and divers are the same folks who have brought this to their attention and that of the public. These are EFH, but not critical habitat which would close them to fishing. Historical research has shown offshore of Texas would be a desert as far as fish are concerned were it not for the petroleum platforms. The fishery needs these platforms, now artificial reefs, to help in the rebuilding process and we need them to continue providing fishing and diving opportunities across the Gulf.

Again, I say, Thank you for the opportunity to share this information with the Committee.

Respectfully submitted,

Pamela W. Anderson

Pamela W. Anderson,
Operations Manager, Capt. Anderson's Marina
V.P., Panama City Boatman's Assoc.

Capt. Anderson Marina

Fuel Report for Head boat Charter Boat Fleet

HB Passenger Counts

	Jan	Feb	Mar	Apr	May	June	July	August	Sept	Oct	Nov	Dec	
--	-----	-----	-----	-----	-----	------	------	--------	------	-----	-----	-----	--

Anderson Pier, Inc.
d/b/a Capt. Anderson's Marina
5550 N. Lagoon Drive / Panama City Beach, FL 32408
(850) 234-3435 or (800) 874-2415 Fax: (850) 234-0260
www.captandersonsmarina.com Email: captanders@aol.com

April 30, 2013

Ms. Rebecca Blank
Acting Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, D.C. 20230

Mr. Samuel D. Rauch, III
Acting Assistant Administrator for Fisheries
National Marine Fisheries Service
1315 East-West Highway, Room 14636
Silver Springs, Maryland 20910

By email: TheSec@doc.gov and samuel.rauch@noaa.gov

Re: Section 2.13 Action 13 of RF 30B

Dear Secretary Blank and Assitant Administrator Rauch :

In the spring of 2008, the Southeast Regional Director of the National Marine Fisheries Service pressured the Gulf of Mexico Fishery Management Council to enact a regulation (Section 2.13 Action 13 of RF 30B) to prevent Federally permitted For-Hire Charter and Headboats from fishing in state waters when federal regulations closed the EEZ and to prevent those vessels from being able to fish under less restrictive regulations in state waters. Essentially this regulation requires these vessels to comply with federal regulations regardless of where they fish, *which, I believe infringes on the rights of these citizens of the State(s) of the Gulf coast, according to Amendment 10 of the Constitution.*

This action was in retaliation to the Florida Gulf For-Hire Charter and Headboat owners because at the Florida Fish and Wildlife Commission meeting in February 2008, the owners and operators of those vessels along with many recreational anglers, state legislators, local community leaders, and other stakeholders requested the FWC to keep Florida waters open to recreational red snapper when the NMFS closed the EEZ. *Our fishing season for Red Snapper was slated to drop from 194 days to 65 days, an unprecedented move on the part of NMFS.* The NMFS proposed and approved regulation was directed at the federally permitted vessels and was done to punish those who supported the state action. *If you had been in the meeting, you would know for a fact it was a spiteful power play on the part of NMFS management.* After continued pressure by the NMFS Southeast Region on the Gulf Council, the Council recommended the regulation (although the vast majority of the Federally permitted For-Hire Charter and Headboats opposed the proposal) in August 2008. The NMFS approved the regulation in record time to be effective in May 2009 prior to the opening of the recreational red snapper season the following June.

The GMFMC at their recent April 18th meeting voted 9 for, 6 against, with 2 absent to request an emergency action by the NMFS to rescind and remove the regulatory authority created by Section 2.13 Action 13 of RF 30B regarding the for-hire fleet which requires vessels with a Gulf of Mexico Charter Headboat Reef Fish Permit to fish by the stricter of federal or state regulations and replace it with the status quo alternative that was included in Amendment 30B of that section which is Action 13. Federal

Anderson Pier, Inc.
d/b/a Capt. Anderson's Marina
5550 N. Lagoon Drive / Panama City Beach, FL 32408
(850) 234-3435 or (800) 874-2415 Fax: (850) 234-0260
www.captandersonsmarina.com Email: captanders@aol.com

Regulatory Compliance; Alternative 1. No action. *With this action*, all vessels with federal commercial or charter reef fish permits are subject to applicable federal reef fish regulations when fishing in the EEZ, and are subject to applicable state reef fish regulations when fishing in state waters.

Dr. Crabtree was quick to point out that he does not believe this action meets the criteria of an emergency action. I believe it does. *The true reason* for this action in 2008, singling out the Federally Permitted operators, was revealed at the February, 2013 meeting, and has led to the request for this emergency rule by the States. The purpose stated for the original action was to use the Federally Permitted Charter and Headboats as a political pawn to keep the States in line with the Federal rules. Playing politics with peoples' lives and livelihoods has not set well with our Governors and State Fishery Directors, as you can tell from recent States' actions.

The owners of these vessels have suffered great economic harm and in some cases have left the For-Hire Charter fishery due to the regulation. The communities along the Gulf of Mexico have suffered severe economic and social harm due to the regulations as most depend on tourism for their continued survival. Fishing activity and the desire to seek that opportunity is critical to the vessel owners and the infrastructure that supports them which provides extensive support to the local fishing communities.

We have suffered with this regulation for 4 years. *We have pleaded with our local, state, and federal officials to have this regulation rescinded and have finally been successful because the truth of the original action was made clear, on record. It had nothing to do with science, nothing to do with the status of the stock. It had to do with a clear misuse of power.*

It is imperative to the survival of the For-Hire Charter and Headboat fisheries, keeping and increasing jobs on the vessels and infrastructure, and the continued economic and social support for our local fishing communities that the Council request be enacted ASAP. We know that there are mechanisms used by the NMFS to expedite this type of process and providing a minimum of 15 days for comments so the process can be expedited. We urge you to use those same efforts for this action to rescind this regulation so that it will be effective prior to the opening of the recreational red snapper fishing season on June 1.

Respectfully submitted,

Pamela Anderson, Operations Manager/Treas.
Anderson Pier, Inc.
Dba Capt. Anderson's Marina
5550 N. Lagoon Drive
Panama City Beach, FL 32408
850-234-3435

May 6, 2013

Ms. Rebecca Blank
Acting Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, D.C. 20230

Mr. Samuel D. Rauch, III
Acting Assistant Administrator for Fisheries
National Marine Fisheries Service
1315 East-West Highway, Room 14636
Silver Springs, Maryland 20910

By email: TheSec@doc.gov and samuel.rauch@noaa.gov

Re: Section 2.13 Action 13 of RF 30B

Dear Acting Secretary Blank and Acting AA for Fisheries Rauch:

I provide the following comments to fully support the proposed action taken by the Gulf of Mexico Fishery Management Council to rescind Section 2.13 of Reef Fish Amendment 30B and to do so by emergency action. I urge you to use the most expeditious method by allowing 15 days of public comment once the issue is placed in the Federal Register. Please allow me to provide some brief factual history on this issue so you both better understand how we got to this point.

In 2000, Dr. William Hogarth, then acting AA for Fisheries, and Dr. Roy Crabtree, head of the NMFS SERO department in charge of red snapper management in the Gulf came to me and a couple other Recreational For-Hire Fishing leaders and requested our help in trying to find a way to cap effort in the Recreational For-Hire Fisheries in the Gulf. They suggested we work with them to create and sell to the Recreational For-Hire Fishing vessel owners a moratorium on the Federal Charter/Headboat Reef Fish Permit. We listened to their suggestions, which included negative alternatives, and bought off on what they sold us.

As I had been extremely active with the GMFMC since the late 80s and President of the National Association of Charterboat Operators (NACO), the voice of the Recreational For-Hire Charter Boat sector across the country, I was appointed by the GMFMC to serve as Chairman of the Council Ad-Hoc Charter/Headboat Moratorium Advisory Panel. As Chairman of the AP I was actively involved in the creation of the moratorium permit and many of my suggestions are incorporated in the current moratorium regulations. The reason I point this out is that in the 3 years of development not one suggestion from any AP member, any Council member, or any NMFS staffer, including both Dr. Hogarth and Dr. Crabtree did any proposed suggestion of design did the issue of restricting access for federally permitted vessels be done should state regulations be less restrictive than those required by the NMFS. In fact, all NMFS staffers continually stressed the moratorium was for the sole purpose to "CAP" effort, not reduce, not eliminate vessels, **not to restrict access to state waters**, simply to "CAP" effort.

In the multitude of conversations I and others who designed the moratorium regulations, we stressed the "promise" by NMFS that the Moratorium was only to "CAP" effort and no other reason. Our words to persuade the majority of the Recreational For-Hire fleet in the Gulf to support the Moratorium were based on the promises of NMFS. Once Dr. Crabtree, in his position of RA for NMFS SERO, used his power to pressure the Gulf Council to provide Section 2.13 Action 13 of RF Amend 30B to retaliate and punish the Gulf Recreational For-Hire vessel owners it was clear we had been lied to and used to further restrict the Recreational For-Hire sector. Once the lie was exposed I immediately began to apologize to my fellow charter boat owners for working to gain their initial support for the moratorium and told everyone I would never again be a pawn for the NMFS and work to help them harm fellow fishermen. The Federally permitted Recreational For-Hire fishing vessel owners have opposed the current requirement from its inception as it has caused unnecessary economic and social harm to the vessel owners, their families and communities.

In the spring of 2008, the Southeast Regional Director of the National Marine Fisheries Service pressured the Gulf of Mexico Fishery Management Council to enact the regulation (Section 2.13 Action 13 of RF 30B) to prevent Federally permitted For-Hire Charter and Headboats from fishing in state waters when federal regulations closed the EEZ and to prevent those vessels from being able to fish under less restrictive regulations in state waters. Essentially this regulation requires these vessels to comply with federal regulations regardless of where they fish.

This action was in retaliation to the Florida Gulf For-Hire Charter and Headboat owners because at the Florida Fish and Wildlife Commission meeting in February 2008, the owners and operators of those vessels along with many recreational anglers, state legislators, local community leaders, and other stakeholders requested the FWC to keep Florida waters open to recreational red snapper when the NMFS closed the EEZ. The NMFS proposed and approved regulation was directed at the federally permitted vessels and was done to punish those who supported the state action. After continue pressure by the NMFS Southeast Region on the Gulf Council, the Council recommended the regulation (although the vast majority of the federally permitted For-Hire Charter and Headboats opposed the proposal) in August 2008. The NMFS approved the regulation in record time to be effective in May 2009 prior to the opening of the recreational red snapper season the following June.

The GMFMC at their recent April 18th meeting voted 9 for, 6 against, with 2 absent to request an emergency action by the NMFS to rescind and remove the regulatory authority created by Section 2.13 Action 13 of RF 30B regarding the for-hire fleet which requires vessels with a Gulf of Mexico Charter Headboat Reef Fish Permit to fish by the stricter of federal or state regulations and replace it with the status quo alternative that was included in Amendment 30B of that section which is Action 13. Federal Regulatory Compliance; Alternative 1. No action. All vessels with federal commercial or charter reef fish permits are subject to applicable federal reef fish regulations when fishing in the EEZ, and are subject to applicable state reef fish regulations when fishing in state waters.

The owners of these vessels have suffered great economic harm and in some cases have left the Recreational For-Hire Charter fishery due to the regulation. The communities along the Gulf of Mexico have suffered severe economic and social harm due to the regulations as most depend on tourism for their continued survival. Fishing activity and the desire to seek that opportunity is critical to the vessel owners and the infrastructure that supports them which provides extensive support to the local fishing communities.

We have suffered with this regulation for 4 years. We have pleaded with our local, state, and federal officials to have this regulation rescinded and have finally been successful in convincing the Gulf Council to recommend this be done and to also recommend it be done ASAP. We have finally been able to show and convince our Federal, State, and Local Officials of how the NMFS lied to us in 2000 of the real purpose of the Moratorium, which is to reduce fleet capacity.

The true reason for this action, singling out the Federally Permitted operators, was revealed at the February, 2013 meeting, and has led to the request for this emergency rule. The purpose stated was to use the Federally Permitted Charter and Headboats as a political pawn to keep the States in line with the Federal rules. Playing politics with peoples' lives and livelihoods has not set well with our Governors and State Fishery Directors, as you can tell from recent States' actions.

It is imperative to the survival of the For-Hire Charter and Headboat fisheries, keeping and increasing jobs on the vessels and infrastructure, and the continued economic and social support for our local fishing communities that the Council request be enacted ASAP. We know that there are mechanisms used by the NMFS to expedite this type of process and providing a minimum of 15 days for comments so the process can be expedited. We urge you to use those same efforts for this action to rescind this regulation so that it will be effective prior to the opening of the recreational red snapper fishing season on June 1.

Sincerely,

Capt. Bob Zales, II



PANAMA CITY BEACH

Home of the World's Most Beautiful Beach

Ms. Rebecca Blank
Acting Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave, NW
Washington, DC 20230

May 8, 2013

Re: Section 2.13 Action 13 of RF 30B

Dear Secretary :

In 2009 the Southeast Regional Director of the National Marine Fisheries Service pressured the Gulf of Mexico Fishery Management Council to enact a regulation (Section 2.13 Action 13 of RF 30B) to prevent Federally permitted For-Hire Charter and Headboats from fishing in state waters when federal regulations closed the EEZ and to prevent those vessels from being able to fish under less restrictive regulations in state waters. Essentially this regulation requires these vessels to comply with federal regulations regardless of where they fish.

This action was in response to the Florida Gulf For-Hire Charter and Headboat because, in February, 2008, the owners and operators of those vessels along with many recreational anglers, state legislators, local community leaders, and other stakeholders requested the Florida Fish and Wildlife Commission to keep Florida waters open to recreational red snapper when the NMFS closed the EEZ. The proposed and approved regulation was directed at the federally permitted vessels.

The GMFMC at their April 18th meeting voted 9 for, 6 against, with 2 absent to request an emergency action by the NMFS to rescind and remove the regulatory authority created by Section 2.13 Action 13 of RF 30B regarding the for-hire fleet which requires vessels with a Gulf of Mexico Charter Headboat Reef Fish Permit to fish by the stricter of federal or state regulations and replace it with the status quo alternative that was included in Amendment 30B of that section which is Action 13. Federal Regulatory Compliance; Alternative 1. No action. All vessels with federal commercial or charter reef fish permits are subject to applicable federal reef fish regulations when fishing in the EEZ, and are subject to applicable state reef fish regulations when fishing in state waters.

The owners of these vessels have suffered great economic harm and in some cases have left the For-Hire Charter fishery due to the regulation. The communities along the Gulf of Mexico have suffered severe economic and social harm due to the regulations as most depend on tourism for their continued survival. Fishing activity and the desire to seek that opportunity is critical to the vessel owners and the infrastructure that supports them which provides extensive support to the local fishing communities.

Mayor
Gayle F. Oberst

Vice Mayor
John Reichard

Council
Rick Russell Keith Curry
Josie B. Strange

City Attorney
Doug Sale Amy Myers

City Manager
Mario Gisbert


City Clerk
Holly J. White

We have suffered with this regulation for 4 years. We have pleaded with our local, state, and federal officials to have this regulation rescinded and have finally been successful in convincing the Gulf Council to recommend this be done and to also recommend it be done ASAP.

The purpose stated in the February 2013 meeting was to use the Federally Permitted Charter and Headboats as a pawn to keep the States in line with the Federal rules. This has not set well with our Governors and State Fishery Directors, as you can tell from recent States' actions.

It is imperative to the survival of the For-Hire Charter and Headboat fisheries, keeping and increasing jobs on the vessels and infrastructure, and the continued economic and social support for our local fishing communities that the Council request be enacted ASAP. We know that there are mechanisms used by the NMFS to expedite this type of process and providing a minimum of 15 days for comments so the process can be expedited. We urge you to use those same efforts for this action to rescind this regulation so that it will be effective prior to the opening of the recreational red snapper fishing season on June 1.

Sincerely,



Gayle F. Oberst, Mayor,
City of Panama City Beach