## GULF POLICY REPORT

## INSIGHTS INTO THE POLICIES THAT MATTER TO YOUR LIFE AND BUSINESS







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### LETTER FROM THE POLICY DIRECTOR

Shareholders' Alliance Members,

I am excited to announce that we are launching a new look for our <u>Gulf of Mexico Fishery Management Council</u> (Gulf Council) meeting summaries this year. At the Shareholders' Alliance, our goal is to provide you with the most upto-date and reliable information on regional policies that impact fish stock health and your livelihoods. This Gulf Policy Report is our summary of the most relevant and important topics, not a summary of every agenda item the Gulf Council discusses.

If you have feedback on this new format, please feel free to call or email me. These summaries are an exclusive benefit for our members, so it's important that they meet your needs.

Last week, the Gulf Council met in New Orleans, LA, for its first meeting of 2025. Despite being underrepresented on the Council, the commercial fishing industry secured a few wins. However, we still have significant work ahead, particularly concerning recreational accountability, discards, and reallocation (both direct and de facto).

Notably, under the direction of Chair JD Dugas, the Gulf Council has eliminated the online voting system that previously tallied votes and allowed the public to monitor how Council members voted. This is a major setback for transparency.

If you support greater transparency in the Gulf Council process, <u>click here</u> to send an email to the Gulf Council urging them to reinstate the online voting system.

Overall, it was a productive week, and I remain cautiously optimistic about making progress for commercial fishermen, conservation, and sustainability.



ASHFORD ROSENBERG
POLICY DIRECTOR
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## WILL THE GULF COUNCIL HAVE A NEW NAME?





On January 20, 2025 President Trump signed **Executive Order 14172** (Restoring Names that Honor American Greatness) that included a directive to rename the Gulf of Mexico to Gulf of America.

We asked Gulf Council Staff what this meant for the name of the Gulf Council. The name of the Gulf Council is codified in the Magnuson-Stevens Fishery Conservation and Management Act (MSA), which makes a name change a bit more complicated.

They are awaiting guidance before changing anything, but will primarily refer to themselves as the "Gulf Council" in any materials until that official guidance is received.

If you want to learn more about how different Agencies and Organizations are responding to the Executive Order, check out this article by the <u>Tampa Bay</u> Times.

#### AMENDMENT 59 - REQUIREMENTS FOR PARTICIPATION IN IFQ PROGRAMS



The Gulf Council has been debating making changes to the Red Snapper and Grouper-Tilefish Individual Fishing Quota (IFQ) Programs for over a decade. The latest version is Amendment 59, which includes proposed requirements to own a permit to 1) open/maintain an IFQ account, 2) own shares and/or 3) obtain allocation, as well as a participation requirement to own and maintain shares.

In its current form, the only way Amendment 59 considers "participation" is landings (Action 2 in Amendment 59). Requiring IFQ shareholders to land a certain percentage of what they own may seem like a simple solution, but it gets complicated very quickly - should this be species specific or across all shareholdings? What percentage (5%? 50%?) is appropriate? When during the year do you have to catch this percentage? This Action also does not consider:

- 1. Hardship exemptions.
- 2. How landings requirements could make allocation less available.
- 3. How landings requirements apply to related shareholder accounts.
- 4. How dealers operate in the fishery.
- 5. How Fishery Trusts/Quota Banks operate in the fishery.
- 6. How this change meets the goals and objectives of the IFQ programs.

Because modifications to the IFQ programs have been debated for so long, many Gulf Council members want Amendment 59 to move quickly and be implemented by 2026. The landings requirement is not only complicated and controversial within the fishery, it also is going to take NMFS time to figure out how to track it and enforce it on the back end.

Therefore, the Gulf Council decided to <u>split Amendment 59 into two</u> documents:

## ACTIONS AND ALTERNATIVES IN AMENDMENTS 59A AND 59B

Blue text indicates preferred alternatives selected by the Gulf Council

59A

**Action 1** - Requirement to obtain and maintain a Shareholder IFQ Account

- <u>Alternative 2:</u> permit required to obtain an IFQ account
- Alternative 3: to obtain and maintain an IFQ account (selected as preferred)

**Action 3** - Requirement to Obtain and Maintain IFQ Shares

- <u>Alternative 2:</u> permit required to obtain shares
- Alternative 3: permit required to obtain and maintain shares

**Action 4** - Requirement to Obtain Annual Allocation

• <u>Alternative 2:</u> permit required to obtain annual allocation

**Action 5** - Divestment from Non-Compliant Shareholder Accounts

- Alternative 2: NMFS will reclaim shares from shareholder accounts that are not compliant at the time of implementation, after
  - Option 2a: 1 year
  - o Option 2b: 2 years
- Alternative 3: After implementation, if a shareholder account becomes noncompliant, NMFS will reclaim shares after:
  - o Option 3a: 1 year
  - o Option 3b: 2 years

**59B** 

**Action 2 -** Active Participation Requirements for Shareholders

- Alternative 2: requirement to land at least 50%, over 2 years, by October 1, of:
  - Option 2a: your total pounds of all share categories
  - Option 2b: each share category
- Alternative 3: requirement to land at least 25%, over 2 years, by October 1, of:
  - Option 3a: your total pounds of all share categories
  - Option 3b: each share category
- Alternative 4: requirement to land at least 10%, over 2 years, by October 1, of:
  - Option 4a: your total pounds of all share categories
  - o Option 4b: each share category
- <u>Alternative 5:</u> requirement to land at least 5%, over 2 years, by October 1, of:
  - Option 5a: your total pounds of all share categories
  - Option 5b: each share category
- Alternative 6: requirement to have completed at least one landings transaction, over 2 years, by December 1. of:
  - o Option 3a: any share category
  - o Option 3b: each share category

#### **AMENDMENT 59**

The motion to split the document passed by a very thin margin: 8-7 with 1 abstention and 1 absent (see vote table below). Even supporters of the motion indicated that they did not want the Gulf Council to stop work on a participation requirement, so this idea is not going away. But for now, it has been postponed.

	Yes	No	Abstain
Andy Streicheck (Regional Administrator, NMFS)	<b>✓</b>		
Dakus Geeslin (Texas Parks and Wildlife Department)		<b>~</b>	
Dr. Kesley Banks (Texas, "other")		<b>✓</b>	
Troy Williamson (Texas, recreational)		<b>~</b>	
Chris Schieble (Louisiana Department of Wildlife and Fisheries)		<b>✓</b>	
Billy Broussard (Louisiana, commercial/recreational)	<b>✓</b>		
JD Dugas (Louisiana, recreational)			<b>✓</b>
General Joe Spraggins (Mississippi Department of Marine Resources)		<b>✓</b>	
Michael McDermott (Mississippi, recreational)		<b>✓</b>	
Jason Osborne (Mississippi, recreational)	ABSENT	ABSENT	ABSENT
Kevin Anson (Alabama Department of Conservation and Natural Resources)		<b>✓</b>	
Troy Frady (Alabama, charter/for-hire)	<b>~</b>		
Dr. Anthony Overton (Alabama, "other")	<b>~</b>		
Dr. CJ Sweetman (Florida Fish and Wildlife Commission)	<b>✓</b>		
Dr. Tom Frazer (Florida, "other")	<b>✓</b>		
John Sanchez (Florida, commercial)	<b>/</b>		

The Gulf Council also chose to establish an anonymous phone line for public comment, allowing individuals who fear "retribution" for commenting on the IFQ Programs in person to provide input. The Gulf Council will pilot this phone line for six months. Once we have more information, we will share it with you.

#### What's Next for Amendment 59A?

- The <u>Reef Fish Advisory Panel</u> (AP) and <u>Ad Hoc IFQ AP</u> will review Amendment 59A at their meetings on March 17 and March 18, 2025 and provide recommendations to the Gulf Council.
- A Public Hearing Draft will be presented at the April 2025 Gulf Council meeting
- Public Hearings and a permit mailing will be conducted between April and June 2025
- The Gulf Council will take Final Action at the June 2025 Meeting

#### What's Next for Amendment 59B?

- The Ad Hoc IFQ Advisory Panel (AP) will provide input on participation requirements at the March 2025 meeting
- Gulf Council staff will continue work on participation requirements within the IFQ Programs and will present Amendment 59B following Final Action on 59A
- The Gulf Council also chose to establish an anonymous phone line for public comment, allowing individuals who fear retribution for commenting on the IFQ Programs in person to provide input. The Gulf Council will pilot this phone line for six months. Once we have more information, we will share it with you.

### Where does the Shareholders' Alliance Stand on Amendments 59A and 59B?

For details on our position on Amendment 59, please read our <u>comment letter</u> to the <u>Gulf Council</u>. We continue to raise the following points:

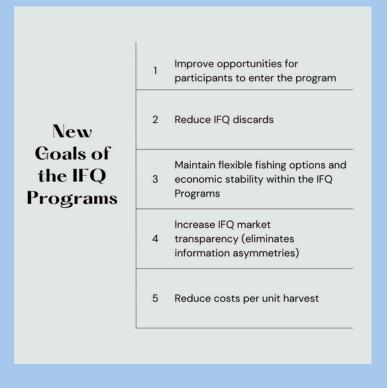
- We generally support the permit requirement and are looking forward to the forthcoming analysis to better inform our specific position on what components of a commercial fishing business this should apply to.
- The Gulf Council has provided inadequate justification for how Amendments 59A and 59B meet the new Goals and Objectives of the IFQ Programs.
- The Gulf Council has not considered that the Reef Fish Quota Bank has been in operation for ten years, and that implementing a permit and landings requirement will impede its operation, as well as any additional non-profit quota banks or fishery trusts in the future.

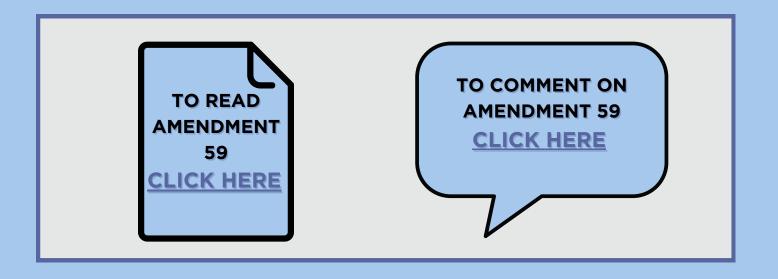
#### **AMENDMENT 59**

We look forward to working with our membership to assess and inform the analysis of Amendments 59A and 59B in the coming months. In the meantime, please don't hesitate to reach out with your feedback.

## READ OUR COMMENT LETTER HERE







#### Red Grouper Stock Assessment Update



On February 5, 2024, the **Final Stock Assessment Report** for SEDAR 88 was released. We are still reviewing the almost 300 page report in detail, but here are the main takeaways:

- Florida's State Reef Fish Survey (SRFS) was used for recreational landings instead of Marine Recreational Information Program Fishing Effort Survey (MRIP-FES.)
- It appears that the condition of the stock has improved since the last stock assessment in 2019.
- If the SSC agrees with the catch advice in the report, we could be looking at an increase in red grouper quota, but we won't know for certain until the SSC has a chance to review the report and make recommendations.

The SSC will review the report at its <u>next meeting</u> on February 26, 2025. Catch limits should be determined later this year and presented to the Gulf Council.

#### What's Next?

- Once catch limits are recommended by the SSC, they will be presented to the Gulf Council (leither at the April or June 2025 meeting).
- The Gulf Council may initiate a Framework Action or Amendment to change the catch limits for red grouper, as well as other possible management changes.
- If SRFS' landings are drastically different from MRIP-FES, it is possible that SEDAR 88 will force the Gulf Council to revisit sector allocations for red grouper.
- We will keep you informed as we learn more.



## AMENDMENT 58B: MODIFICATIONS TO DEEP WATER GROUPER MANAGEMENT MEASURES



The Gulf Council initiated Amendment 58B in response to **SEDAR 85**, which determined that yellowedge grouper is undergoing overfishing. Under the MSA, the Regional Fishery Management Councils must act to end overfishing "immediately."

Like with the last red grouper stock assessment and Amendment 53, recreational landings from MRIP-FES were used for yellowedge grouper and are now being used to justify quota reductions and reallocation.

Amendment 58 proposes to reduce the annual catch limit from 1.105 million pounds to 555,026 pounds (a 50% reduction). It also proposes to reallocate from the commercial sector to the recreational sector based on new timelines for landings history and MRIP-FES recreational landings.

Alternative	ACL (lbs)	Comm Quota	Comm Allocation	Rec Quota	Rec Allocation
1	555,026	514,176	96.5%	Undefined	Undefined
2**	555,026	514,176	96.5%	19,426	3.5%
3	555,026	478,411	89.79%	56,649	10.21%
4	555,026	496,380	93.10%	37,964	6.84%

\*\*Currently there is no recreational sector allocation on the books. The commercial ACL is 96.5% of the complex ABC, the commercial quota is calculated at 4% below the commercial ACL and the recreational sector is "apportioned" the rest. Alternative 2 formally establishes a 96.5% commercial allocation and a 3.5% recreational allocation.

#### **AMENDMENT 58B**

The Gulf Council is aiming to take final action at the June 2025 meeting. While they did not pick a preferred alternative for catch limits or sector allocations at this meeting, they did remove Alternatives 5 and 6 from Action 2, stating they were too extreme. Some Council members voiced support for Alternative 4, which would result in a total ACL of 555,026 pounds, a commercial quota of 496,380 pounds, and a reduction in commercial allocation from 96.5% to 93.16%.

A public hearing draft will be presented in April 2025, followed by public hearings, both in person and virtual. It is crucial for the commercial industry to show up and provide input on why reallocation does not promote conservation and is harmful to commercial fishermen's livelihoods. Furthermore, since this is establishing a new allocation, the Gulf Council should follow allocation policies that consider more than just landings history.

#### What's Next?

- A public hearing draft will be presented to the Gulf Council in April 2025.
- Public hearings will be held, both in person and virtual, in May 2025. We will let you know when those have been scheduled.
- If you would like help preparing comments for one of these meetings, please let us know.
- The Gulf Council will take final action at the June 2025 meeting in Key West.
- Implementation could go into effect in 2026.



## FRAMEWORK ACTION: SHALLOW WATER GROUPER MANAGEMENT MEASURES

In 2024, the Gulf Council started work on <u>Amendment 58A</u>, which considers many management changes to the shallow-water grouper (SWG) complex. The Actions and Alternatives in Amendment 58A are very complicated, but the Gulf Council must adhere to the scientific advice and catch limit recommendations from the SSC. SEDAR 68 for scamp and yellowmouth grouper did not show that the fishery was overfished or undergoing overfishing but, like we've seen before, the SSC recommended much lower catch rates largely driven by MRIP-FES.

Because of the complexity of Amendment 58A, and because the SSC provided catch limit recommendations, the Gulf Council is moving forward with a Framework Action that will reduce the SWG quota without reallocating between the commercial and recreational sectors.

At this meeting, the Gulf Council chose Action 1, Alternative 2 as the preferred, reducing the ACL by 54.7%. This makes the stock ACL 332,000 pounds and the commercial quota 245,410 pounds.



#### SHALLOW WATER GROUPER

Alternative	Total ACL (lbs)	Comm Quota (lbs)	Rec Quota (lbs)
1 (no action)	710,000	526,000	Undefined
2 (preferred)	322,000	245,410	Undefined
3	151,000	115,084	undefined

#### What's Next?

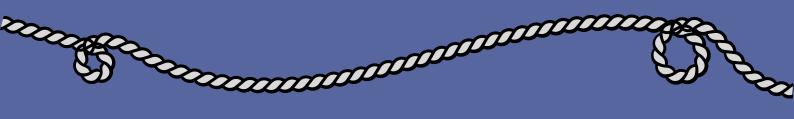
- The Gulf Council will be presented with another draft of the Framework Action in April 2025 at the meeting in Gulf Shores, AL.
- Final Action is scheduled for the June 2025 meeting in Key West, FL.
- The new shallow water catch limits could be implemented by January 1, 2026. If the Final Rule is not ready by then, be prepared for NOAA to hold back SWG allocation (equal to the quota approved in the Framework Action) until the Final Rule can be approved by the Secretary of Commerce.

#### Then What?

- After the new catch limits are implemented, Amendment 58A will be brought back in front of the Gulf Council
- Amendment 58A considers:
  - Splitting the SWG shares into two new categories (Scamp/Yellowmouth and Black/Yellowfin shares).
  - **Removing** the SWG/DWG flexibility measures.
  - Taking SWG quota from the commercial sector and reallocating it to the recreational sector.
  - More changes (likely reductions) to SWG catch limits.



## Draft Framework Amendment 15: King Mackerel Catch Limits



We have heard from many of our members that king mackerel is an important part of your fishing business. We have also heard that there is some concern about the health of king mackerel in the Gulf, that landings are in general trending downward, and that there may be oceanographic or ecological factors that could be



impacting the stock (e.g., red tide). In response to public comments about declining trends in king mackerel, the Gulf Council began work on a Framework Amendment to reduce king mackerel catch limits.

The Gulf Council responding to public input is a good thing, but in this case unfortunately, it also resulted in a document that not only reduced catch limits based on limited information, but would also reallocate quota between sectors and between zones and didn't fully account oceanographic/ecological factors. In an impressive show of unity, the entire king mackerel commercial gillnet fleet from Key West, FL attended the Gulf Council meeting as it considered reducing king mackerel catch limits and reallocation. These fishermen provided significant testimony during public comment, explaining why their landings were lower last year and countering the data that suggested the stock was in decline. Based on their testimony, the Gulf Council chose to end work on Framework Amendment 15 until the King Mackerel Stock Assessment is completed in the next year and more information is available.

#### What's Next?

- Work on the Framework Amendment will stop temporarily.
- SEDAR 99 is ongoing with final results expected to the Gulf Council in June 2026.

# FRAMEWORK ACTION: MODIFICATIONS TO SIZE LIMIT AND RECREATIONAL BAG LIMIT FOR GULF LANE SNAPPER



The Gulf Council presented a Framework Action with the purpose of reducing the likelihood of overfishing in lane snapper. Public testimony indicates that the fishery is healthy and that lane snapper are abundant. In 2023, the Gulf Council increased the Overfishing Limit (OFL) and Acceptable Biological Catch (ABC) for lane snapper, yet the fishery was still closed in November 2024. The actions proposed in this Framework aim to extend the fishing season and slow harvest rates.

The Gulf Council selected Action 1, Alternative 2 as the preferred option, which increases the minimum size limit from 8 inches to 10 inches (both commercial and recreational).

#### What's Next?

- Final action is scheduled for the April 2025 Gulf Council meeting in Gulf Shores. AL.
- The new size limits could be in place late 2025 or early 2026.



#### **CHARTING THE COURSE**



There are always many moving pieces at the Gulf Council. Between Framework Actions, Amendments, stock assessments, SSC meetings, AP meetings, and more, it can be challenging to keep track of where things stand and when to expect changes on the water.

To help, we've developed a tool to track the progress of relevant Gulf Council actions, including an estimated timeline for implementation. We will keep this spreadsheet updated in real time so you can plan and adapt your fishing and business accordingly.

I welcome any feedback on how we can make this tool more user-friendly and helpful. Feel free to contact me with your thoughts.

#### VIEW GULF COUNCIL ESTIMATED ACTION SCHEDULE

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1							202	4						2025		-	- "		_				2026	
2				Start	Council		Nov	Dec	Jan	Feb	М	lar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan		March
3				(Month/Year)		NMFS Lead																		
4			Reef Fish Amendment 59A; Requirements for Participation in IFQ Programs	Oct 2023	Assane D.	Rich M.			Draft		RF AP	IFQ AP	PH Draft	PH	Final Action	Rulemaking process				On the water				
5	Key		"NEW Jan 2025" Reef Fish Amendment 59B: Requirements for Participation in IFQ Programs						Document Initiated		RF AP	IFQ AP												
6	Gulf Council Meeting		Reef Fish Amendment 60: Distribution of Shares Held by NMFS, Recovery and Distribution of IFQ Shares from Inactive Accounts	Oct 2023	Assane D.	Rich M.	Presentation				RF AP	IFQ AP			Draft									
7	PH Draft	Public Hearing Draft	Framework Action: Other Shallow Water Grouper Management Measures		John F.	Dan L.		RF AP	Draft				Draft		Final Action									
8	RF AP	Reef Fish Advisory Panel	Reef Fish Amendment 58A; Shallow-Water Grouper Complex Catch Level and Management Considerations	Oct 2022	Matt F.	Dan L.	Draft	RF AP			RF AP	IFQ AP												
9	ssc	Scientific and Statistical Meeting	Reef Fish Amendment 58B: Deepwater Grouper Complex Catch Level and Management Considerations	Oct 2022	Ryan R.	Dan L.	Draft	RF AP	Draft				PH Draft		Final Action	Rulemaking process				On the water				
10	Rulemaking		New Electronic Reporting Amendment for Charter For-hire	Apr 2023	Lisa H	Rich M.	Draft	RF AP	Draft						PH Draft									
11	Implementation on the water		Framework Action: Adjust the red snapper federal charter for-hire season	Apr 2024	Rvan R	Dan L	Draft	RF AP					Final											

#### CHARTING THE COURSE

We know keeping up with actions and amendments can be frustrating and time-consuming, but your voice in the process is more important than ever. While we represent our members at meetings, it's **your** stories and experiences that truly influence Gulf Council decisions.

We're here to help you engage and translate your livelihood into the language of policymakers. My phone is always open, and I look forward to hearing your ideas or updates on what you're seeing on the water.

Commercial fishermen remain an underutilized resource, and the Shareholders' Alliance is committed to advocating for your knowledge, accountability, and dedication to conservation—ensuring decision-makers and the public recognize your vital role.







Next Gulf Council Meeting April 7-10, 2025 Gulf Shores, AL The Lodge at Gulf State Park 21196 East Beach Boulevard Gulf Shores, AL 36542 (251) 540-4000



## YOUR VOICE, OUR STRENGTH: JOIN US TODAY



Our strength comes from you—our members. Whether you're a fisherman, a seafood enthusiast, or simply someone who cares about the future of sustainable fisheries, your support makes all the difference. We can't do the work we do—advocating for healthy fisheries, supporting fishing communities, and protecting the Gulf of Mexico—without you. Memberships start at just \$25 per year, so join us today and become a vital part of our mission to ensure a thriving future for Gulf fisheries!



















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