

Modifications to Red Snapper Private Recreational Accountability Measures



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ABBREVIATIONS USED IN THIS DOCUMENT

Abbreviation	Definition
ABC	acceptable biological catch
ACL	annual catch limit
ACT	annual catch target
AM	accountability measures
CFR	code of federal regulations
CHTS	Coastal Household Telephone Survey
Council	Gulf Council
CZMA	Coastal Zone Management Act
E.O.	Executive Order
EEZ	exclusive economic zone
EFP	exempted fishing permits
ESA	Endangered Species Act
FL	fork length
FMP	Fishery Management Plan
GFMC	Gulf Fishery Management Council
GMFMC	Gulf of Mexico Fishery Management Council
Gulf	Gulf of America (Formerly Gulf of Mexico)
IFQ	individual fishing quota
LA Creel	Louisiana Department of Wildlife and Fisheries' recreational creel survey
Magnuson-Stevens Act	Magnuson-Stevens Fishery Conservation and Management Act
mp	million pounds
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
OFL	overfishing limit
OY	optimum yield
Reef Fish FMP	Fishery Management Plan for the Reef Fish Resources in the Gulf
Secretary	Secretary of Commerce
SEDAR	Southeast Data, Assessment, and Review
SEFSC	Southeast Fisheries Science Center
SERO	Southeast Regional Office
SPR	spawning potential ratio
SRFS	State Reef Fish Survey
SSC	Scientific and Statistical Committee
TAC	total allowable catch
TL	total length
ww	whole weight

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CHAPTER 1. INTRODUCTION

1.1 Background

The Gulf of America (Gulf) red snapper stock is managed under the Fishery Management Plan for Reef Fish Resources (Reef Fish FMP). Each of the five Gulf states is allocated a portion of the red snapper private angling component annual catch limit (ACL) and delegated the authority to set the fishing season, bag limit, and size limit for the private angling component of the recreational sector (GMFMC 2019a-f). Each state has a state-specific ACL based on the allocation percentages determined in Amendment 50A (Figure 1.1.1.). The current post-season accountability measure (AM) in [50 CFR 622.23\(b\)](#) provides that if a state's red snapper private angling component landings exceed the applicable state's component ACL, the Assistant Administrator (AA) will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, reducing that state's private angling ACL for the following year by the amount of the ACL overage in the prior fishing year, unless the best scientific information available determines that a greater, lesser, or no overage adjustment is necessary¹. The total recreational ACL is managed so that if the total recreational ACL is exceeded and red snapper is overfished, the amount of the overage will be paid back in the following fishing year by the applicable recreational component (the private recreational sector or the for-hire sector)².

In recent years, the Council has indicated a desire to provide additional flexibility in recreational red snapper state management while promoting optimum yield (OY). In April 2026, the Council adopted a motion to develop a document to modify the current private recreational red snapper accountability measures to consider removing the requirement for state-specific payback provisions if landing overages were underneath a specified percentage of the state-specific allocated ACL, as long as total private recreational ACL had not been exceeded. Chapter 2.1 provides information on the frequency and extent of overages, by state from 2020-2025.

¹ This flexibility has been used in 2024 fishing season, whereby the National Marine Fisheries Service (NMFS) reduced Mississippi's ACL for the 2024 season, but not in the full amount of 2023 overage ([89 FR 49104](#)).

² [50 CFR 622.41\(q\)\(2\)\(ii\)](#)

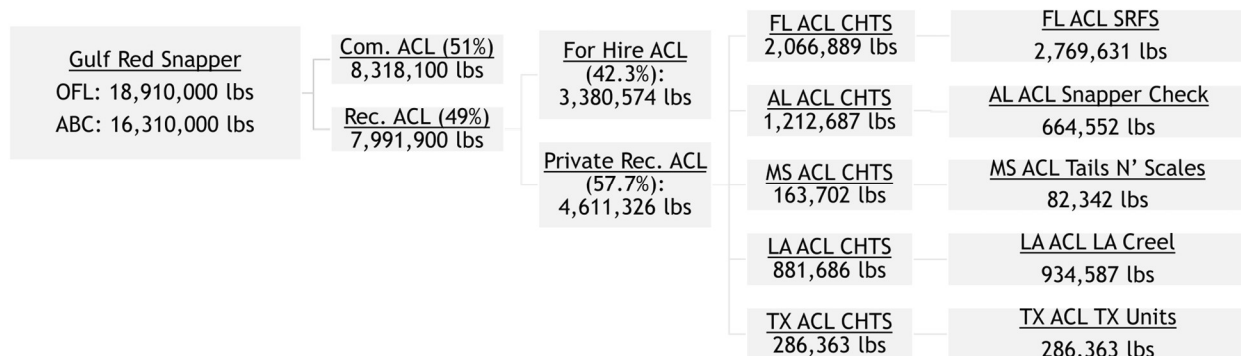


Figure 1.1.1. Private recreational red snapper ACL allocation, presented in Coastal Household Telephone Survey (CHTS) units with state-specific ACLs calibrated to state currencies.

1.2 Purpose and Need

The purpose of this action is to modify the current state-specific post-season accountability measures for the red snapper recreational sector private angling component.

The need for this action is to provide additional management flexibility in a manner that retains the integrity and effectiveness of state management, while achieving optimum yield consistent with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act, including preventing overfishing and providing sustained access for recreational participants and members of fishing communities in states across the Gulf.

1.3 History of Management

The following summary describes management actions that affect the management of red snapper in the Gulf.

The **Fishery Management Plan (FMP) for Reef Fish Resources of the Gulf of Mexico (Reef Fish FMP)** was implemented in November 1984. The original list of species included in the management unit consisted of snappers, groupers, and sea basses. This summary focuses on management actions pertinent to catch limits of red snapper. A complete history of management for the **Reef Fish FMP** is available on the Council’s website³ including other actions affecting red snapper management (GMFMC 1984).

In 1990, **Amendment 1** established the first red snapper rebuilding plan. From 1990 through 2009, red snapper harvest was managed using an annual total allowable catch (TAC), which was divided 51% to the commercial and 49% to the recreational based on the average of historical

³ <https://gulfcouncil.org/fishery-management/implemented-amendments/reef-fish/>

landings during 1979 through 1987. Amendment 1 also established a commercial red snapper quota of 3.1 million pounds (mp) whole weight (ww). There was no recreational quota specified, only a bag limit of seven fish and a minimum size limit of 13 inches total length (TL) (GMFMC 1989). Based on the 51:49 commercial to recreational sector allocation, the commercial quota implied a TAC of approximately 6.1 mp ww in 1990, followed by explicit TACs of 4.0 mp ww in 1991 (GMFMC 1991) and 1992, 6.0 mp ww in 1993 through 1995, and 9.12 mp ww from 1996 through 2006. The TAC was reduced to 6.5 mp ww in 2007 and 5.0 mp ww in 2008 and 2009 (GMFMC 1990).

The **Generic Sustainable Fisheries Act Amendment** (GMFMC 1999) required the establishment of quotas for recreational and commercial fishing that, when reached, result in a prohibition on the retention of fish caught for each sector for the remainder of the fishing year. With the establishment of a recreational quota in 1997, the NMFS Southeast Regional Administrator was authorized to close the recreational season for each species when the quota is reached, as required by the Magnuson-Stevens Act.

In 2006, **Amendment 26** established a red snapper individual fishing quota (IFQ) program for the commercial sector. Commercial fishermen received red snapper shares based on their catch history. Allocation of the annual commercial harvest of red snapper is awarded to red snapper IFQ shareholders each year based on the commercial ACL and the percentage of shares they hold. They are then able to fish that allocation throughout the year until they run out of allocation. Both shares and allocation are transferable, so a fisherman may purchase shares or allocation from others during the fishing year (GMFMC 2006).

From 2010 through 2012, the SSC recommended the red snapper acceptable biological catch (ABC) at 75% of the OFL and the Council set the ACL equal to the ABC (GMFMC 2012). In 2010, the total ACL was increased to 6.945 mp ww. This increased the commercial quota from 2.550 mp ww to 3.542 mp ww and the recreational quota from 2.450 mp ww to 3.403 mp ww. In 2011, the ACL was raised to 7.185 mp ww, resulting in a 3.664 mp ww commercial quota and a 3.525 mp ww recreational quota. On August 12, 2011, NMFS published an emergency rule that, in part, increased the recreational red snapper quota by 345,000 lb for the 2011 fishing year.

In 2012, the SSC recommended that the ABC should be set at the yield corresponding to 75% of $F_{SPR26\%}$. The Council set the ACL equal to the ABC, which increased the ACL to 8.080 mp ww, resulting in a commercial quota of 4.121 mp ww and recreational quota of 3.96 mp ww (GMFMC 2012).

The **Generic ACLs/Accountability Measures (AMs) Amendment** (GMFMC 2011a) addressed a requirement in the Magnuson-Stevens Reauthorization Act of 2006 to establish ACLs and AMs for federally managed species. As a result, the 2013 stock ACL was set to 11.00 mp ww and the commercial quota at 5.61 mp ww and the recreational quota at 5.39 mp ww. Additionally, a post-season AM that required an overage adjustment if the recreational ACL was exceeded if the stock was overfished was also implemented in 2014. The total ACL was set at 10.40 mp ww in 2014, 14.30 mp ww in 2015, 13.96 mp ww in 2016, and 13.74 mp ww in 2017 and subsequent years.

Amendment 40 divided the recreational quota into a federal for-hire component quota (42.3%) and a private angling component quota (57.7%) (GMFMC 2014). In 2015, this resulted in an ACT of 2.371 mp ww for the federally permitted for-hire component and 3.234 mp ww for the private angling component. The amendment also included a 3-year sunset provision on the separation of the recreational sector into distinct components. **Amendment 45** extended the separate management of the federal for-hire and private angling components for an additional 5 years through the 2022 red snapper fishing season (GMFMC 2016).⁴ In 2018, the ACT and ACL were 2.278 mp ww and 2.848 mp ww for the federally permitted for-hire component, and 3.108 mp ww and 3.885 mp ww for the private angling component.

For 2018, NMFS established a 51-day red snapper fishing season for the federal for-hire component [83 FR 17623] based on the component's ACT. For the private angling component, the 2018 and 2019 red snapper fishing seasons were set by the individual states through exempted fishing permits (EFP) approved by NMFS. The EFPs allocated a portion of the private-angling ACL to each state for harvest during the 2018 and 2019 fishing years.⁵

Amendment 36A (GMFMC 2017a) modified the commercial IFQ programs. It included a provision that allows NMFS to withhold a portion of IFQ allocation at the start of the year equal to an anticipated quota reduction, which became effective in 2018.

A 2018 Framework Action titled **Modification of the Recreational Red Snapper Annual Catch Target Buffers** reduced the federal for-hire buffer by setting the ACT at 9% below the component's ACL for the 2019 fishing season only (GMFMC 2018a).

Amendments 50A-F (GMFMC 2019a-f) became effective February 6, 2020, establishing a state management program in each Gulf state for the private angling component's harvest of red snapper. Under Amendments 50A-F, each Gulf state is responsible for managing its annual allocation of the private angling component ACL for red snapper using size limits, bag limits, and seasonal closures. If a state exceeds its allocation in a given fishing year, then the amount of the overage would be deducted from that state's quota for the following fishing year. The individual Gulf states are responsible for their own quota monitoring, and each has a data collection program in place to monitor that state's private angling landings. The individual states would determine if additional catch limit buffers (e.g., an ACT set lower than an ACL, with the fishing season based on the ACT) are necessary to successfully manage that state's allocated quota. A private angling ACT remains in place in the event a state's delegation is no longer effective. The federal for-hire component's harvest of red snapper will continue to be federally managed.

A Framework Action implemented in 2019 titled **Modify Red Snapper and Hogfish Catch Limits** increased the ACL for red snapper for 2019 and subsequent years (GMFMC 2018b). In 2019, another Framework Action titled **Modification to the Recreational For-hire Red**

⁴ Amendment 50A changed this permanently. See next page.

⁵ For more information: <https://www.fisheries.noaa.gov/southeast/state-recreational-red-snapper-management-exempted-fishing-permits>

Snapper ACT Buffer established a federal for-hire ACT 9% below the component's ACL, extending the buffer reduction adopted through the 2018 Framework Action (GMFMC 2019g).

Two Framework Actions titled **Gulf of Mexico Red Snapper Recreational Data Calibration and Recreational Catch Limits** (GMFMC 2021a) and **Modification of Annual Catch Limits for Gulf of Mexico Red Snapper** (GMFMC 2021b) were implemented on January 1, 2023. The Data Calibration Framework modified recreational catch limits for the state-specific private angling ACLs. The Catch Limits Framework increased red snapper catch limits for both the commercial and recreational sectors.

A Framework Action titled **Modification of Catch Limits for Gulf of Mexico Red Snapper** reduced the OFL but increased other catch limits for red snapper (GMFMC 2022). A final rule to implement this framework action was published June 8, 2023, and the rule is effective as of July 10, 2023.

A Framework Action titled **Update to Red Snapper Calibrations and Gray Snapper Catch Limits**, implemented June 13, 2024 (GMFMC 2023). This final rule modified the ratios used to calibrate state specific red snapper private angling component annual catch limits (ACL) for Alabama, Florida, and Mississippi and modified each of these state's private angling component ACLs based on the new calibration ratios.

CHAPTER 2. MANAGEMENT ALTERNATIVES

2.1 Action 1 – Modify the private recreational red snapper accountability measures.

Alternative 1: (No Action): Retain the current state-specific post-season accountability measures for landings of red snapper, which provides that if a state's red snapper private angling component landings exceed the applicable state's component annual catch limit (ACL), the Assistant Administrator (AA) will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, reducing that state's private angling ACL by the amount of the ACL overage in the prior fishing year, unless the best scientific information available determines that a greater, lesser, or no overage adjustment is necessary.

Alternative 2: If a state's red snapper private angling component landings exceed the applicable state's component ACL by more than the percentage specified in Options 2a-2d or private recreational landings from all states exceed the private angling component ACL, NMFS will reduce that state's private angling ACL in the following fishing year by the amount of the ACL overage in the prior fishing year, unless the best scientific information available determines that a greater, lesser, or no overage adjustment is necessary.

Option 2a: up to 2.5% of the state-specific private angling ACL

Option 2b: up to 5% of the state-specific private angling ACL

Option 2c: up to 7.5% of the state-specific private angling ACL

Option 2d: up to 10% of the state-specific private angling ACL

Discussion:

In the last five years (2020-2025) each Gulf state has exceeded their state-specific private recreational angling ACL at least once (Table 2.1.1); although, only once during that time (2021) did this result in an overage of the total private recreational ACL⁶. Given the uncertainty in recreational landings data, there exists the potential to exceed recreational ACLs, even in well-managed fisheries. Shifts in socio-economic and environmental factors create additional variation on an annual basis that may contribute to nominal overages that do not indicate resource depletion. Flexibility in the accountability measures as presented below, could be a reasonable means of accommodating uncertainty. This action would provide greater flexibility specifically to states that exceed their state-specific ACL in amounts that are not in excess of the total private angling ACL.

Alternative 1 (No Action) would keep the current post-season accountability measure (AM) in place for the private angling component of the red snapper fishery. **Alternative 2** would modify the post-season AM, by establishing the regulatory framework to allow for nominal overages by individual states if the total private angling recreational ACL is not exceeded. **Alternative 2,**

⁶ Although the private recreational sector exceeded their ACL, the total recreational ACL and the total ACL were not exceeded as the for-hire component of the recreational ACL and commercial ACL were not exceeded.

Options 2a-2d would establish a guardrail to restrict states exceeding their allocated ACL by a percentage of the private angling ACL of each state. Table 2.1.2. displays the highest allowable overage (lbs) without payback should a state exceed their ACL for **Alternative 2, Options 2a-2d** in state-specific data units. If an individual state exceeds their ACL up to the Council-determined percentage, they would not be required to pay back their overage in the following year so long as the total private recreational ACL is not exceeded, for example, under **Alternative 2, Option 2a**, the allowable overage would be 0-2.5% of the state-specified ACL. If a state exceeds its ACL by an amount greater than specified in **Alternative 2, Options 2a-2d**, it must repay the full overage the following year, regardless of whether the total private recreational ACL is exceeded. If an individual state exceeds their ACL below the threshold outlined in **Alternative 2, Options 2a-2d** and the total private recreational ACL is exceeded, states would be required to pay back their overage in the following fishing year.

Table 2.1.1. Private recreational red snapper overages, as a percent of the state allocated ACL from 2020-2025.

Year	AL	TX	MS	LA	FL
2020	-	2.97%	-	-	-
2021	-	-	-	0.85%	13.39%
2022	-	-	-	-	-
2023	0.83%	-	28.52%	-	0.59%
2024	-	-	-	4.24%	-
2025	-	-	-	5.83%	-

Table 2.1.2. State-specific private recreational red snapper ACLs and highest allowable overage (state data units) without payback, **Alternative 2, Options 2a-2d**, if total ACL is not exceeded.

State	State ACL (no adjusted paybacks)	Option 2a: 2.5%	Option 2b: 5%	Option 2c: 7.5%	Option 2d: 10%
AL (Snapper Check)	664,552	16,614	33,228	49,841	66,455
FL (SRFS)	2,769,631	69,241	138,482	207,722	276,963
TX (TX)	286,363	7,159	14,318	21,477	28,636
LA (LA Creel)	934,587	23,365	46,729	70,094	93,459
MS (Tails N' Scales)	82,342	2,059	4,117	6,176	8,234

Based on historical landings presented in Tables 2.1.3-2.1.7, the following scenarios were developed to depict how modifying the post-season AM, presented in **Alternative 2, Options 2a-2d** would be implemented. These tables display landings in Coastal Household Telephone Survey (CHTS) units, calibrated to state units, using calibration ratios from 2023 and the most recent 2024 framework (GMFMC 2021, GMFMC 2023) and percent overage in lbs, as a percentage of the state allocated ACL from 2020-2025. For those years in which states did not exceed the state-specific ACL, underages are presented as negative values.

2021:

Total Gulf private recreational landings in 2021 were 4,284,611 lbs CHTS, which is over the total private recreational ACL of 4,269,000. Total recreational ACL was not exceeded, given the for-hire sector was under their ACL for the 2021 fishing season. Florida and Louisiana exceeded their state specific private recreational ACLs in 2021. Florida exceeded their state specific ACL by 13.39% or 256,288 lbs State Reef Fish Survey (SRFS) (256,288 CHTS). Louisiana exceeded their state specific ACL by 0.85% or 6,943 Louisiana Department of Wildlife and Fisheries' recreational creel survey (LA Creel) (6,943 CHTS). Under **Alternative 2, Options 2a-2d**, both Florida and Louisiana would be required to payback their overages in 2022 as the total private recreational ACL was exceeded.

2023:

Total Gulf private recreational landings in 2023 were 4,595,543 lbs (CHTS), which is under the total private recreational ACL of 4,611,326 lbs. Florida, Mississippi and Alabama exceeded their state specific private recreational ACLs in 2023. Florida exceeded their state specific ACL by 0.59% or 12,821 lbs SRFS (12,093 CHTS). Mississippi exceeded their state specific ACL by 28.52% or 17,930 lbs Tails N Scales (46,694 CHTS), and Alabama exceeded their state specific ACL by 0.83% or 4,898 Snapper Check (10,048 CHTS). Under **Alternative 2, Options 2a-2d**, Florida and Alabama would not be required to payback their overages in 2024 as the total private recreational ACL was not exceeded. However, under **Alternative 2 Options 2a-2d**, Mississippi would have been required to payback 28.52% or 17,930 lbs Tails N Scales (46,694 CHTS) of the overage in full in the 2024 fishing year as the amount of overage exceeded the allowable percentage of their total state-specific ACL despite the total private recreational ACL not being exceeded. Under **Alternative 1**, all states would be required to payback overages from 2023 in the 2024 fishing season.

2024:

Total Gulf private recreational landings in 2024 were 3,228,834 lbs CHTS, which is under the total private recreational ACL of 4,611,326 lbs. Louisiana was the only state to exceed their ACL this year, based on historical landings data. Louisiana exceeded their ACL by 4.241% or 39,632 lbs LA Creel (37,389 CHTS). Under **Alternative 2, Options 2b-2d** Louisiana would not be required to payback their overages in 2025. However, under **Alternative 2, Option 2a**, and **Alternative 1**, Louisiana would be required to pay back all 4.241% of the overage in full in the following 2025 fishing year, 39,632 lbs LA Creel (37,389 CHTS).

Overall incidences of overages by states are relatively infrequent, and often in relatively small percentages of the total state's ACL (Table 2.1.1.). The three scenarios presented above based on historical landings in 2021, 2023, and 2024 exhibit how proposed **Alternative 2** would be operationalized on an annual basis as a post-season accountability measure, particularly in years where multiple states exceeded state-allocated ACLs. The proposed percentages in **Alternative 2, Options 2a-2d** provide a guardrail to ensure that nominal overages when states are maximizing catch do not go un-bounded. It is within the Council's purview to add additional guardrails, such as frequency limitations (e.g., impose back-to-back year limitations or total frequency limitations) to ensure state overages are not intentional and frequent in nature.

Table 2.1.3. Alabama private recreational red snapper ACL and landings in CHTS units and State Snapper Check units. Years where Alabama exceeded allocated ACL are shaded in grey, and the overage as indicated a percent of total ACL is presented, as well as total Gulf private red snapper recreational landings.

Year	Rec. ACL (CHTS)	AL ACL (CHTS)	AL ACL (Snapper Check)	AL Landings (Snapper Check)	AL Landings (CHTS)	AL Percent Overage	AL Overage lbs (Snapper Check)	AL Overage lbs (CHTS)	Total Gulf Recreational Landings (CHTS)
2020	4,269,000	1,113,319	1,113,319	1,106,679	1,106,679	-0.60%	-6,640	-6,640	3,768,094
2021	4,269,000	1,122,662	1,122,662	937,280	937,280	-16.51%	-185,382	-185,382	4,284,611
2022	4,269,000	1,122,662	1,122,662	423,851	423,851	-62.25%	-698,811	-698,811	3,119,070
2023 ⁷	4,611,326	1,212,687	591,185	596,083	1,222,734	0.83%	4,898	10,048	4,595,543
2024 ⁸	4,611,326	1,202,639	659,654 ⁹	570,856	1,041,708	-13.38%	-88,798	-160,931	3,228,834
2025	4,611,326	1,212,687	664,552	623,029	1,136,914	-6.25%	-41,523	-75,772	3,640,707

⁷ [GMFMC 2021](#) implemented the framework to apply the calibration ratios developed by NOAA Fisheries Office of Science and Technology and the Gulf States to state-specific ACLs to adjust those ACLs into the currency in which each state monitors landings. AL calibration ratio used was 0.4875

⁸ [GMFMC 2023](#) implemented the framework to update the calibration ratios developed by NOAA Fisheries Office of Science and Technology and the Gulf States to state-specific ACLs to adjust those ACLs into the currency in which each state monitors landings. Under the revised framework, AL calibration ratio is 0.548

⁹ [89 FR 49104](#) specified 2022 ACL for MS, AL, and FL based on regulations at [50 CFR 622.23\(b\)](#) require that if a State's red snapper private angling component landings exceed the applicable State's component ACL, then in the following fishing year, that State's private angling ACL will be reduced by the amount of that ACL overage in the prior fishing year.

Table 2.1.4. Texas private recreational red snapper ACL and landings in CHTS units and state Texas units. Years where Texas exceeded allocated ACL are shaded in grey, and the overage as indicated a percent of total ACL is presented, as well as total Gulf private red snapper recreational landings.

Year	Rec. ACL (CHTS)	TX ACL (CHTS)	TX ACL (TX units)	TX Landings (TX units)	TX Landings (CHTS)	TX Percent Overage	TX Overage lbs (TX units)	TX Overage lbs (CHTS)	Total Gulf Recreational Landings (CHTS)
2020	4,269,000	223,105	223,105	229,725	229,725	2.97%	6,620	6,620	3,768,094
2021	4,269,000	258,485	258,485	211,373	211,373	-18.23%	-47,112	-47,112	4,284,611
2022	4,269,000	265,105	265,105	158,452	158,452	-40.23%	-106,653	-106,653	3,119,070
2023¹⁰	4,611,326	286,363	286,363	267,721	267,721	-6.51%	-18,642	-18,642	4,595,543
2024¹¹	4,611,326	286,363	286,363	231,406	231,406	-19.19%	-54,957	-54,957	3,228,834
2025	4,611,326	286,363	286,363	221,821	221,821	-22.54%	-64,542	-64,542	3,640,707

¹⁰ [GMFMC 2021](#) implemented the framework to apply the calibration ratios developed by NOAA Fisheries Office of Science and Technology and the Gulf States to state-specific ACLs to adjust those ACLs into the currency in which each state monitors landings. TX calibration ratio used was 1.00.

¹¹ [GMFMC 2023](#) implemented the framework to update the calibration ratios developed by NOAA Fisheries Office of Science and Technology and the Gulf States to state-specific ACLs to adjust those ACLs into the currency in which each state monitors landings. Under the revised framework, TX calibration ratio is 1.00

Table 2.1.5. Mississippi private recreational red snapper ACL and landings in CHTS units and Mississippi Tails N’ Scales units. Years where Mississippi exceeded allocated ACL are shaded in grey, and the overage as indicated a percent of total ACL is presented, as well as total Gulf private red snapper recreational landings.

Year	Rec. ACL (CHTS)	MS ACL (CHTS)	MS ACL (Tails N’ Scales units)	MS Landings (Tails N’ Scales units)	MS Landings (CHTS)	MS Percent Overage	MS Overage lbs (Tails N’ Scales units)	MS Overage lbs (CHTS)	Total Gulf Recreational Landings (CHTS)
2020	4,269,000	151,550	151,550	142,044	142,044	-6.27%	-9,505.50	-9,506	3,768,094
2021	4,269,000	151,550	151,550	143,043	143,043	-5.61%	-8,506.50	-8,507	4,284,611
2022	4,269,000	151,550	151,550	129,057	129,057	-14.84%	-22,492.50	-22,493	3,119,070
2023 ¹²	4,611,326	163,702	62,862	80,792	210,396	28.52%	17,930.40	46,694	4,595,543
2024 ¹³	4,611,326	128,288	64,529 ¹⁴	60,004	119,292	-7.01%	-4,525.00)	-8,996	3,228,834
2025	4,611,326	163,702	82,342	79,047	157,151	-4.00%	-3,295.11	-6,551	3,640,707

¹² [GMFMC 2021](#) implemented the framework to apply the calibration ratios developed by NOAA Fisheries Office of Science and Technology and the Gulf States to state-specific ACLs to adjust those ACLs into the currency in which each state monitors landings. MS calibration ratio used was 0.3840.

¹³ [GMFMC 2023](#) implemented the framework to update the calibration ratios developed by NOAA Fisheries Office of Science and Technology and the Gulf States to state-specific ACLs to adjust those ACLs into the currency in which each state monitors landings. Under the revised framework, MS calibration ratio is 0.503

¹⁴ [89 FR 49104](#) specified 2022 ACL for MS, AL, and FL based on regulations at [50 CFR 622.23\(b\)](#) require that if a State's red snapper private angling component landings exceed the applicable State's component ACL, then in the following fishing year, that State's private angling ACL will be reduced by the amount of that ACL overage in the prior fishing year.

Table 2.1.6. Louisiana private recreational red snapper ACL and landings in CHTS units and Louisiana Creel units. Years where Louisiana exceeded allocated ACL are shaded in grey, and the overage as indicated a percent of total ACL is presented, as well as total Gulf private red snapper recreational landings.

Year	Rec. ACL (CHTS)	LA ACL (CHTS)	LA ACL (LA Creel units)	LA Landings (LA Creel units)	LA Landings (CHTS)	LA Percent Overage	LA Overage lbs (LA Creel units)	LA Overage lbs (CHTS)	Total Gulf Recreational Landings (CHTS)
2020	4,269,000	784,126	784,126	777,259	777,259	-0.876%	-6,867	-6,867	3,768,094
2021	4,269,000	816,233	816,233	823,176	823,176	0.851%	6,943	6,943	4,284,611
2022	4,269,000	809,315	809,315 ¹⁵	801,911	801,911	-0.915%	-7,404	-7,404	3,119,070
2023 ¹⁶	4,611,326	881,686	934,587	864,653	815,710	-7.483%	-69,934	-65,975	4,595,543
2024 ¹⁷	4,611,326	881,686	934,587	974,219	919,075	4.241%	39,632	37,389	3,228,834
2025	4,611,326	844,297	894,954 ¹⁸	947,103	893,493	5.827%	52,149	49,197	3,640,707

¹⁵ [87 FR 29236](#) specified 2022 ACL for LA and FL based on regulations at [50 CFR 622.23\(b\)](#) require that if a State's red snapper private angling component landings exceed the applicable State's component ACL, then in the following fishing year, that State's private angling ACL will be reduced by the amount of that ACL overage in the prior fishing year.

¹⁶ [GMFMC 2021](#) implemented the framework to apply the calibration ratios developed by NOAA Fisheries Office of Science and Technology and the Gulf States to state-specific ACLs to adjust those ACLs into the currency in which each state monitors landings. LA calibration ratio used was 1.06.

¹⁷ [GMFMC 2023](#) implemented the framework to update the calibration ratios developed by NOAA Fisheries Office of Science and Technology and the Gulf States to state-specific ACLs to adjust those ACLs into the currency in which each state monitors landings. Under the revised framework, LA calibration ratio is 0.1.06

¹⁸ [90 FR 19126](#) specified 2025 ACL for LA based on regulations at [50 CFR 622.23\(b\)](#) require that if a State's red snapper private angling component landings exceed the applicable State's component ACL, then in the following fishing year, that State's private angling ACL will be reduced by the amount of that ACL overage in the prior fishing year.

Table 2.1.7. Florida private recreational red snapper ACL and landings in CHTS units and Florida SRFS units. Years where Florida exceeded allocated ACL are shaded in grey, and the overage as indicated a percent of total ACL is presented, as well as total Gulf private red snapper recreational landings.

Year	Rec. ACL (CHTS)	FL ACL (CHTS)	FL ACL (SRFS)	FL Landings (SRFS)	FL Landings (CHTS)	FL Percent Overage	FL Overage lbs (SRFS)	FL Overage lbs (CHTS)	Total Gulf Recreational Landings (CHTS)
2020	4,269,000	1,913,451	1,913,451	1,512,387	1,512,387	-20.960%	-401,064	-401,064	3,768,094
2021	4,269,000	1,913,451	1,913,451	2,169,739	2,169,739	13.394%	256,288	256,288	4,284,611
2022	4,269,000	1,657,163	1,657,163 ¹⁹	1,605,799	1,605,799	-3.100%	-51,364	-307,652	3,119,070
2023 ²⁰	4,611,326	2,066,889	2,191,315	2,204,136	2,078,981	0.585%	12,821	12,093	4,595,543
2024 ²¹	4,611,326	2,054,796	2,756,810 ²²	1,229,253	917,353	-55.356%	-1,527,557	-1,149,536	3,228,834
2025	4,611,326	2,066,889	2,769,631	1,649,979	1,231,328	-40.426%	-1,119,652	-835,561	3,640,707

¹⁹ [87 FR 29236](#) specified 2022 ACL for LA and FL based on regulations at [50 CFR 622.23\(b\)](#) require that if a State's red snapper private angling component landings exceed the applicable State's component ACL, then in the following fishing year, that State's private angling ACL will be reduced by the amount of that ACL overage in the prior fishing year.

²⁰ [GMFMC 2021](#) implemented the framework to apply the calibration ratios developed by NOAA Fisheries Office of Science and Technology and the Gulf States to state-specific ACLs to adjust those ACLs into the currency in which each state monitors landings. FL calibration ratio used was 1.0602.

²¹ [GMFMC 2023](#) implemented the framework to update the calibration ratios developed by NOAA Fisheries Office of Science and Technology and the Gulf States to state-specific ACLs to adjust those ACLs into the currency in which each state monitors landings. Under the revised framework, FL calibration ratio is 1.34

²² [89 FR 49104](#) specified 2022 ACL for MS, AL, and FL based on regulations at [50 CFR 622.23\(b\)](#) require that if a State's red snapper private angling component landings exceed the applicable State's component ACL, then in the following fishing year, that State's private angling ACL will be reduced by the amount of that ACL overage in the prior fishing year.

CHAPTER 3. LIST OF PREPARERS

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GFMC = Gulf Fishery Management Council; NOAA GC = National Oceanic and Atmospheric Administration General Counsel; SEFSC = Southeast Fisheries Science Center; SERO = Southeast Regional Office of the National Marine Fisheries Service, OLE = Office of Law Enforcement.

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APPENDIX A. OTHER APPLICABLE LAW

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) (16 U.S.C. 1801 et seq.) provides the authority for management of stocks included in fishery management plans (FMP) in federal waters of the exclusive economic zone (EEZ). However, management decision-making is also affected by a number of other federal statutes designed to protect the biological and human components of U.S. fisheries, as well as the ecosystems that support those fisheries. Major laws affecting federal fishery management decision-making include the Endangered Species Act (Section 3.3.3) and E.O. 12866 (Regulatory Planning and Review, Chapter 5). Other applicable laws are summarized below.

Administrative Procedure Act

All federal rulemaking is governed under the provisions of the Administrative Procedure Act (5 U.S.C. Subchapter II), which establishes a “notice and comment” procedure to enable public participation in the rulemaking process. Under the Act, the National Marine Fisheries Service (NMFS) is required to publish notification of proposed rules in the *Federal Register* and to solicit, consider, and respond to public comment on those rules before they are finalized. The Act also establishes a 30-day waiting period from the time a final rule is published until it takes effect, unless waived.

Coastal Zone Management Act

Section 307(c)(1) of the federal Coastal Zone Management Act of 1972 (CZMA), as amended, requires federal activities that affect any land or water use or natural resource of a state’s coastal zone be conducted in a manner consistent, to the maximum extent practicable, with approved state coastal management programs. The requirements for such a consistency determination are set forth in the National Oceanic and Atmospheric Administration (NOAA) regulations at 15 CFR part 930, subpart C. According to these regulations and CZMA Section 307(c)(1), when taking an action that affects any land or water use or natural resource of a state’s coastal zone, NMFS is required to provide a consistency determination to the relevant state agency at least 90 days before taking final action.

Upon submission to the Secretary of Commerce, NMFS will determine if this framework action is consistent with the Coastal Zone Management programs of the states of Alabama, Florida, Louisiana, Mississippi, and Texas to the maximum extent possible. Their determination will then be submitted to the responsible state agencies under Section 307 of the CZMA administering approved Coastal Zone Management programs for these states.

Data Quality Act

The Data Quality Act (Public Law 106-443) effective October 1, 2002, requires the government to set standards for the quality of scientific information and statistics used and disseminated by federal agencies. Information includes any communication or representation of knowledge such as facts or data, in any medium or form, including textual, numerical, cartographic, narrative, or

audiovisual forms (includes web dissemination, but not hyperlinks to information that others disseminate; does not include clearly stated opinions).

Specifically, the Act directs the Office of Management and Budget to issue government wide guidelines that “provide policy and procedural guidance to federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information disseminated by federal agencies.” Such guidelines have been issued, directing all federal agencies to create and disseminate agency-specific standards to: (1 ensure information quality and develop a pre-dissemination review process; (2 establish administrative mechanisms allowing affected persons to seek and obtain correction of information; and (3 report periodically to Office of Management and Budget on the number and nature of complaints received.

Scientific information and data are key components of FMPs and amendments, and the use of best available information is the second national standard under the Magnuson-Stevens Act. To be consistent with the Magnuson-Stevens Act, FMPs and amendments must be based on the best information available. They should also properly reference all supporting materials and data and be reviewed by technically competent individuals. With respect to original data generated for FMPs and amendments, it is important to ensure that the data are collected according to documented procedures or in a manner that reflects standard practices accepted by the relevant scientific and technical communities. Data will also undergo quality control prior to being used by the agency and a pre-dissemination review.

National Historic Preservation Act

The National Historic Preservation Act (NHPA) of 1966, (Public Law 89-665; 16 U.S.C. 470 *et seq.*) is intended to preserve historical and archaeological sites in the United States of America. Section 106 of the NHPA requires federal agencies to evaluate the impact of all federally funded or permitted projects for sites on listed on, or eligible for listing on, the National Register of Historic Places and aims to minimize damage to such places.

Historical research indicates that over 2,000 ships have sunk on the Federal Outer Continental Shelf between 1625 and 1951; thousands more have sunk closer to shore in state waters during the same period. Only a handful of these have been scientifically excavated by archaeologists for the benefit of generations to come. Further information can be found at: <http://www.boem.gov/Environmental-Stewardship/Archaeology/Shipwrecks.aspx>

The proposed action does not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places nor is it expected to cause loss or destruction of significant scientific, cultural, or historical resources. In the Gulf, the *U.S.S. Hatteras*, located in federal waters off Texas, is listed in the National Register of Historic Places. Fishing activity already occurs in the vicinity of this site, but the proposed action would have no additional adverse impacts on listed historic resources, nor would they alter any regulations intended to protect them.

Executive Orders (E.O.)

E.O. 12630: Takings

The E.O. on Government Actions and Interference with Constitutionally Protected Property Rights that became effective March 18, 1988, requires each federal agency prepare a Takings Implication Assessment for any of its administrative, regulatory, and legislative policies and actions that affect, or may affect, the use of any real or personal property. Clearance of a regulatory action must include a takings statement and, if appropriate, a Takings Implication Assessment. The NOAA Office of General Counsel will determine whether a Taking Implication Assessment is necessary for this framework action.

E.O. 12962: Recreational Fisheries

This E.O. requires federal agencies, in cooperation with states and tribes, to improve the quantity, function, sustainable productivity, and distribution of U.S. aquatic resources for increased recreational fishing opportunities through a variety of methods including, but not limited to, developing joint partnerships; promoting the restoration of recreational fishing areas that are limited by water quality and habitat degradation; fostering sound aquatic conservation and restoration endeavors; and evaluating the effects of federally-funded, permitted, or authorized actions on aquatic systems and recreational fisheries, and documenting those effects. Additionally, it establishes a seven-member National Recreational Fisheries Coordination Council (NRFCC) responsible for, among other things, ensuring that social and economic values of healthy aquatic systems that support recreational fisheries are considered by federal agencies in the course of their actions, sharing the latest resource information and management technologies, and reducing duplicative and cost-inefficient programs among federal agencies involved in conserving or managing recreational fisheries. The NRFCC also is responsible for developing, in cooperation with federal agencies, States and Tribes, a Recreational Fishery Resource Conservation Plan - to include a five-year agenda. Finally, the E.O. requires NMFS and the United States Fish and Wildlife Service to develop a joint agency policy for administering the ESA.

E.O. 13089: Coral Reef Protection

The E.O. on Coral Reef Protection requires federal agencies whose actions may affect U.S. coral reef ecosystems to identify those actions, utilize their programs and authorities to protect and enhance the conditions of such ecosystems, and, to the extent permitted by law, ensure actions that they authorize, fund, or carry out do not degrade the condition of that ecosystem. By definition, a U.S. coral reef ecosystem means those species, habitats, and other national resources associated with coral reefs in all maritime areas and zones subject to the jurisdiction or control of the United States (e.g., federal, state, territorial, or commonwealth waters).

Regulations are already in place to limit or reduce habitat impacts within the Flower Garden Banks National Marine Sanctuary. Additionally, NMFS approved and implemented Generic Amendment 3 for Essential Fish Habitat (GMFMC 2005), which established additional habitat

areas of particular concern (HAPCs) and gear restrictions to protect corals throughout the Gulf. There are no implications to coral reefs by the actions proposed in this framework action.

E.O. 13132: Federalism

The E.O. on Federalism requires agencies in formulating and implementing policies, to be guided by the fundamental Federalism principles. The E.O. serves to guarantee the division of governmental responsibilities between the national government and the states that was intended by the framers of the Constitution. Federalism is rooted in the belief that issues not national in scope or significance are most appropriately addressed by the level of government closest to the people. This E.O. is relevant to FMPs and amendments given the overlapping authorities of NMFS, the states, and local authorities in managing coastal resources, including fisheries, and the need for a clear definition of responsibilities. It is important to recognize those components of the ecosystem over which fishery managers have no direct control and to develop strategies to address them in conjunction with appropriate state, tribes, and local entities (international too).

No Federalism issues were identified relative to the action to modify the management of the recreational harvest of greater amberjack. Therefore, consultation with state officials under Executive Order 12612 was not necessary. Consequently, consultation with state officials under Executive Order 12612 remains unnecessary.

E.O. 13158: Marine Protected Areas

This E.O. requires federal agencies to consider whether their proposed action(s) will affect any area of the marine environment that has been reserved by federal, state, territorial, tribal, or local laws or regulations to provide lasting protection for part or all of the natural or cultural resource within the protected area. There are several marine protected areas, HAPCs, and gear-restricted areas in the eastern and northwestern Gulf. The existing areas are entirely within federal waters of the Gulf. They do not affect any areas reserved by federal, state, territorial, tribal or local jurisdictions.