

June 1, 2017

TO: Secretary Ross  
FR: Earl Comstock  
RE: Action to Address Recreational Red Snapper Fishing

As you recall, at the request of Majority Whip Scalise I met last week with Congressmen from all five states bordering the Gulf of Mexico (Florida, Alabama, Mississippi, Louisiana and Texas). They all were requesting that you consider action to extend the private recreational fishing season in Federal waters in the Gulf for red snapper. The present Federal regulations only permit a three-day season, which opens today and closes on Saturday.

Notwithstanding the significant increase in red snapper stocks in the Gulf over the past decade, the recreational fishing season in Federal waters has declined from six months to three days. In comparison, the commercial charter sector is allowed 49 days. You have heard directly from a broad range of interests that this short season will have devastating impacts on the multi-billion dollar recreational sport fishing industry, and in particular on marinas, restaurants, boat dealers, boat builders, and tackle manufacturers that depend on the recreational anglers in the Gulf. The White House has also been engaged and supports efforts to address this problem.

As you are also aware, there is considerable disagreement between the State fishery managers and the Federal fishery managers over the state of red snapper stock assessments and data collection on recreational angler catch, with the States asserting that NMFS is undercounting the fish and over-estimating the recreational catch. As a result, the States have each set different recreational angler seasons for red snapper that are considerably longer than the Federal season (ranging from all year in Texas to 78 days in Florida and Alabama).

At the meeting with the Congressional delegations they presented a unified request, which was a first. I said that if all five states were willing to consider aligning their State fishing seasons with the Federal season, you would consider taking action. All five States have now sent you letters affirming that they would consider making a change. A single unified Federal-State recreational fishing season in the Gulf would be a significant achievement. It would allow a reset in the acrimonious relationship and set the stage for Congress to adopt a long-term fix.

An action to extend the summer season to 46 days (three days a week through June, July and August with 4<sup>th</sup> of July and Labor Day included) would be very well received and would reset the relationship with the States. It would result in overfishing of the stock by six million pounds (40%), which will draw criticism from environmental groups and commercial fishermen. However, NMFS agrees that the stock could handle this level on a temporary basis.

Under the Magnuson Stevens Act a court can't issue a temporary restraining order, so your action would remain in effect for at least 45 days before a court could act. This action would demonstrate that the Administration is serious about addressing this long-standing problem. If you approve proceeding we would still need to negotiate an agreement with the States. If we succeed on that you could announce an extension. I did not want to start unless you approve.

Secretary said go with two days plus holidays  
Ok to proceed. 