

Gulf of Mexico Fishery Management Council Recommendations – 11/08/16

Sites in NOAA's preferred alternative (Alternative 3) were analyzed by the Gulf of Mexico Fishery Management Council (GMFMC). Subsequently in November 2016, GMFMC submitted to the Flower Garden Banks National Marine Sanctuary (FGBNMS) their recommendation of a tiered approach to management of fishing regulations. The Council proposed the first tier coincide with existing BOEM no activity zones and to make these areas into "no bottom tending gear" zones. Traditional hook-and-line fishing (including bandit rigs) would be allowable in these zones. The second tier would be the area outside the BOEM no activity zones but inside the boundaries of the proposed FGBNMS expansion. This tier would allow bottom tending gear and anchoring but would exclude bottom trawling, traps, and dredges. The third tier would be outside the boundaries of the proposed expansion and would not have any FGBNMS imposed regulations. The Council also recommended related endorsements, anchor restrictions, and mooring buoys. See below for the full summary of these recommendations.

- Maintain current fishing regulations in the existing HAPCs [Habitat Areas of Particular Concern] with regulations.
- Continue to allow historical fishing practices in the areas that are outside the BOEM no activity zones [NAZ] by establishing a tiered approach that would include:
 - If the area has an established "no activity zone" by BOEM, create a "no bottom tending gear zone" that uses the boundaries of the "no activity zone."
 - Establish a truncated "no bottom tending gear zone" for banks that have updated information but do not have "no activity zones" established by BOEM (e.g. Horseshoe Bank).
 - In these "no bottom tending gear zones," prohibit all fishing that is not by hook and line and prohibit all anchoring (i.e. no bottom trawling gear, bottom long line gear, traps or dredges).
 - Allow historic fishing practices (with gear other than hook and line) within the proposed sanctuary boundary area to continue as long as they comply with the bottom tending gear regulations and have a FGBNMS endorsement (as described below).
 - Allow anchoring by fishing vessels with an endorsement (as described below) in soft sediment outside the "no bottom tending gear zone." These vessels must carry an operating vessel monitoring system (VMS); and anchors used should be equipped with a weak link environmental safe guard.
- Establish a certificate program or endorsement program that would allow for education of fishermen within the FGBNMS on the environmental importance of the area(s), fishing restricted areas and appropriate gear types (i.e. anchor type). This program could be a requirement for anyone that fishes in the FGBNMS proposed boundaries.

- The FGBNMS should consider two types of endorsements. One endorsement would be for commercial fishermen which would require a class or certification program that clearly delineates the different zones and regulations for each zone; to anchor in the FGBNMS this type of endorsement would be required as would VMS. The second type of endorsement would be for recreational fishermen that would not anchor but would use mooring buoys; this endorsement would be an online certification program and would be required for recreational fishermen.

Provide an adequate number of mooring buoys on any of the expanded “no bottom tending gear zones” to allow access for the public.

Within each area, there will be three separate “tiers” of regulations.

- Tier 1 - inside the “no bottom tending gear zones would: allow fishing only by hook and line, prohibit anchoring by fishing vessels, and require a special endorsement from the FGBNMS.
- Tier 2 - outside the “no bottom tending gear zone” and inside the Council recommended boundary of the expansion of FGBNMS (Preferred Alternative 3) would: allow anchoring of vessels with a vessel monitoring system by using a soft sediment specific anchor with weak link and prohibit bottom trawling, traps, and dredges.
- Tier 3 - outside of the proposed boundary would: have no FGBNMS imposed regulations (all regulations that currently exist are maintained).

Current Fishing Regulations

- East and West Flower Garden Banks HAPC prohibits fishing with bottom longline, bottom trawl, buoy gear, dredge, pot or trap and bottom anchoring by fishing vessels year round.
- Stetson Bank HAPC prohibits fishing with bottom longline, bottom trawl, buoy gear, pot or trap and bottom anchoring by fishing vessels year round.
- Within the FGBNMS (East and West Flower Garden Banks and Stetson Bank) there is only fishing allowed by hook-and-line, and no anchoring in the FGBNMS boundaries.
- McGrail Bank HAPC prohibits fishing with bottom longline, bottom trawl, buoy gear, pot or trap and bottom anchoring by fishing vessels year round.