

My name is Captain Ira Laks and I am the owner/operator of a dual-permitted vessel in South Florida (Jupiter). I also serve as Chair of the Council's Mackerel Cobia Advisory Panel. I am writing this letter to give you my perspective on the importance of a limited-entry system in the for-hire fishery. For the last 26 years I've been in business, I have held my federal for-hire permits as required by law. I have held these permits despite the fact that they have kept me at a competitive disadvantage with non-federally permitted for-hire vessels. Please keep in mind that here in South Florida, most federally managed species can be found within state waters.

If I did NOT have a South Atlantic Federal Charter/Head Boat Permit:

There would be no crew limits when I commercial fish. Dual-permitted vessels have crew restrictions. Currently, I can't have more than 3 people on-board for king mackerel or 4 people for snapper/grouper.

I would be able to sell all of my fish caught from charters in Florida state waters AND also catch commercial limits on charters in Florida state waters with my commercial federal permits.

I would be able to harvest species prohibited for harvest in federal waters or closed to harvest under an ACL within Florida state waters. This includes red snapper, speckled hind, and warsaw as well as gray triggerfish, white porgy and blueline tile (100 pounds per person) snowy grouper, golden tilefish, jacks and amberjacks. In 2016, jacks, amberjacks, white porgys, golden and blueline tiles and snowy groupers had recreational closures.. In previous years, gray triggerfish also closed. Those species along with the species with no seasons, would be available for me to harvest on a for-hire trip in state waters if I didn't have a Federal Snapper/Grouper for-hire permit.

I note these disadvantages to point out the incentive for charter captains in my area to NOT apply for a federal charter/for-hire permit and to take their chances with law enforcement as they easily fish between state and federal waters.

Reasons for implementing a limited entry system in the for-hire fishery:

1) Accountability. The Council has approved mandatory electronic reporting beginning in 2018 for all federally permitted charter vessels. Under the current open access system, the ability to obtain (and renounce) your federal permit at any time will have a harmful effect on the reporting of catch. As the for-hire permits have no permit number, I could renounce my permit for the reasons listed above and reapply when I felt it necessary, depending on the time of year and species I target. Federally permitted charter boats in South Florida being subject to future reporting requirements, will not renew their for-hire permits if they can renew at any time without penalty to avoid the reporting requirement.

2) **Stability.** The State of Florida is cut in half - east coast/ west coast. Currently, only the east coast has open for-hire permits for Federal waters. The for-hire fisherman on the west coast of Florida, who are already state permitted, can get open access permits at any time for a small fee. They then have the ability to charter on the east coast at anytime for tournaments and/or red snapper season, if open.

3) **Enforcement.** NOAA law enforcement considers non-permitted vessels to be a low priority because they are still open access. Failure to carry an open-access permit is not worth enforcing when they can be obtained for a small fee.

Locally over the last 15 years, I've watched a major increase in the number of charter vessels in my area. Many of them do not have federal for-hire permits even though they fish in the EEZ. The area where I live in South Florida is one of the most affluent areas in the country, but our offshore charter prices are among the cheapest in the country. In the Visioning Project the value of owner/operators was discussed. As an owner/operator I can tell you it's very difficult to compete with the corporate and wealthy owners that have a hired captain and crew. Their vessels are not being chartered for profit, but to offset the expenses of owning that vessel while not in operation for personal use. Having a limited access system in the for-hire fishery will go a long way to having a professional, profitable and accountable for-hire fleet.

Thank you,
Captain Ira Laks