



# Gulf Fishery News

Volume 30, Issue 1

January—March 2008

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## The Gulf of Mexico Fishery Management Council *Protecting our marine resources*

### Greater Amberjack/Gray Triggerfish Amendment goes to NMFS

The Gulf Council in January finalized Amendment 30A to the Reef Fish Fishery Management Plan, which aims to reduce the harvest of greater amberjack and gray triggerfish in order to end overfishing and rebuild both stocks.

Greater amberjack have been under a rebuilding plan since 2003, but a recent stock assessment concludes the stock remains overfished and is currently undergoing overfishing.

According to another stock assessment gray triggerfish are also undergoing overfishing.

#### Greater Amberjack

Council members heard dozens of stakeholders testify about the proposed rule changes for greater amberjack, and in the end, chose to maintain the one-fish per angler bag limit for greater amberjack, while eliminating the bag limit for Captain and crew of for-hire vessels and increasing the recreational minimum size limit from 28" to 30" fork length.

For the commercial sector, the Council established a quota under a stepped rebuilding plan. In other words, TAC for 2008–2010

is 503,000 pounds and 938,000 pounds for 2011–2012.

Accountability measures for both sectors include a provision that requires the Regional Administrator of NOAA Fisheries Service to issue a notice reducing the length of the fishing season for any sector exceeding its share of the TAC.

#### Gray Triggerfish

Because gray triggerfish are also undergoing overfishing, the Council has established a rebuilding

*See Amberjack, page 4*

### Amendment 29 Effort Management for Grouper and Tilefish

Public hearing locations have been selected for proposed reef fish amendment 29, which addresses effort management in the grouper & tilefish fisheries.

Dates and specific meeting facilities are yet to be determined, but meetings will likely be some time in May, 2008.

Locations are:

- ◆ Biloxi Area
- ◆ New Orleans Airport Area
- ◆ Orange Beach
- ◆ Fort Meyers
- ◆ St. Petersburg
- ◆ Panama City
- ◆ Galveston
- ◆ Florida Keys

### Amendment for Gag and Red Grouper Moves Forward

During its week-long meeting in January, the Gulf of Mexico Fishery Management Council moved forward with its amendment to end overfishing of gag grouper.

The Council heard more than four hours of stakeholder testimony on the amendment, with most concerned about the economic implications of an extended season closure.

But the current status of gag requires the Council to

take action to end its overfishing.

The plan so far calls for a possible commercial quota closure, adjusted recreational season, adjusted bag and size limits, setting total allowable catch and allocation, a possible marine reserve within the gag spawning area, and federal regulatory compliance for vessels with federal reef fish permits.

Preferred alternatives for

most of the proposed management actions have been selected and include the following:



*See Grouper, page 6*

## Council Moves Forward with Grouper and Tilefish IFQ

The commercial grouper and tilefish fisheries are one step closer to being managed by a limited access privilege program, or LAPP.

The Council is examining new management measures—Reef Fish Amendment 29—to rationalize effort and reduce overcapacity in the commercial grouper and tilefish fisheries as a means to achieve and maintain optimum yield (OY).

At its January meeting, the Council narrowed the suite of alternatives designed to manage effort in the grouper and tilefish fisheries.

Aside from the option to maintain the current management structure, the Council is also considering either establishing grouper and tilefish endorsements or implementing an individual fishing quota (IFQ) program.

Current regulatory measures used in the management of the commercial grouper fishery include a license limitation system, quotas, trip limits, minimum size limits, area gear restrictions, and season closures.

The incentive structure resulting from this regulatory framework has fostered overcapitalization, causing commercial grouper regulations to become increasingly restrictive over time, and intensifying derby conditions under which fishermen race to harvest as many fish as possible before the quota runs out.

Reef Fish Amendment 29 proposes to rationalize effort and reduce overcapacity in the commercial grouper fishery in order to achieve and maintain optimum yield (OY). In doing so, some of the problems resulting from derby fishing will be

eased, preventing the problem from worsening.

Reducing overcapitalization is also expected to improve profitability of commercial grouper and tilefish fishermen. In addition, working conditions including safety at sea should improve, bycatch should be reduced, and a flexible and effective integrated management approach should follow.

The Council plans to have the amendment ready for referendum no later than August, 2008.



## Council Maintains Texas Shrimp Closure

In a unanimous vote during its January meeting, the Gulf Council approved a motion to continue the Texas shrimp closure for 2008, to the 200-mile limit of the Exclusive Economic Zone (EEZ).

The management objectives of the Texas closure are to increase the yield of brown shrimp and eliminate the waste of the resource caused by discarding undersized shrimp caught during a period in their life cycle when they are growing rapidly.

The closure results in larger shrimp in the fishery and subsequently a higher market value. This enables fishermen to harvest premium marketable-sized shrimp, thereby increasing revenues to the shrimping industry.

Since 1981, when the Shrimp Fishery Management Plan (FMP) was implemented, there has been some form of closure off the coast of Texas. In 1989, though, the 200-mile closure went into effect and has remained in effect since.

The closure is part of cooperative seasonal closure with the State of Texas and runs concurrent with its mid-season closure.

### Texas Shrimp Closure:

- Closed from the coast line to 200-miles off Texas
- Closure for 2008, approximately May 15 until approximately July 15. Actual duration depends on sampling done by Texas Parks and Wildlife Department
- Protects migrating juvenile shrimp which results in larger shrimp
- Larger shrimp result in increased revenues to the shrimping industry



## Regulatory Changes for Bycatch Reduction Devices (BRDs)

Recent changes to the BRD certification criterion have been implemented and are aimed at addressing shrimp trawl bycatch more comprehensively and realistically. The changes are expected to increase flexibility, promote innovation, and allow for the certification of BRDs that achieve greater reductions in red snapper bycatch than those currently realized.

The new changes include:

- Changes to the BRD certification criterion
- Revisions to the BRD Testing Manuals
- Certification of new BRDS

BRDs have been required in the western Gulf since 1998, and in the eastern Gulf since 2004. The new rulemaking modifies the bycatch reduction certification criterion for the western Gulf to match that of the eastern Gulf.

Based on the changes from this rulemaking, NOAA Fisheries has certified new and more effective BRDs for use in the shrimp fishery. The BRDs may be used beginning March 14, 2008.

For information regarding these new BRDs, please contact NOAA Fisheries Pascagoula Lab, Harvesting Technology Branch at 228-762-4591.



Photo by David Medici, Program Director, Gulf & South Atlantic Fisheries Foundation, Inc.

## Aquaculture Amendment Update

At least one more public hearing to solicit public comment on the proposed Aquaculture Amendment will be scheduled, possibly more.

The Council in January asked the Inter-Disciplinary Protocol Team (IPT) to review and revise the draft amendment in order to address concerns raised by general counsel and the public.

The IPT is meeting and developing a summary of recommended changes to the draft document. Those recommendations will be considered by the Council later this summer.

In the meantime, a public hearing in Key West will be held in May, with possible other locations to follow. Updated information will be posted on the Gulf Council web site under **Public Hearings**.



Photo Credit—NOAA Fisheries  
Kona Blue aquaculture in Hawaii

## Wayne Swingle Announces Retirement

Wayne Swingle, longtime Executive Director of the Gulf of Mexico Fishery Management Council announced this month his plans to retire in June.

Mr. Swingle has been involved with the Gulf Council since its inception in 1976. As Director of Alabama's Marine Resource Division, he originally served as a Council member filling one of the five obligatory seats.

In February, 1977, Mr. Swingle was elected Executive Director of the Gulf Council. He has served in that capacity ever since.

"For more than 30 years Wayne has guided this Council with his expert opinion and sound advice. He's leaving behind some very big shoes to fill," said Tom McIlwain, Council Chair.

Plans for a fitting farewell are underway. In the meantime, the Council is advertising for the Executive Director position. Interested applicants can visit the Council web site at [gulf-council.org](http://gulf-council.org) and click on the employment link.

Wayne Swingle, Executive Director  
Gulf of Mexico Fishery  
Management Council



## Gulf of Mexico Fishery Management Council

Wayne Swingle Executive Director  
Richard Leard Deputy Director

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Roy Crabtree St. Petersburg, FL (727) 824-5301

### Non-voting Members

Sam Hamilton USF&WS (404) 679-4000  
Larry Simpson GSMFC (228) 875-5912  
Radm Joel Whitehead Eighth USCG District (504) 589-6223  
David Hogan Foreign Affairs Officer (202) 647-2335

## Have you seen me?

Popular in both public and private aquariums, Lionfish are native to the tropical Indo-Pacific region. Since 2000, however, lionfish have been observed in coral, rocky and artificial reefs along the southeast coast of the U.S., from Florida to North Carolina and also throughout the Bahamas, Bermuda and Cuba.

In more recent years lionfish have also been caught by bottom fishing anglers. Scientists expect the dispersal of lionfish to continue throughout the Caribbean Sea, Gulf of Mexico and the Florida Keys.

As a result, there is an increasing concern among fishery scientists that lionfish, having no natural enemies, may adversely affect natural fish populations.

In addition, this fish has venomous spines and may pose a danger to divers and anglers alike.

If you catch a lionfish be extremely careful, do not come in contact with the dorsal, anal or pelvic spines. If fish must be handled, thick PVC gloves or a gaff is recommended.

Anyone stung by the venomous spines is advised to immerse the wound in hot water for 30 – 90 minutes and seek medical attention as soon as possible.

Please do not throw lionfish back in the water! NOAA is interested in all lionfish specimens and reports. Put lionfish on ice and report any lionfish catches to NOAA by emailing [reportlionfish@noaa.gov](mailto:reportlionfish@noaa.gov), or by calling (252) 728-8714.

For more information please visit: [coastalscience.noaa.gov/education/lionfish.html](http://coastalscience.noaa.gov/education/lionfish.html) or [lionfish.eisf.org](http://lionfish.eisf.org)



## Amberjack *from page 1*

plan that sets directed TAC levels for 2008–2012. Base on constant Foy projections, that means TAC for these years would be set as follows:

2008	-	.5 mp	2008	-	80,000 pounds
2009	-	.58 mp	2009	-	93,000 pounds
2010	-	.66 mp	2010	-	106,000 pounds
2011	-	.73 mp	2011	-	117,000 pounds
2012	-	.79 mp	2012	-	127,000 pounds
			2013	-	135,000 pounds



The Council also increased both the recreational and commercial size limit to 14" and established a commercial hard quota as follows:

The amendment will be transmitted to the Secretary of Commerce for approval and is expected to be implemented by NOAA Fisheries Service by year's end.

Committee Agenda<sup>1</sup>  
 Gulf of Mexico Fishery Management Council  
 The Embassy Suites Hotel  
 Assembly/Caucus Room  
 Baton Rouge, Louisiana  
 April 7–10, 2008

Council Schedule<sup>1</sup>  
 Gulf of Mexico Fishery Management Council  
 The Embassy Suites Hotel  
 Assembly/Caucus Room  
 Baton Rouge, Louisiana  
 April 7–10, 2008

**Monday, April 7, 2008**

**1:00 noon - 3:00 p.m.**

Budget/Personnel Committee (CLOSED SESSION)

- Interviews and Selection of Staff Biologist

**3:00 p.m. - 4:30 p.m.**

AP Selection Committee (CLOSED SESSION)

- Appointment to APs
  - Review of Attendance
  - New Nominees

**4:00 p.m.—5:30 p.m.**

SSC Selection Committee (CLOSED SESSION)

- Appointment to SSCs
  - Review of Attendance
  - New Nominees

**Tuesday, April 8, 2008**

**8:30 a.m. - 12:00 noon & 1:30p.m. — 5:30 p.m.**

Reef Fish Management Committees

- Approval of Public Hearing Draft—Reef Fish Amendment 29
  - Presentation
  - Committee Recommendations
- Final Action on Reef Fish Amendment 30B
  - Public Hearing Summaries
  - AP/SSC Comments
  - Public Correspondence
  - Committee Recommendations
  - Review of Associated Regulations
- Report of Ad Hoc Recreational Red Snapper AP

**Wednesday, April 9, 2008**

**8:30 a.m. - 10:30 a.m.**

Ad Hoc Allocation Committee

- Organizational Issues

**10:30 a.m. - 12:00 noon**

Operator Permits Committee

- Operator Permits

**1:30 p.m. - 3:00 p.m.**

Shrimp Management Committee

- Shrimp Vessel Effort Update
- AP Recommendations
- Report on Electronic Logbooks for Shrimp Fishery

**3:00 p.m. - 5:30 p.m.**

Joint Reef Fish/Mackerel/Red Drum Management Committee

- Generic Aquaculture Amendment
  - Presentation on IPT Revisions
  - Public Hearing Summary
  - Public Comment Material
  - LEAP Comments
  - SAFMC Comments
  - Committee Action

**5:30 p.m. - 6:30 p.m.**

Informal Question and Answer Session

**Thursday April 10, 2008**

**8:30 a.m.—10:30 a.m.**

Habitat Protection Committee

- Proposed Management action for Flower Garden Banks
- Update on LNG Facilities

**10:30 a.m.—11:30 a.m.**

**CLOSED COUNCIL SESSION**

**Thursday, April 10, 2008**

I. Call to Order and Introductions - Mcllwain  
 (1:00 p.m.—1:05 p.m.)

II. Adoption of Agenda - Mcllwain  
 (1:05 p.m. - 1:10 p.m.)

III. Approval of Minutes - Mcllwain  
 (1:10 p.m.—1:15 p.m.)

IV. Approval of Outreach and Education Committee—Mcllwain  
 (1:15 p.m. - 1:20 p.m.)

V. Public Testimony <sup>2, 3</sup>—Mcllwain
 

- Exempted Fishing Permits
- Final Action on Reef Fish Amendment 30B
- Generic Aquaculture Amendment  
 (1:20 p.m.—5:30 p.m.)

VI. Open Public Comment Period <sup>2, 4</sup>—Mcllwain  
 (Immediately following public testimony, for a maximum of 1 hour)

**Friday, April 11, 2008**

VII. Committee Reports

- Reef Fish Management—Minton  
 8:30 a.m.—10:30 a.m.
- Ad Hoc Allocation—Morris  
 10:30 a.m.—10:45 a.m.
- Shrimp Management—Perret  
 10:45 a.m.—11:00 a.m.
- Joint Reef Fish/Mackerel/Red Drum—Foote/Minton/Teehan  
 11:00 a.m.—11:30 a.m.
- Habitat Protection—Frugé  
 11:30 a.m.—11:45 a.m.
- Budget/Personnel—Shipp  
 11:45 a.m.—12:00 noon
- AP Selection—Perret  
 12:00 noon—12:15 p.m.
- SSC Selection—Simpson  
 12:15 p.m.—12:30 p.m.
- Joint Shrimp/Reef Fish—Perret/Minton  
 12:30 p.m.—12:45 p.m.

VIII. Review of Regulations for Reef Fish Amendment 30B—Mcllwain  
 (12:45 p.m. - 1:00 p.m.)

IX. Other Business—Mcllwain  
 (1:00 p.m.—1:30 p.m.)

<sup>1</sup>Established times for addressing items on the Council and committee agendas, except for those set for public testimony or open public comment may be adjusted as necessary to accommodate the timely completion of discussion relevant to agenda items. Such adjustments may result in the meeting being extended from or completed prior to the date established by the agendas.

<sup>2</sup>Persons wishing to testify for either public testimony or open public comment **must** turn in a registration card **before** the beginning of the public testimony period; otherwise persons wishing to testify may be denied. One card for **each issue** must be completed.

<sup>3</sup>Persons who wish for Council members to have copies of written testimony or information should provide 30 copies to staff for distribution to members. All written information shall include a statement of the source and date of such information. Any oral or written statement shall include a brief description of the background and interests of the person testifying.

<sup>4</sup>The Council has set aside time for open public comment regarding any fishery issue or concern. People wishing to speak before the Council should complete a public comment card, making sure to check the box marked *Open Public Comment*. A note about open public comment: In the interest of giving everyone an opportunity to speak, speakers are asked to limit comments to three minutes. If your sentiments are reflected in comments made by others, please state so and allow the next speaker to address the Council. Individuals may be asked to reduce speaking time even further in order to accommodate all those who wish to speak. **The open public comment period will end no later than the times scheduled on the agenda regardless of the number of persons wishing to comment.**

## Grouper *continued from page 1*

- Setting total allowable catch (TAC) for gag
  - 2008—3.13 mp
  - 2009—3.38 mp
  - 2010—3.62 mp
  - Increases contingent on remaining within previous year's TAC
- Raising red grouper TAC by 15% to 7.57 mp
- Establishing interim allocation between sectors
  - Gag—61:39 (rec:com)
  - Red grouper—24:76 (rec:com)
  - Allocations will be reconsidered in Reef Fish Amendment 29.
- Adjusting recreational harvest to achieve a 45% reduction on gag while allowing an increase in red grouper fishing:
  - an aggregate bag limit of 3-fish per person
  - gag limit of one per day within the aggregate
  - no red grouper bag limit (catch up to aggregate)

- Jan. 15 – April 15 closed season on shallow-water grouper
- Setting a commercial gag quota and adjusting commercial shallow-water grouper quota to achieve a 45% reduction in commercial gag harvest while adjusting red grouper harvest in accordance with the new TAC and interim allocation.

Accountability measures are also being considered that would prevent both sectors from overfishing their respective allocations by closing the shallow-water grouper season for a sector when its allocation is reached or projected to be reached.

Another possible management measure under consideration is the creation of marine reserves or extension of existing reserves, but to date, no preferred alternative has been selected.

Public hearings for reef fish amendment 30B are underway (see table at right) to solicit input on proposed regulatory changes.

### Public Hearing Schedule Reef Fish Amendment 30B (Gag and Red Grouper)

#### March 10, 2008

[Hilton Airport](#)  
901 Airline Drive  
Kenner, LA  
504-469-5000

#### March 11, 2008

University Southern  
Mississippi  
Caylor Auditorium  
703 East Beach Dr  
Ocean Springs, MS  
228-872-4200

#### [Holiday Inn](#)

5002 Seawall Blvd.  
Galveston, TX  
409-740-3581

#### March 12, 2008

Erie Meyer Civic Ctr.  
10300 2nd Street  
Gulf Shores, AL  
251-968-1173

#### [Plantation Suites](#)

1909 St Hwy 361  
Port Aransas, TX  
361-749-3866

#### March 13, 2008

Edgewater Conf Ctr  
11212 Front Beach  
Blvd.  
Panama City, FL  
800-814-8686

#### March 19, 2008

[Radisson Hotel](#)  
12600 Roosevelt  
St. Petersburg, FL  
727-572-7800

#### March 20, 2008

[Comfort Inn](#)  
3860 Tollgate Blvd.  
Naples, FL 34114  
239-353-9500

All meetings begin at 6:00 p.m.

## Featured FAQ

### Are there any conditions under which I am allowed to fillet at sea the fish I catch from the EEZ?

Federal regulations generally require that all finfish taken from the Gulf of Mexico EEZ be kept with heads and fins attached through landing and offloading. However, there is an exception for personal consumption.

In 50 CFR, Section 622.38(d)(2) it states:

Legal-sized finfish possessed for consumption at sea on the harvesting vessel are exempt from the requirement to have head and fins intact, provided:

- Such finfish do not exceed any applicable bag limit;

- Such finfish do not exceed 1.5 lb (680 g) of finfish parts per person aboard; and
- The vessel is equipped to cook such finfish on board.

In addition, shark, swordfish, and tuna species may have head and fins removed under certain conditions. (See <http://www.nmfs.noaa.gov/sfa/hms/brochures/FINAL%202006%20Compliance%20Guide.pdf> for details.)

Bait is exempt from the head and tails attached rule; however reef fish cannot be used as bait.

If you have a question you'd like answered and published in Gulf Fishery News, please call Charlene Ponce at 813-348-1630 ext. 229, or e-mail: [charlene.ponce@gulfcouncil.org](mailto:charlene.ponce@gulfcouncil.org).



Photo by: Amy Longhenry

## Updated Fishing Regulations Now Available Online

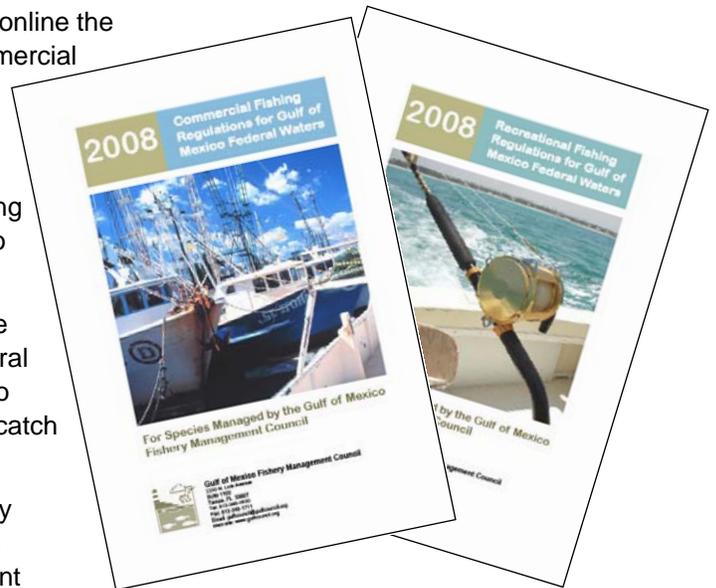
The Gulf of Mexico Fishery Management Council has posted online the latest version of its Federal Fishing Regulations for both commercial and recreational fishing. Visit <http://www.gulfcouncil.org> and click on **Fishing Regulations** located in the left navigation column.

Hard copies are now available and can be acquired by calling the Gulf Council at 813-348-1630, or by e-mailing a request to [charlene.ponce@gulfcouncil.org](mailto:charlene.ponce@gulfcouncil.org).

Federal fishing regulations are not always the same as state fishing regulations. For species that are not managed by federal regulations, states have the authority to extend state rules into federal waters for residents of that state or vessels landing a catch in that state.

A supplemental "errata and update sheet" will be periodically published to indicated changes in fishing regulations between publications. Contact the Gulf Council to obtain the most recent supplement.

The Official Electronic Code of Federal Regulations for 50 CFR 622-for Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic is also available online. Please visit [www.gpoaccess.gov/cfr/index.html](http://www.gpoaccess.gov/cfr/index.html).



## Joint Reef Fish Amendment 27/Shrimp Amendment 14 Implemented

NOAA Fisheries Service has published a final rule implementing the approved regulatory actions in Joint Reef Fish Amendment 27/Shrimp Amendment 14.

The intent of the rule is to reduce the red snapper catch, bycatch, and discard mortality in both the directed commercial and recreational fisheries, and the shrimp fishery. These regulations are designed to ensure a reasonable probability of ending red snapper overfishing by 2010 and rebuild the stock by 2032.

### Elements of the Rule

- Fishing mortality on red snapper is restricted to a commercial quota of 2.55 million pounds and a recreational quota of 2.45 million pounds.
- Discard mortality in the directed fisheries is reduced by:
  - ♦ Reducing the commercial minimum size limit to 13" total length.
  - ♦ Requiring the use of venting tools, dehooking devices, and non-stainless steel circle hooks (when using natural baits) for all reef fish fishery sectors.
  - ♦ Shrimp effort and the associated bycatch discard mortality of juvenile red snapper, will be controlled, as needed, through time-area closures to ensure shrimp trawl bycatch mortality of red snapper is reduced 74% below the 2001-2003 time period.
- The recreational harvest will be constrained to the new quota by reducing the recreational bag limit from four fish to two fish, setting the bag limit for captains and crews of for-hire vessels at zero, and shortening the recreational fishing season to June 1 through September 30.
- The 16" total length minimum size limit for recreational fishermen remains the same.

These actions become effective **February 28, 2008**, except for the requirement to use non-stainless steel circle hooks, venting tools, and dehooking devices, which becomes effective **June 1, 2008**.

## GMFMC wants your news and views

The Gulf Council would like to hear from you! Please contact us regarding fishery questions, comments, or concerns you would like to see covered in the ***Gulf Fishery News***. Anyone interested in submitting information, such as articles, editorials, or photographs pertaining to fishing or fisheries management are encouraged to do so. Submissions may be mailed to Charlene Ponce, Public Information Officer, Gulf of Mexico Fishery Management Council, 2203 Lois Avenue, Suite 1100, Tampa, FL 33607. Materials can also be sent via fax to 813-348-1711, or e-mail; [charlene.ponce@gulfcouncil.org](mailto:charlene.ponce@gulfcouncil.org).

The Gulf of Mexico Fishery Management Council is one of eight regional fishery management councils established by the Magnuson-Stevens Fishery Conservation and Management Act of 1976. The Council is responsible for the development and modification of fishery management plans (FMPs) that are designed to manage fishery resources in the exclusive economic zone (EEZ) of the Gulf of Mexico from state boundaries to the 200-mile limit.

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A publication of the Gulf of Mexico Fishery Management Council Pursuant to National Oceanic and Atmospheric Administration Award No. NA05NMF4410003

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