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## Outreach & Education Advisory Panel Selected

The Council has appointed members to its new Outreach & Education Advisory Panel.

### State Representatives:

Virginia Vail  
David Rainer  
Lauren Thompson  
Mandy Tumlin  
Tonya Wiley

### NOAA Fisheries Representative:

Kim Amendola

### Stakeholder Representatives:

Rowland Thomas  
Chris Snyder  
Tom Harmening  
Bill Blome  
Dewey Blaylock

*Congratulations and thank you for agreeing to serve!*

## New Grouper Regulations Proposed

The Gulf of Mexico Fishery Management Council voted to send Reef Fish Amendment 30B to the Secretary of Commerce for approval and implementation. The Amendment addresses the overfishing of gag and the recovery of red grouper in the Gulf of Mexico, and is expected to become effective in late 2009 or early 2010.

In the meantime, the Council requested that NOAA Fisheries implement, as quickly as possible, an interim rule for those portions of Amendment 30B that pertain to ending overfishing of gag, red snapper, greater amberjack and gray triggerfish. The interim rule, which can only be used to address those provisions that deal specifically with overfishing, is expected to become effective January 1, 2009, and will put in place temporary regulations until Amendment 30B can be fully implemented.

Here's a rundown of what the interim rule will do:

- Establish a 2 gag recreational bag limit. The aggregate bag limit will remain at five.
- Adjust the recreational closed season for gag to February 1 - March 31. The closed season for black and red grouper will remain February 15 to March 15.
- Establish a 1.32 MP gutted weight commercial quota for gag.
- Require charter boat and headboat operators who possess a Gulf reef fish permit to comply with Federal regulations for gag, red snapper, greater amberjack, and gray triggerfish if federal regulations are more restrictive than state regulations. Applies regardless of where fish are harvested.

*See Amendment 30B, page 3*

## Council swears in new members, elects chair & vice chair

The Secretary of Commerce earlier this summer announced the latest appointments to the eight regional fishery management councils. For the Gulf Council that includes the appointment of Ed Sapp, and the reappointment of Joe Hendrix and Dr. Bob Shipp.

**Ed Sapp**, a retired Insurance Agency Agent/Owner, comes to us from Gainesville, Florida. He has ties to both the commercial and the recreational fisheries. He worked as a weekend hook and line fisherman, fishing primarily for grouper and snapper from the North Florida Gulf coast, and also has been involved with the Coastal Conservation Association (CCA) since its inception in Florida. In 1992 he served as the State Chairman and is currently Chairman Emeritus.

*See Investure, page 9*

## Council asks Secretary for referendum on Grouper/Tilefish IFQ

At its August 2008 meeting, the Gulf Council requested that NMFS initiate a referendum seeking approval for the individual fishing quota (IFQ) program proposed in Reef Fish Amendment 29. The IFQ program aims to reduce overcapacity and rationalize the Gulf of Mexico commercial grouper and tilefish fisheries.

To be eligible to vote in the referendum, owners of valid or renewable commercial reef fish permits must have at least an 8,000 pound combined average of annual grouper and tilefish landings from logbooks during the qualifying years of 1999 to 2004, with an allowance for dropping one year. One vote will be assigned per eligible permit.

While average annual landings of at least 8,000 pounds are required in order to participate in the referendum, IFQ shares

will be distributed proportionately among all owners of valid or renewable reef fish permits. Allocation will be based on average annual landings from logbooks associated with each current permit during the the same qualifying years noted above, also with an allowance for dropping one year.

A proposed rule outlining the referendum procedures, schedule and eligibility requirements published in the Federal Register September 4, 2008. NMFS will accept written comments until October 6, 2008. If approved, the referendum is expected to take place later this year, with program implementation in place by January, 2010.

To review a copy of the proposed rule for the referendum, draft amendment, or to calculate your approximate grouper/tilefish IFQ shares and allocation, please visit [www.gulfcouncil.org](http://www.gulfcouncil.org) and click on the *Downloadable Files* link.

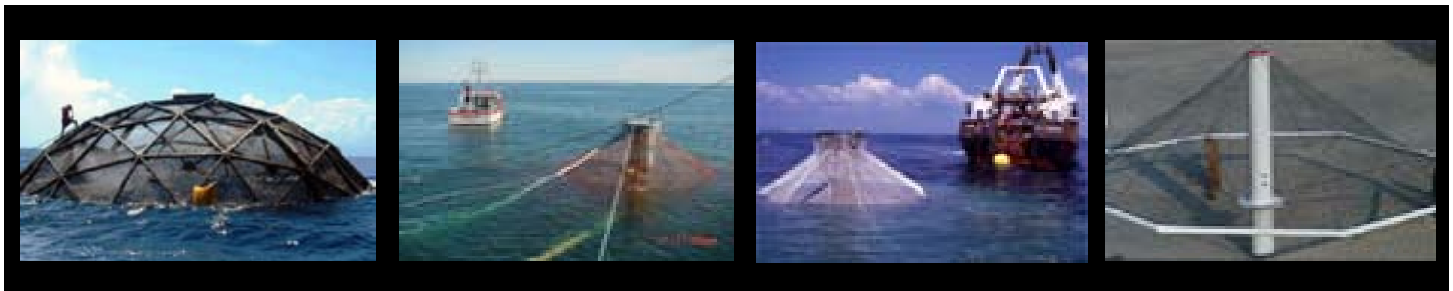
## Aquaculture FMP nearing final approval

The draft Offshore Aquaculture Fishery Management Plan (FMP) underwent some minor changes during the August Council meeting, and it is expected to get final approval when the Council meets again in October.

The Aquaculture FMP is an effort to develop a regional permitting process for regulating aquaculture in the federal waters of the Gulf of Mexico. That process is intended to ensure any aquaculture operations undertaken in the Gulf are environmentally sound, sustainable, and provide maximum benefits to the nation.

A final public hearing/Q&A session is scheduled for 5:00 pm, Monday, October 27, 2008 at the Renaissance Hotel, 64 South Water Street, Mobile, AL. The Council will extend its regular meeting to include the hearing. Final action on the Aquaculture FMP is expected later that week.

A list of frequently asked questions is provided below. For a more comprehensive list of FAQs, or to review the draft FMP, please visit our web site at [www.gulfcouncil.org](http://www.gulfcouncil.org) and click on *Library* in the left navigation column, then click *Aquaculture*.



## Frequently Asked Questions about Open Ocean Aquaculture

### What is offshore aquaculture?

Offshore aquaculture is the rearing of aquatic organisms in controlled environments (e.g., cages or net pens) in federally managed areas of the ocean. Federally managed areas of the Gulf of Mexico begin where state jurisdiction ends and extend 200 miles offshore.

### Why conduct aquaculture offshore?

Offshore aquaculture is desirable for two main reasons. First, there are fewer competing uses (e.g., fishing and recreation) farther from shore. Second, the deeper and stronger water flows makes it a desirable location for mitigating environmental impacts, such as nutrient and organic loading.

### Why is the Gulf of Mexico Fishery Management Council developing a Fishery Management Plan (FMP) for regulating offshore marine aquaculture in the Gulf of Mexico?

The current permitting process for offshore aquaculture is of limited duration and is not intended for the large-scale production of fish, making commercial aquaculture in federal waters impracticable at this time.

Offshore aquaculture could help meet consumers' growing demand for seafood and reduce the nation's dependence on seafood imports.

*See Aquaculture FAQs, page 9*

## Joint Amendment 8 to the Spiny Lobster FMP

In response to concerns that the harvest of juvenile spiny lobster in other Caribbean countries impacts the sustainability of U.S. lobster stocks, the Council has developed, along with the Caribbean and South Atlantic Councils, a joint Amendment to the Spiny Lobster FMP.

The amendment contains two actions to restrict imports of spiny lobster into the United States to minimum conservation standards in order to achieve an increase in the spawning biomass, and increase long-term yields from the fishery.

The Amendment aims to improve the status of the spiny lobster stock by providing incentive based management measures for foreign nations to implement conservation standards designed to protect the spawning stock.

This will be done by implementing an import restriction on size, thus preventing undersized lobster from being imported to the United States and eliminating the market for undersized lobster tails.

Additionally, the amendment will provide further protections to undersized lobsters and egg-bearing females.

The draft Amendment is available online and can be downloaded from the Council web site - [gulfcouncil.org](http://gulfcouncil.org).



## Amendment 30B *continued from page 1*

The interim rule will eventually be replaced by Amendment 30B, which establishes a recreational grouper aggregate of 4 fish with a 2 gag and 2 red grouper bag and possession limit.

It also includes a recreational closed season for all shallow-water grouper from February 1 through March 31. Additionally, if federal reef fish regulations are more restrictive than state reef fish regulations, then federal Gulf of Mexico commercial and charter reef fish permit holders will be required to comply with federal regulations for these species regardless of where fishing.

A January through April seasonal area closure for all sectors is established at the Edges 40 fathom contour, a 390 nautical square mile gag spawning region northwest of Steamboat Lumps.

On the commercial side, Amendment 30B reduces the minimum size limit for commercial red grouper to 18" and repeals the commercial February 15 to March 15 closed season on gag, black grouper and red grouper.

Amendment 30B also sets total allowable catch (TAC) for both gag and red grouper. The gag TAC will be set at variable levels – 3.38 mp in 2009, 3.62 mp in 2010, and 3.82 mp in 2011, with the red grouper TAC set at 7.57 mp.

Interim allocation of TAC between the recreational and commercial fisheries will be set at 61% recreational and 39% commercial for gag, and 24% recreational, 76% commercial for red grouper.

The amendment will also establish a 200 pound commercial trip limit for gag or red grouper once 80% of the commercial quota for the applicable species is reached, or projected to be reached.

Finally, the amendment sets annual catch limits (ACLs) and accountability measures (AMs) for recreational and commercial gag and red grouper, and

the commercial shallow-water grouper (SWG) aggregate.

For the commercial sector this means the shallow-water grouper fishery will close when gag, red grouper, or the shallow-water grouper quota is met.

For the recreational sector, if at the end of the fishing year it is determined that the gag or red grouper ACL has been exceeded, then any scheduled increase in the recreational allocation will be canceled.

In addition, the recreational fishing season for SWG in the following year will be reduced by the amount necessary to ensure that red grouper or gag target levels are not exceeded for that year.



The regulations are necessary because the latest stock assessment completed under the SEDAR program, shows gag are undergoing overfishing. The Magnuson-Stevens Reauthorization Act of 2006 mandates that once overfishing is determined, the Council must take immediate action.

## Gulf of Mexico Fishery Management Council

Richard Leard  
Interim Executive Director

### Appointed Voting Members

Ed Sapp Gainesville, FL 352-377-2715	Michael Ray Austin, TX 512-389-4649
Robert Gill Crystal River, FL 352-795-1916	Robert Shipp Vice Chair Mobile, AL 251-460-6351
Joseph Hendrix Houston, TX 281-597-1620	Susan Villere Mandeville, LA 985-845-3557
Thomas McIlwain Chair Ocean Springs, MS 228-818-8866	Bobbi Walker Orange Beach, AL 251-981-2300
Julie Morris Sarasota, FL 941-487-4527	Kay Williams Vanceleave, MS 228-826-2160
Harlon Pearce Kenner, LA 504-467-3809	

### State/Federal Voting Members

Robin Riechers Austin, TX 512-389-4864	Corky Perret Biloxi, MS 228-374-5000
Bill Teehan Tallahassee, FL 850-487-0554	Karen Foote Baton Rouge, LA 225-765-2383
Vernon Minton Gulf Shores, AL 251-968-7576	Roy Crabtree SERO 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 202-647-2335

## The Gulf of Mexico Fishery Management Council

2203 N. Lois Avenue  
Suite 1100  
Tampa, FL 33607  
Phone: 813-348-1630  
Fax: 813-348-1771

## Seven charged in 57-count indictment

A two-year investigation by the National Oceanic and Atmospheric Administration's fisheries service (NOAA), the Florida Fish and Wildlife Conservation Commission (FWC) and the United States Attorney's Office involving marine species illegally caught in Florida and shipped out of state has resulted in a 57-count federal indictment against seven individuals.

The indictment details how five Florida Panhandle fishermen and seafood dealers and two Georgia brothers allegedly conspired to transport a variety of marine fish illegally across state lines from Florida to Georgia, mislabeled fish and falsified documents.

Those charged in the indictment are James Stovall, DOB 06/11/67, Colquitt, Ga.; Guy Stovall, DOB 07/15/73, Colquitt, Ga.; Eric Donald Woods, DOB 10/23/80, Keaton Beach, Fla.; Jeffery Cannon, DOB 10/11/58, Panacea, Fla.; James N. Nations, Jr., DOB 12/09/67, Apalachicola, Fla.; Gary D. Brown, DOB 05/12/43, Medart, Fla.; Floyd Robbie Jenkins, DOB 05/06/54, Perry, Fla.

U.S. District Attorney Maxwell Wood said the indictments are only accusations, and the accused are presumed innocent until proven guilty at trial.

The multi-count indictment alleges Guy and James Stovall, owners of Road Runner Seafood Incorporated in Colquitt, Ga., worked with fishermen and two seafood dealers in Florida to purchase fish illegally taken or fish that can not be sold in Florida.

They also are charged with mislabeling

the fish that must be reported to the FWC and NOAA.

Most of the violations involve the federal Lacey Act, which prohibits interstate shipment of fish or wildlife taken in violation of state law. Each Lacey Act violation carries a possible five-year prison term and a \$250,000 fine.

"This is one of the most far-reaching undercover operations on the northern Gulf Coast during the past 20 years," said Capt. Leroy Alderson, FWC regional investigations supervisor.

"Laws exist to protect marine resources, but the investigation showed pretty blatant efforts to bypass those laws for profit."

Investigators obtained search warrants and seized computers, business records and other documents from Road Runner Seafood in Colquitt, Ga., Brown's Seafood in Medart, Fla. and Robbie's Seafood in Perry, Fla.

The indictment spells out numerous violations including: fish sold illegally from Florida's waters, including red drum (redfish) and spotted seatrout; red snapper, red grouper and gag grouper caught and sold during closed seasons; fishing in state waters without proper commercial fishing permits and licenses; selling fish without proper permits and licenses; falsely identifying regulated fish species on state and federal documents; and selling Vietnamese catfish as grouper.

NOAA and FWC investigators say the total commercial value of the fish involved exceeded \$200,000.

### About the Lacey Act

*At the turn of the century, illegal commercial hunting threatened many game species in the United States. The Lacey Act prohibits the transportation of illegally captured or prohibited animals across state lines. It was the first federal law protecting wildlife, and is still in effect, though it has been revised several times. Today the law is primarily used to prevent the importation or spread of potentially dangerous non-native species.*

## SEDAR Q&A Interview with John Carmichael *part 2 - continued from the August issue*

In the last issue of *Gulf Fishery News* we published a series of questions and answers from an interview with John Carmichael, Science and Statistics Program Manager, South Atlantic Council.

Following are the remainder of the questions/answers resulting from that interview.

**It seems that every assessment finds stocks overfished and/or undergoing overfishing. How can that be? Is there ever any good news?**

It's understandable that many fishermen believe all assessments contain bad news because many recent assessments have determined that either overfishing was occurring or the stocks were overfished.



Of the ten Gulf of Mexico stocks assessed through SEDAR, five of them (50%) have been found to be neither overfished nor undergoing overfishing.

Does this imply that only 50% of the species managed by the Council are neither overfished nor overfishing? No. It is simply a function of the underlying justification for choosing which stocks to assess since SEDAR began.

Selection of species for assessment has been, so far, primarily based on concerns regarding stock status.

Such concerns may be raised by fishermen or managers, they may be related to declines in catches, or they may be related to prior assessments that determined a stock was

overfished or overfishing.

Regardless of reason, the point is that the stocks assessed so far were not chosen at random. With many stocks to assess and limited time and resources, the focus is on the known problem areas.

A good analogy can be made by considering the health of people found in a Doctor's office. Most people go to a doctor when they have some concern regarding their health, though there may be a few who are waiting for a regular check-up.

A sample from the waiting room may show 80% of the people are sick, but does this imply that 80% of the people in the town are sick? No. It's simply a function of where the sample was taken, and a sample from a doctor's office is obviously not representative of the population as a whole with regard to health of an individual.

The same thing occurs with the number of stocks found to be overfished or overfishing. Assessed stocks were not selected at random. The focus, instead, has been primarily to assess those stocks previously determined to be overfished or experiencing overfishing. Thus it is not surprising that many of the assessments have reached similar conclusions.

**I've been fishing for a long time and have a lot of personal data to share. Why can't that information be used? How can fishermen get involved in the stock assessment process?**

Personal data can be used, and such information is considered in the SEDAR process. However, just as any other source of information, it must meet certain data standards.

The standards include things such as reporting of the same variables over time, recording numerical values consistently over time, and including information that allows placing the observations into the proper place over time and space. As with all data sources, such information must

also be digitized or entered into an accessible dataset.

Individual data are most useful when they address a need or a gap in the existing sources. As noted above, catch records are provided by logbooks and trip tickets, so personal records of landings likely duplicate information already provided. However, if those records provide insight into the actual species reported on a logbook as an aggregation such as "unclassified snappers", then they provide details that fill a gap in the existing information and are very



likely to be directly included when the scientists try to determine the species composition of "unclassified snappers".

Another important use is for discard estimation. Personal records that include what was caught and thrown back, in addition to what was kept and ultimately landed, are extremely valuable to the assessment process.

Finally, a long time series of thorough personal catch records reflecting fishing with consistent methods in a particular area can be used as an indication of population trend in much the same manner as a scientific survey.

Many fishermen state that their observations are rejected because they are "anecdotal" and not "data". Keep in mind that the difference between anecdote and data is the act

## SEDAR *continued from page 5*

of recording events as they happen and the distinction between numerical measurements and qualitative statements.

Scientific surveys are based on “data” that are recorded at the time the sample is taken, not on the scientist’s recall of whether catches in one year were better or worse than those of another year.

Nonetheless, in specialized instances assessments have considered anecdotal information. The most prevalent example is when scientists are trying to establish when significant fishing began for a particular species so they can determine when the stock was at an “unfished” condition.

Another example is when scientists are evaluating the reliability of historical catch records, such as those predating trip tickets or the MRFSS. Anecdotal information is also valuable when trying to establish an overall discard mortality rate from studies that may not match the directed fisheries with regard to fishing area, techniques, or handling.

Though they may not realize it, all fishermen are involved in the assessment process by virtue of their participation in both voluntary and mandatory data collection programs.

They assist by completing catch reports accurately and as completely as possible. They assist by cooperating with the port samplers who ask to see and measure catches. They assist by cooperating with observer programs and allowing observers onboard.

They can also assist by supporting electronic logbooks and VMS systems that greatly improve our understanding of how they fish, where they fish, for how long, and where they catch the different species that appear in their landings at the end of a trip, and by supporting data collection programs that might require more of their valuable time and effort.

Fishermen can also take advantage of the Cooperative Research Program

and work with scientists to conduct research of critical issues. Finally, they can serve on Council Advisory Panels and participate in SEDAR workshops.

**We keep hearing that better data is needed for stock assessments. What is needed and how do we get it?**

The primary assessment data needs in the Southeast Region are fairly simple. Accurate and reliable assessments require accurate and reliable catch records; thorough biological sampling to characterize the age, length, weight and sometimes sex composition of catches; and measures of population abundance and trends obtained through fishery-dependent catch per unit effort evaluation or fishery-dependent scientific surveys.

Catches need to reflect both landings, which are easy to obtain, and discards, which are difficult to obtain. There is a critical need to find ways of determining the size composition of discarded fish, especially in fisheries that can’t be easily sampled by onboard observers.

Supporting research needs to be conducted to define stocks, describe reproductive characteristics, evaluate age and growth characteristics and trends in age and growth over time, and to determine gear-specific discard and discard mortality rates.

Obtaining the necessary data will require more resources, greater reliance on technology, and cooperative action on behalf of the scientists, managers, and fishermen.

However, since securing unlimited resources is an unrealistic expectation, we must be willing to prioritize our biological sampling efforts and scientific survey resources so that we have reliable information on the most important fisheries.

We must all accept that some species are rare and may never be sampled or monitored with great precision, though they still must be managed according to the requirements of the Magnuson-Stevens Act.

## Gulf of Mexico Fishery Closures

### Recreational Closures:

#### Red Snapper

The 2008 recreational red snapper season closed at 12:01 a.m. local time August 5. The season will reopen on June 1, 2009, the beginning of the 2009 federal recreational red snapper fishing season.

### Commercial Closures:

#### Deep-Water Grouper

NOAA Fisheries closed the commercial deep-water grouper fishery in the federal waters of the Gulf of Mexico effective 12:01 a.m. local time, May 10, 2008. The fishery will remain closed until 12:01 a.m. January 1, 2009.

During the closure, no person aboard a vessel for which a commercial reef fish permit has been issued may fish for or retain misty grouper, snowy grouper, yellowedge grouper, Warsaw grouper, or speckled hind in federal waters of the Gulf of Mexico. Additionally, if commercial quantities of reef fish are onboard, a recreational bag limit of reef fish is not allowed.

#### Tilefish

The Gulf of Mexico commercial tilefish fishery closed effective 12:01 a.m. May 10, 2008 and will reopen at 12:01 a.m. January 1, 2009. During the closure, no person aboard a vessel for which a commercial reef fish permit has been issued may commercially fish for tilefishes in federal waters of the Gulf of Mexico.

**Committee Agenda**  
**Gulf of Mexico Fishery Management Council**

The Renaissance Hotel  
 Bon Secour Bay Room  
 Mobile, AL  
 October 27 - 28, 2008

**Monday, October 27, 2008**

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

Ad Hoc Allocation Committee

- \* Draft Allocation Principles

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

Operator Permits Committee

- \* Draft Scoping Document for Generic Operator Permit Amendment

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

Law Enforcement Committee

- \* Strategic Plan and Operations Plan

**4:30 p.m. - 5:00 p.m.**

Outreach and Education Committee

- \* Proposed O&E AP Agenda

**5:00 p.m. - 7:00 p.m.**

Q&A Session and Public Hearing on Aquaculture FMP

**Tuesday, October 28, 2008**

**8:30 a.m. - 11:00 a.m.**

Reef Fish Management Committee

- \* Ad Hoc Recreational Red Snapper AP Recommendations
- \* Update on ESA Biological Opinion - New Sea Turtle Bycatch Estimates

**11:00 a.m. - 12:30 p.m.**

Budget/Personnel Committee

- \* Status of the 2008 Budget
- \* FY 2009 Budget
- \* Executive Director Search Status Report (CLOSED)

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

Joint Reef Fish/Mackerel/Red Drum Management Committee

- \* Final Aquaculture FMP
  - Discussion of Bond Issues
  - Public Hearing Comments
  - Committee Recommendations

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

Joint SSC/Administrative Policy Committee

- \* Review of SSC Appointment Process
- \* Review of SSC Attendance (CLOSED)

**Wednesday, October 29, 2008**

**8:30 a.m. - 9:30 a.m.**

Migratory Species Committee

- \* Presentation on Amendment 3 to the HMS FMP (small coastal sharks)
- \* Presentation on Amendment 4 to the HMS FMP (Caribbean Issues)

**3:45 p.m. - 4:30 p.m.**

Marine Reserves Committee

- \* Presentation on MPA Framework & Proposed Nomination Process

**4:30 p.m. - 5:30 p.m.**

Habitat Protection Committee

- \* Presentation on Amendment to the HMS EFH FMP

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

**Council Agenda**  
**Gulf of Mexico Fishery Management Council**

The Renaissance Hotel  
 Bon Secour Bay Room  
 Mobile, AL  
 October 29 - 30, 2008

**Wednesday, October 29, 2008**

- I. Call to Order and Introductions - Mcllwain
- II. Adoption of Agenda <sup>1</sup> - Mcllwain
- III. Approval of Minutes - Mcllwain
- IV. Approval of 2009 Committee Roster - Mcllwain  
(1:00 p.m. - 1:30 p.m.)
- V. Public Testimony <sup>2,3</sup> - Mcllwain
  - a. Exempted Fishing Permits (EFP) (if any)
  - b. Final Aquaculture FMP
  - c. Open Public Comment Period <sup>2,4</sup>  
(1:30 p.m. - 3:30 p.m..)
- VI. Committee Reports
  - a. Joint Reef Fish/Mackerel/Red Drum Management
  - b. Ad Hoc Allocation
  - c. Reef Fish Management
  - d. Joint SSC Selection/Administrative Policy (CLOSED)
  - e. Budget/Personnel (CLOSED)

**Thursday, October 30, 2008**

- VI. Committee Reports Continued
  - f. Operator Permits
  - g. Law Enforcement
  - h. Outreach and Education
  - i. Habitat Protection
  - j. Migratory Species
  - k. Marine Reserves  
(8:30 p.m. - 10:30 p.m.)
- VIII. Report of the SSC Review of the 5-year Research Plan  
(8:45 a.m. - 9:15 a.m.)
- IX. Other Business
  - a. Written Reports
  - b. Other Items  
(9:15 a.m. - 10:15 a.m.)

<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 must be completed for each issue on which persons wish to testify.

<sup>3</sup>Persons wishing 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 this 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 time scheduled on the agenda regardless of the number of persons wishing to comment.

**Next Meeting:**  
 January 26 - 29, 2008  
 Hollywood Casino  
 711 Hollywood Boulevard  
 Bay St. Louis, MS 39520

## Mississippi Seafood Crowned King in Great American Seafood Cook-off

Chef John Currence, owner and founder of City Grocery, Bouré and Big Bad Breakfast in Oxford, Miss., took top honors and was crowned King of Seafood in the fifth annual Great American Seafood Cook-Off held in New Orleans on Aug. 2 and 3.

Mississippi's participation in this year's event was organized through the Mississippi Seafood Marketing Program and Sarah McCullough with Mississippi Cultural and Heritage Tourism, under the Mississippi Development Authority.

"Of course, we are very proud of John, and he has brought our great Mississippi and Gulf seafood to the forefront," said Irvin Jackson, director of the Mississippi Seafood Marketing Program with the Mississippi Department of Marine Resources.

"The important thing to remember is that we all win when we support our domestic Mississippi seafood, the

cultural way of life that has grown up around it, and the many businesses and fishermen who bring it to our table. I know Chef Currence will be a great ambassador for Mississippi seafood in the coming year."

Although originally from New Orleans, Currence has been owner and chef at City Grocery in Oxford since 1992 and represented Mississippi in this year's most prestigious seafood competition.

Fifteen chefs from across the nation competed in the Great American Seafood Cook-Off held in New Orleans at the Morial Convention Center. Each chef, representing a different state, cooked dishes using seafood native to their state.

Chef Currence's winning dishes were Mississippi Food Chain with redfish, smoked shrimp and corn macque choux topped with crabmeat, and Redfish Courtbouillon with Seafood Dirty Rice. Chef Currence's Redfish

Courtbouillon stood out among dozens of savory dishes.

"It had a good hearty flavor to it," said judge Ed Meuller with Sante Magazine. "Using the judging criteria, it was truly a family-style dish."

"What we did today was very soulful," Currence said after he won. "Courtbouillon is just a great vehicle for seafood."



Mississippi chef John Currence, left, crowned King of Seafood at the Great American Seafood Cook-Off in New Orleans

### The Winning Recipe - The Mississippi Food Chain

Pan-roasted Mississippi hook and line-caught redfish with smoked shrimp/sweet corn beurre blanc, chilled butterbean macque choux and West Indies salad

#### Redfish

8 Portions - 6 ounces Redfish \* grated lemon zest \* Salt \* fresh-cracked black pepper \* cayenne pepper \* crushed fennel seed paprika \* pure olive oil

Drizzle both sides of fish with oil and then the rest of the ingredients. Cover tightly with plastic wrap and allow to stand, refrigerated for 45 minutes. Dust lightly in seasoned flour and sauté in clarified butter until browned on both sides. Finish in a 450° oven.

#### Beurre Blanc

16 - 21-25 ct. shrimp, brined, lightly smoked, and chopped \* 3 ears sweet corn, roasted and removed from the cob \* 1 cup white wine \* 6 Tbs apple cider vinegar \* 1 Tbs lemon juice \* 1 tsp lemon zest \* 2 ½ Tbs minced shallot \* 2 tsp minced garlic \* 1 tap cracked black pepper \* ¼ cup crushed roasted corn kernels \* 1 tsp fresh thyme \* 1 tsp sugar \* ½ cup heavy cream \* ¾ pound whole butter, cubed

Combine all of the ingredients except for the whole corn kernels, shrimp, cream and butter in a medium saucepan and simmer over medium heat until reduced to a syrup. Whisk in cream and reduce by half. Whisk in butter until emulsified. Strain through a chinois and whisk in ¾ c. whole corn kernels and ¾ c. chopped shrimp. Season with salt, pepper and Tabasco to taste.



#### Butter Bean Macque Choux

½ cup cubed bacon \* ½ cup chopped yellow onion \* 1 Tbs minced garlic \* 2 cups fresh butter beans \* 2 cups roasted corn kernels \* ½ cup red bell pepper (bruniose) \* 2 ½ cups chopped fresh tomato \* 2 tsp chopped summer savory \* ¼ tsp cayenne \* 2 tsp cracked black pepper \* ¾ cup heavy cream \* salt to taste

In a large sauté pan render off the bacon until cubes are crispy. Stir in onion and garlic and sauté until transparent. Stir in butter beans and corn and sauté again until butter beans are tender. Stir in red bell pepper and sauté briefly until coated with oil. Add tomato, savory, cayenne and black pepper and simmer until tomato sheds its water. Stir in cream and simmer until cream reduces and is almost absorbed. Season with salt and spread macque choux on a sheet pan and place in the cooler to cool.

#### West Indies Salad

2 pounds jumbo lump blue crab meat, picked \* 3 Tbs minced shallot \* 2 tsp minced garlic \* 4 Tbs. red bell pepper (bruniose) \* 3 Tbs green bell pepper (bruniose) \* 4 Tbs minced green onion tops \* 3 ½ Tbs extra virgin olive oil \* 6 Tbs apple cider vinegar \* zest and juice of 1 lemon and 1 lime \*

1 Tbs serrano pepper (bruniose) \* 3 Tbs fresh cracked black pepper \* salt, to taste

Combine all of the above ingredients in a stainless bowl and allow to marinate for 45 minutes. Season immediately before service with salt.



## Aquaculture FAQs *continued from page 2*

### What is the primary purpose of the Gulf Council's FMP?

Its purpose is to maximize benefits to the Nation by establishing a regional permitting process to manage the development of an environmentally sound and economically sustainable aquaculture industry in federal waters of the Gulf of Mexico. The primary goal of the Aquaculture FMP is to increase maximum sustainable yield (MSY) and optimum yield (OY) of federal fisheries in the Gulf of Mexico by supplementing the harvest of wild caught species with cultured product.

### Are there currently any offshore aquaculture operations in federal waters of the United States?

Currently there are no commercial finfish offshore aquaculture operations in U.S. federal waters. There are currently 13 permit holders for live rock aquaculture in the EEZ. There are also several aquaculture operations conducting research and commercial production in state waters, off the coasts of California, New Hampshire, Hawaii, Washington, Maine, and Florida.

### Why is the Council proceeding so quickly to complete an FMP for regulating offshore aquaculture?

The Gulf Council has been working on this FMP for more than five years, first instructing staff to develop a Generic Aquaculture Amendment to their existing FMPs in January 2003. A number of public hearings were held in February 2004 and again in July 2007.

The draft amendment was revised to address public input and additional public hearings were held in December 2007; an Aquaculture Question and Answer Session was also held during the January, 2008 Council meeting. Another round of public hearings was completed in July 2008 after the

## Investiture *continued from page 1*

"The difficult job of management is to serve the needs of competing user groups while maintaining sustainability of the resource," said Sapp.

**Joe Hendrix** was reappointed for a third three-year term. Hendrix has been involved in fisheries for many years. From research diver, to biologist, to seafood business owner, Hendrix is currently the President and Founder of SeaFish Mariculture. In addition to serving on the Gulf Council, Hendrix also has served on the Citizens Advisory Committee Gulf of Mexico Program and the Texas Aquaculture Association.



From left, Roy Crabtree, Regional Administrator, NOAA Fisheries Services performs the Investiture ceremony for Ed Sapp (Florida), Joe Hendrix (Texas), and Bob Shipp (Alabama)

Generic Aquaculture Amendment became an FMP. Finally, a question and answer session/public hearing is scheduled for Monday, October 27 from 5:00-7:00 pm in Mobile, AL, as part of the Council's regularly scheduled meeting. Public comments will also be heard during that same meeting on Wednesday, October 29 from 1:30-3:30 pm.

### Does the Council have the authority to regulate offshore aquaculture?

Yes. The Council regulates fisheries in the U.S. Gulf of Mexico Exclusive Economic Zone (EEZ), which extends from state waters to 200 miles offshore. Landings or possession of species managed under an FMP for purposes of commercial marine aquaculture production in the EEZ constitutes "fishing" as defined in the Magnuson-Stevens Fishery Conservation Management Act (MSFCMA). Fishing includes activities and operations related to the taking, catching, or harvesting of fish.

### Does the Aquaculture FMP consider potential environmental issues?

Yes. The Council is preparing a Programmatic Environmental Impact Statement (PEIS), which evaluates the potential environmental impacts of a range of alternatives and describes potential impacts to water quality, wild stocks, and fishing communities. Potential impacts resulting from offshore aquaculture may include increased nutrient loading, habitat degradation, fish escapement, competition with wild stocks, entanglement of endangered or threatened species and migratory birds, spread of pathogens, user conflicts, economic and social impacts on domestic fisheries, and navigational hazards. The preferred

*See Aquaculture FAQs, next page*

**Dr. Bob Shipp** also was reappointed to the Council and will serve his second three-year term. Shipp is a fishery scientist and has taught at the University of Alabama since 1972. He previously served on the Council from 1991 to 2000. In addition to his reappointment to the Council, Shipp was also re-elected as Vice Chair for the 2008/2009 Council year.

**Tom McIlwain** was re-elected Council Chair. McIlwain has been involved with Gulf fish stocks for most of his life. He was appointed to the Council in August, 2006 and is Director Emeritus of the Gulf Coast Research Lab, University of Southern Miss.

*Welcome and Congratulations!*

## Aquaculture FAQs *continued*

alternatives selected by the Gulf Council are intended to prevent or mitigate to the extent practicable these adverse environmental impacts.

### **Does the Aquaculture FMP include recordkeeping, reporting, and operational requirements to evaluate and monitor environmental impacts?**

Yes. The preferred alternatives would provide numerous recordkeeping and reporting requirements to assist NOAA Fisheries Service in administering and reviewing aquaculture permits and evaluating environmental impacts.

There are many reporting requirements, including submitting a standardized report to NOAA Fisheries Service annually to address recordkeeping and reporting activities. In addition, aquaculture operations would be required to report to NOAA Fisheries Service within 24 hours of discovery:

- major escapement;
- entanglements or interactions with marine mammals, endangered species and migratory birds;
- findings or suspected findings of pathogens.

Recordkeeping requirements for monitoring environmental impacts include maintaining and making available feed invoices and daily records of cultured animals introduced or removed from allowable growing systems.

Permittees would also have to comply with all reporting requirements specified in their valid Army Corps of Engineers and Environmental Protection Agency permits.

### **Does the Aquaculture FMP include recordkeeping, reporting, and operational requirements to assist law enforcement?**

Yes, the Aquaculture FMP includes numerous recordkeeping, reporting, and operational requirements to assist law enforcement. Requirements directly assisting with enforcement of aquaculture activities include:

- Prohibiting possession of wild fish or invertebrates at or within the boundaries of an aquaculture facility's restricted access zone, unless a hatchery is also operating within the zone.
- Prohibiting possession of wild fish or invertebrates aboard an aquaculture operation's transport and service vessels, vehicles, and aircraft, except when authorized by NOAA Fisheries Service to harvest broodstock.
- Providing current valid copies of state and federal permits pertaining to operation of the aquaculture facility, as well as hatchery permits for fingerlings.
- Notifying NOAA Fisheries Service prior to changes in hatcheries
- Notifying NOAA Fisheries Service at least 72 hours prior to harvest and landing
- Providing applicable bill of lading for any cultured organisms transported for sale
- Submitting a request to NOAA Fisheries Service for

broodstock collection at least 30 days prior to the proposed date of broodstock harvest

- Landing of organisms cultured in the EEZ at a non-U.S. port would be prohibited.
- Cultured fish must be maintained with heads and fins intact

### **Are there criteria for determining where an offshore aquaculture operation can be located? Do these criteria protect essential fish habitat (EFH) and traditional fishing grounds?**

Yes, marine aquaculture would be prohibited in Gulf of Mexico EEZ habitat areas of particular concern, marine reserves, marine protected areas, Special Management Zones, permitted artificial reef areas, and coral reef areas.

### **Does the Aquaculture FMP prohibit the use of drugs, pesticides, and biologics?**

No. The Council does not have authority to regulate the use of drugs, pesticides, and biologics. Such authority falls under the purview of the U.S. Food and Drug Administration, EPA, and U.S. Department of Agriculture. However, the FMP would require permittees to comply with all applicable federal regulations for using drugs, pesticides, and biologics. Drug effectiveness and safety for humans and the environment is evaluated by the U.S. Food and Drug Administration.

### **What types of permits would be required to conduct offshore marine aquaculture?**

The Aquaculture FMP would provide NOAA Fisheries Service authority to issue aquaculture permits that authorize the following activities:

- Deploy or operate an allowable aquaculture system in the Gulf of Mexico EEZ;
- Operate a hatchery in the Gulf of Mexico EEZ for spawning and rearing of allowable aquaculture species;
- Harvest or designate hatchery personnel or other entities to harvest wild broodstock of an allowable aquaculture species native to the Gulf of Mexico for aquaculture purposes;
- Possess in the Gulf of Mexico EEZ allowable aquaculture species (see Action 4);
- Land allowable aquaculture species cultured in the Gulf of Mexico EEZ at a U.S. port;
- Transport an allowable aquaculture species in, from, or to the Gulf of Mexico EEZ for aquaculture purposes; and,
- Sell, only at the first point of sale, an allowable aquaculture species cultured in an allowable aquaculture system in the Gulf of Mexico EEZ.

### **What species would be allowed for offshore aquaculture in the Gulf of Mexico?**

The Council's preferred alternative would allow all species

## Aquaculture FAQs *continued*

native to the Gulf of Mexico that are managed by the Council to be used for offshore aquaculture, except shrimp and corals. Examples of allowable species include: snappers, groupers, cobia, and red drum.

### **Would non-native, genetically modified, or transgenic species be allowed for offshore aquaculture?**

No. The Council's preferred alternative would prohibit genetically modified and transgenic species from being used for offshore aquaculture in the Gulf of Mexico.

### **Would endangered or threatened species, or Species of Concern be allowed for offshore aquaculture?**

Section 9 of the ESA makes it unlawful for any person to take any endangered species of fish or wildlife. Under Section 4 of the ESA, the take prohibition may be extended to species listed as threatened if deemed necessary and advisable for the conservation of the species. NOAA Fisheries has issued regulations extending the prohibition of take, with limited exceptions, for all threatened species listed in the Southeast Regions. None of the take exceptions allow for the commercial aquaculture of any Southeast Region endangered or threatened species. Species of Concern are not listed under or protected by the ESA, therefore specific protections would be afforded.

### **Why is the Gulf Council not prohibiting aquaculture in national marine sanctuaries?**

The Council considered prohibiting offshore marine aquaculture in national marine sanctuaries, but decided not to so that each marine sanctuary can evaluate whether marine offshore aquaculture is compatible with each sanctuary's management plan. Regulations implementing the National Marine Sanctuaries Act serve to safeguard resources within sanctuary boundaries and include prohibitions or limitations on some activities, such as discharge and disturbance of the seabed. These regulations also provide the National Marine Sanctuary Program with authority to issue permits to allow certain activities beneficial to sanctuaries that would otherwise be prohibited.

### **Does the Aquaculture FMP include measures for regulating the use of baitfish in aquaculture feeds?**

No. The Aquaculture FMP does not include specific regulatory measures for regulating the use of baitfishes in aquaculture feed. Baitfishes worldwide are under increasing fishing pressure due to expansion of the global aquaculture industry and demand from poultry and livestock farms. In the United States, Gulf and Atlantic menhaden represent the greatest source of fishmeal production, with Atlantic herrings and Californian pilchards accounting for a lesser amount of U.S. fishmeal and fish oil production. Gulf and Atlantic menhaden are not overfished and are not undergoing overfishing. Both species are managed by interstate compacts and assessments are conducted every

4-5 years by NOAA Fisheries Service. Stock assessments will be used to regularly assess the status of each of these populations. Necessary management adjustments would be made on the basis of the assessments to protect these wild stocks.

### **What is the Council doing to reduce the spread of disease from cultured species to wild stocks?**

The Council has selected several preferred alternatives to reduce the risk of pathogens and diseases spreading from cultured organisms to wild stocks.

- Prior to stocking cultured animals in an aquaculture system (e.g., cages and net pens) a health certificate signed by an aquatic animal health expert stating the culture animals are free of reportable pathogens is required.
- Once cultured organisms are stocked in an aquaculture system for grow-out, permittees must report to NOAA Fisheries Service all findings or suspected findings of pathogens within 24 hours of diagnosis.
- NOAA Fisheries Service, in coordination with the U.S. Department of Agriculture, may order the removal of all cultured organisms upon a determination by a certified aquatic health expert that a suspected pathogen exists and poses a threat to the health of wild aquatic organisms.

### **What happens if there is a hurricane or other type of natural or man-made catastrophe?**

The Council's preferred alternative would require an aquaculture facility to have an emergency disaster plan that includes, but is not limited to, preparing the aquaculture systems, equipment, and cultured organisms for a disaster such as a hurricane, tsunami, harmful algal bloom, or chemical or oil spill. The Aquaculture FMP also allows the NOAA Fisheries Service to modify time schedules and methods for recordkeeping and reporting in the event of a natural catastrophe.

### **Will the Aquaculture FMP prohibit the use of oil and gas platforms for offshore aquaculture?**

No. The Minerals Management Service has authority to regulate the use of oil and gas platforms for offshore aquaculture and other purposes. The MMS published a final Programmatic Environmental Impact Statement in November 2007 that assesses the impacts and resulted in approving aquaculture adjacent to and in conjunction with oil and gas platforms.

### **Before an aquaculture permit is approved by NOAA Fisheries Service, will there be an opportunity for public comment?**

Yes. The process would be similar to the process for exempted fishing permits and would include a written notice and public comment period before issuance of each aquaculture permit.



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 is encouraged to do so. Submissions may be mailed to Charlene Ponce, Public Information Officer, Gulf of Mexico Fishery Management Council, 2203 N. Lois Avenue, Suite 1100, Tampa, FL 33607.

Materials can also be sent via fax to 813-348-1711, or by e-mail to [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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## The Gulf of Mexico Fishery Management Council *Protecting our marine resources*

2203 North Lois Avenue  
Suite 1100  
Tampa, FL 33607

Phone: 813-348-1630  
Fax: 813-348-1711

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