
GULF FISHERY NEWS

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GULF FISHERY NEWS is a publication of the Gulf of Mexico Fishery Management Council for persons interested in the Gulf's fishery resources. Editor: Peter Hood.

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GULF COUNCIL RECOMMENDS MARCH-SEPTEMBER CLOSURE OF MOST OF GULF OF MEXICO EEZ TO PELAGIC LONGLINES

The Gulf Council, by a 9 to 5 vote, recommended to the Highly Migratory Division (HMS) of the National Marine Fisheries Service (NMFS) that it implement a closure of nearly the entire Gulf of Mexico to pelagic longline fishing during March through September. This recommendation (Option Gulf-D, see figure on next page) was the most conservative of four time/area closure options included in a presentation by Rebecca Lent and Buck Sutter of HMS at the Council meeting held in Fort Walton Beach, Florida from January 18-21, 2000. The purpose of the proposals was to reduce bycatch and the bycatch mortality of small swordfish, billfish, and other non-targeted species in the pelagic

longline fishery. The Gulf-D option encompasses the U.S. exclusive economic zone (EEZ) from Texas to Florida (82 degrees west longitude) north of 26 degrees north latitude. Only a portion of the Gulf EEZ from about Naples, Florida south to the Florida Keys would remain open to pelagic longline fishing year-round.

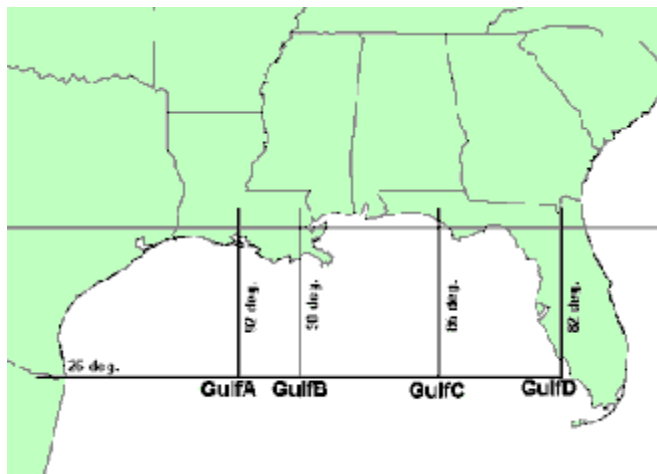
The Gulf-B option was the HMS preferred option. It included the western Gulf EEZ from Texas to about Grand Isle, Louisiana (90 degrees west longitude), and

NEXT COUNCIL MEETING

March 20-23, 2000
Adams Mark Riverwalk Hotel
111 Pecan St., E.
San Antonio, TX 78205



it would reduce bycatch in several species if there were no effort displacement into the remaining open area. However, analyses by HMS staff of this option indicated that, if pelagic longline vessels displaced by the closure were to move into the open area in the eastern Gulf of Mexico, bycatch and directed catch would actually increase for several species, including dolphin (mahi mahi; 3 to 16 percent), kept pelagic sharks (up to 2 percent), kept large coastal sharks (up to 11 percent), kept swordfish (up to 3 percent), discarded large coastal sharks (5 to 11 percent), and discarded swordfish (3 to 8 percent). These increases make this option counterproductive to the objective of reducing bycatch.



An intermediate option, Gulf-C, included the EEZ from Texas to slightly west of Panama City, Florida (86 degrees west longitude). The HMS analyses suggested this option covered the primary pelagic longline fishing area in the Gulf and would not result in effort displacement into the remaining open area. Under this scenario, substantial reductions in bycatch would occur, including blue marlin (down 8 to 14 percent), white marlin (12 to 16 percent), sailfish (9 to 26 percent), swordfish discards (3 to 4 percent), bluefin tuna discards (as much as 1 percent) and sea turtles (as much as 2 percent). However, the central west coast of Florida, specifically the Madeira Beach area, is home port to a major segment of the Gulf of Mexico longline fleet. This fleet targets primarily groupers and sharks. While the Gulf waters off the Florida coast may not currently be a prime pelagic longline fishing area, longline fishing does occur in the region. Therefore, the

infrastructure exists in this area to support a pelagic longline fleet. If effort displacement into the open area were to occur, the resulting increases in bycatch would be even more dramatic than under the Gulf-B effort displacement model.

The Gulf-D option provides the greatest protection from effort reallocation because of the limited area that it leaves open. This option should be comparable to, and slightly more effective, in reducing bycatch than the Gulf-C "no effort reallocation model", and substantially more effective than the Gulf-C "effort reallocation" model or the Gulf-B option under either effort model. This option avoids interactions and potential conflicts between the pelagic longline fleet and the recreational fishery during the March through September season. It also allows the pelagic longline fleet to continue operating productively during the remaining five months of the year.

Several of the Council members opposed to the pelagic longline time/area closures filed minority reports. They noted that the directed fishery on yellowfin tuna could be reduced by as much as 70 percent under the closure options. Yellowfin tuna is by far the primary species harvested by pelagic longline vessels in the Gulf of Mexico, and opponents felt that such a massive reduction could have a devastating effect on the fishing industry. Additionally, the U.S. accounts for only 5 percent of the billfish mortality worldwide. They maintained that to virtually eliminate the yellowfin tuna fishery for such a small gain from bycatch reduction fails to take into account the importance of fishery resources to fishing communities, provide for the sustained participation of such communities, and to the extent practicable, minimize adverse impacts on such communities, as is required under National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act.

Council members opposed to the closure options also felt that the proposals to close waters in the south Atlantic and Gulf of Mexico while leaving the northern portion of the eastern Atlantic untouched, amounts to an unfair reallocation of the resource. They suggested that the proposed closures sacrifice the pelagic longline fishery in the south Atlantic and Gulf regions in order to allow an uncontrolled expansion in the northern Atlantic. They also felt that the HMS proposals failed to adhere

to many of the requirements in the Magnuson-Stevens Act for rebuilding overfished fisheries, including a failure to specify a time period for rebuilding overfished stocks of blue marlin, white marlin, sailfish, bluefin tuna, and swordfish. In addition to violating National Standard 8, they stated that the proposals also violated National Standards 2 (be based on the best available scientific information), 4 (be fair and equitable) and 6 (allow for variations among and contingencies in fisheries). Although mentioned in the HMS written materials, the Gulf-D option was not included as an option in the presentations made at public hearings. Therefore, opponents to the Council's recommendation additionally felt that this option should not be considered. They felt that other options to time/area closures should be examined for reducing bycatch, including a requirement to use circle hooks and a prohibition on the use of live bait.

The HMS has extended its public comment period on the pelagic time/area closure proposals until March 1, 2000, and has scheduled additional public hearings. The proposed rule and other documents are available at the HMS website (<http://www.nmfs.gov/sfa/hmsgpg.html>). Comments should be mailed or faxed (e-mail will not be accepted) to Rebecca Lent, Chief, HMS Division (F/SF1), Office of Sustainable Fisheries, NMFS, 1315 East-West Highway, Silver Spring, MD 20910 (fax: 301-0713-1917).

STOCK ASSESSMENT PANEL MEMBERS NEEDED

Dr. Phillip Goodyear of the Red Drum Stock Assessment Panel (SAP) and Dr. Chris Koenig of the Reef Fish SAP have indicated to the Council that they will no longer be able to participate with their respective panels. Therefore, the Council will need to fill these vacancies. Stock assessment panels are comprised of biologists who are trained in the specialized field of population dynamics. They assess the available biological data and advise the Council on the status of stocks and level of allowable biological catch. Qualified persons interested in joining either SAP should inform the Council of their interest by contacting the Council office (see page 8 for the Council address).



Newlyweds Kay Williams and Charlie Bergmann.

WEDDING BELLS HEARD AT CONCLUSION OF JANUARY COUNCIL MEETING

Council member Kay Williams was married to Charles Bergmann on January 21, 2000 after the conclusion of the January Council meeting in Ft. Walton Beach, Florida. The service was performed by Dr. William Hogarth, Regional Administrator of the National Marine Fisheries Service.

Ms. Williams has been on the Council since 1997 and is a representative for the state of Mississippi. Mr. Bergmann is currently working for the Mississippi Department of Marine Resources. He has previously served as a member of the Mid-Atlantic Fishery Management Council and the New Jersey Marine Fisheries Management Council.

The Council staff sends best wishes to the newlyweds on their happy union.

NEW GULF OF MEXICO FISH TRAP REGULATIONS

The National Marine Fisheries Service (NMFS) announced new fish trap regulations for the Gulf of Mexico effective January 10, 2000, to (1) provide for a fish trap vessel inspection, (2) require fish trap vessels to submit trip initiation and trip termination reports, and (3) prohibit the possession of reef fish exhibiting the condition of trap rash on board any vessel without a valid fish trap endorsement. In addition to the existing reporting requirements, the owner or operator of a vessel for which a fish trap endorsement has been issued, must comply with the following requirements.

Inspection. NMFS will establish a 1-month period for mandatory inspection of all fish trap gear, permits, and vessels. NMFS will provide written notification of the inspection period to each owner of a vessel for which a fish trap endorsement has been issued. Each owner or operator must contact the Special Agent-in-Charge (SAC), NMFS, Office of Enforcement, Southeast Region, St. Petersburg, FL, or his designee by telephone (727-570-5344) to schedule an inspection during the 1-month period. Requests for inspection must be made between 8:00 a.m. and 4:30 p.m. Monday through Friday and must be made at least 72 hours in advance of the desired inspection date. Inspections will be conducted Monday through Friday between 8:00 a.m. and 4:30 p.m. only.

On the inspection date, the owner or operator must make all fish trap gear with attached trap tags and buoys and all applicable permits available for inspection on land. Vessels must also be made available for inspection as directed by the SAC or his designee. Upon completion of the inspection and a determination that all fish trap gear, permits, and vessels are in compliance, an owner or operator may resume fishing with the lawful gear. However, an owner or operator who fails to comply with the inspection requirements during the 1-month inspection period or during any other random inspection may not use or possess a fish trap in the Gulf EEZ until the required inspection or reinspection, as directed by the SAC, has been

completed and all fish trap gear, permits, and vessels are determined to be in compliance with all applicable regulations.

Trip reports. For each fishing trip on which a fish trap will be used or possessed, an owner or operator of a vessel for which a fish trap endorsement has been issued, must submit a trip initiation report and a trip termination report to the SAC or his designee, by calling the 24-hour toll-free number 800-305-0697. The trip initiation report must be submitted before beginning the trip and must include: vessel name; official number; number of traps to be deployed; sequence of trap tag numbers; date, time, and point of departure; and intended time and date of trip termination. A trip termination report must be submitted immediately upon returning to port and prior to any offloading of catch or fish traps. The trip termination report must include: vessel name; official number; name and address of dealer where catch will be offloaded and sold; the time offloading will begin; notification of any lost traps; and notification of any traps left deployed for any reason.

Gulf reef fish exhibiting trap rash. Gulf reef fish in or from the Gulf EEZ that exhibit trap rash may be possessed on board a vessel only if that vessel has a valid fish trap endorsement. Possession of such fish on board a vessel without a valid fish trap endorsement is prima facie evidence of illegal trap use and is prohibited. Trap rash is defined as physical damage to fish that characteristically results from contact with wire fish traps. Such damage includes, but is not limited to, broken fin spines, fin rays, or teeth; visually obvious loss of scales; and cuts or abrasions on the body of the fish, particularly on the head, snout, or mouth.



1308712.111

Lutjanus fulviflamma

IMPLEMENTATION OF PROPOSED REGULATIONS FOR THE GULF OF MEXICO GAG, BLACK GROUPEL, AND RED GROUPEL FISHERIES POSTPONED

The National Marine Fisheries Service (NMFS) announced that there will be no prohibition on the sale of gag, black, and red grouper from February 15 to March 15, 2000 but the proposal to do so in future years remains under review. The minimum size limit for gag and black grouper will remain at 20 inches total length (TL) until further notice and the proposal to establish two areas in the eastern Gulf that would be closed to all fishing remains under review.

On January 26, 2000, NMFS published a proposed rule that included measures intended to prevent overfishing of gag, black grouper, and red grouper. The Gulf Council requested these measures in a regulatory amendment submitted to NMFS for review. The proposed rule would: 1) increase the recreational minimum size limits for gag and black grouper from 20 inches TL to 22 inches TL immediately and by 1 inch each subsequent year until 24 inches TL is reached; 2) increase the commercial minimum size limit for gag and black grouper from 20 inches TL to 24 inches TL; 3) prohibit the sale of gag, black grouper, and red grouper harvested from Gulf Federal waters from February 15 to March 15; and 4) establish two areas in the eastern Gulf that would be closed to all fishing.

At the close of the proposed rule's comment period (February 10, 2000), NMFS had received more than 600 lengthy comments on this proposal and does not anticipate a final rule being effective prior to March 15, 2000. Since NMFS has made no decision to approve or disapprove these measures, current regulations remain in effect (see Gulf Fisheries News, Vo. 21, No. 3).

ADVISORY GROUP TO DEVELOP PROPOSAL FOR PERMITTING SYSTEM FOR CHARTER VESSELS IN THE GULF OF MEXICO

The Gulf Council deferred taking action on a Draft Amendment for a Charter Vessel/Headboat Permit Moratorium (Amendment) at its January 18-21, 2000 meeting. Instead the Council has asked the Ad Hoc Charter Vessel/Headboat Advisory Panel (AP) to develop an industry proposal for revision of the current federal permit system for charter vessels and headboats engaged in reef fish and coastal migratory pelagics fisheries in the Gulf of Mexico. The AP may consider retaining some of the alternatives for management measures considered in the Amendment, and likely will suggest other alternatives that would need to be presented at public hearings in a subsequent amendment.

The purpose of the amendment is to moderate short-term future increases in fishing effort and attempt to stabilize fishing mortality. A moratorium, if adopted, should provide a basis for the development of a more comprehensive effort limitation program for this segment of the recreational fishery. It would also be a prudent first step in the development and evaluation of more comprehensive effort limitation programs that could provide better long-term control of fishing effort.

The Ad Hoc Charter Vessel/Headboat AP will meet February 28-29, 2000 from 8:00 a.m. - 4:00 p.m. EST at the Radisson Riverwalk Hotel Tampa, 200 North Ashley Drive, Tampa, Florida 33602.

The Council will consider the AP's recommendations at its March 20-23, 2000 meeting in San Antonio, Texas. For further information, contact the Gulf Council office (see page 8).



GAG

Myxine septentrionalis

PUBLIC WORKSHOPS SCHEDULED TO CONSIDER THE NEED FOR ADDITIONAL BYCATCH REDUCTION REQUIREMENTS IN THE SHRIMP FISHERY OFF THE WEST COAST OF FLORIDA

The Gulf Council will hold additional public workshops to receive comments on the need for additional bycatch reduction requirements for the shrimp fishery in the exclusive economic zone (EEZ) south and east of 85°30' West Longitude. Amendment 9 to the shrimp fishery management plan (FMP), approved in May 1998, required the use of a National Marine Fisheries Service (NMFS) certified bycatch reduction device (BRD) in shrimp trawls used in the EEZ from Cape San Blas, Florida (85/30' W. Longitude) to the Texas/Mexico border and provided for the certification of the Fisheye BRD in the 30 mesh position. The purpose of this action was to reduce the bycatch mortality of juvenile red snapper by 44% from the average mortality for the years 1984-89. This amendment exempted shrimp trawls fishing for royal red shrimp outside of 100 fathoms, as well as groundfish and butterfish trawls. It also excluded small try nets and no more than two ridged frame roller trawls that do not exceed 16 feet. Amendment 9 did not require BRDs south and east of 85/30' West Longitude because few juvenile red snapper were found in the bycatch in this area. Because of the Magnuson-Stevens Fishery Conservation and Management Act's requirement to reduce bycatch to the extent practicable, the Council is considering the need for additional measures to reduce bycatch.

Public workshops will be held from 7:00 p.m. to 10:00 p.m. at the following locations:

Monday, February 28, 2000

New Orleans Airport Hilton
901 Airline Drive
Kenner, LA 70062

Tuesday, February 29, 2000

Mississippi Department of
Marine Resources
1141 Bayview Avenue
Biloxi, MS 39530

Wednesday, March 1, 2000

Adam's Mark Hotel Mobile
64 South Water Street
Mobile, AL 36602

ENFORCEMENT REPORT:

NOAA Nabs Another Red Snapper Poacher

The National Oceanic and Atmospheric Administration has charged the owner and operator of the fishing vessel LILLIE LOUISE with 4 counts of Magnuson-Stevens Act violations, and has assessed proposed civil penalties totaling \$18,000, and a permit sanction of 120-days. The vessel's owner and operator, Albert C. Adams, of Orange Beach, Alabama, allegedly harvested 474 pounds of red snapper (including 29-undersized fish) during the closure of both the recreational and commercial red snapper fisheries in the Gulf of Mexico, made false statements to a federal agent regarding his fishing activities, and took efforts to conceal the illegally taken fish.

"It's disheartening that this violation occurred on the heels of the nearly two million dollars recently assessed for similar red snapper closure violations," said NOAA Enforcement Attorney Cynthia S. Fenyk. "It tarnishes the image of the vast majority of fishermen who are obeying the laws designed to rebuild the overfished red snapper fishery." Adams was served with a Notice of Violation and Assessment (NOVA) and Notice of Permit Sanction (NOPS) and has 30 days to contest the charges.

"Offenders should be on notice that honest fishermen are fed up with this type of poaching activity," said Dale Jones, Chief of NMFS Enforcement. "NMFS Enforcement, its state law enforcement partners, and the Coast Guard will aggressively continue their cooperative efforts to enforce fisheries laws and regulations so that law-abiding fishermen are not disadvantaged and the resources are preserved."

NMFS urges citizens to report fishery violations during weekly business hours of 8:00 a.m. - 4:30 p.m. Eastern, to its Southeast Region Law Enforcement Division at (727) 570-5344, or after hours and weekends at its National Enforcement Hotline at (800) 853-1964.

**TENTATIVE AGENDA FOR MARCH
MEETING**

COMMITTEE SCHEDULE

Monday, March 20, 2000

Administrative Policy Committee

- Legal status of National Standard Guidelines

Habitat Protection Committee

- Oil Dispersant in Shallow Water
- NMFS Gear Effects Workshop

Red Drum Management Committee

- SAP meeting report
- Committee Recommendations

Joint Reef Fish/Mackerel Management Committees

- Ad Hoc Charter Vessel/Headboat AP
 - Proposal
 - Committee Recommendations

Tuesday, March 21, 2000

Stone Crab Management Committee

- Trap Certificate Program for Fishery
 - Summary of Provisions
 - Committee Recommendations

Shrimp Management Committee

- Review of Scoping Workshop Summaries

Joint Marine Reserves/Reef Fish Committee

- Options Paper for Tortugas 2000 Marine Reserves Amendment

Mackerel Management Committee

- Dolphin/Wahoo FMP
 - InterCouncil Committee Recommendations
 - Future Actions

Reef Fish Management Committee

- Preliminary Amendment 18 Scoping Document
- Requiring Imported fish to be Consistent with Federal Size Limits

COUNCIL MEETING

Wednesday, March 22, 2000

- I. Call to Order and Introductions - Shipp
- II. Adoption of Agenda - Shipp
- III. Approval of Minutes - Shipp

IV. Committee Reports

- a. Report of Joint Reef Fish/Mackerel Committees - Minton/R. Williams
- b. Red Drum Management - Foote
- c. Reef Fish Management - Minton
- d. Administrative Policy - King
- e. Habitat Protection- Frugé
- f. Stone Crab Management - Lessard

Thursday, March 23, 2000

IV. Committee Reports (Continued)

- g. Mackerel Management - R. Williams
- h. Joint Marine Reserves/Reef Fish Management - K. Williams/Minton
- i. Shrimp Management - Aparicio

V. NMFS Billfish AP Report - Basco

VI. NMFS HMS AP and ICCAT Advisory Committee Reports - Claverie

VII. Enforcement Reports - Fiedler, Cinalli, Proulx, Leard

VIII. Coral Reef Task Force and SAFMC Liaison Reports - Fischer

IX. NOAA Strategic Planning Meeting - Shipp

X. NMFS Regional Administrator's Report - Hogarth

XI. Director's Reports - R. Williams, Minton, Perret, Foote, Osburn, Simpson, Frugé

XII. Other Business - Shipp

Although non-emergency issues not contained in the agenda may come before the Council for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), those issues may not be the subject of formal Council action during this meeting. Council action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305 (c) of the MSFCMA, provided the public has been notified of the Council's intent to take final action to address the emergency.

Next Council Meeting May 15-18, 2000

Radisson Hotel New Orleans

1500 Canal Street

New Orleans, Louisiana 70112

GULF FISHERY NEWS WANTS YOUR NEWS AND VIEWS

GULF FISHERY NEWS is a publication of the Gulf of Mexico Fishery Management Council. Any material in this newsletter may be reprinted or reproduced. We would like to hear from you regarding fishery questions you would like to see covered in GULF FISHERY NEWS. GULF FISHERY NEWS can be contacted at c/o Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, Florida, 33619-2266. Telephone: 813-228-2815 (toll-free 888-833-1844). Fax: 813-225-7015. E-mail: gulfcouncil@gulfcouncil.org Website: <http://www.gulfcouncil.org>

The Gulf of Mexico Fishery Management Council is one of eight regional fishery management councils that were established by the Magnuson-Stevens Fishery Conservation and Management Act in 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. This is a publication of the Gulf of Mexico Fishery Management Council and financial assistance for this news release was provided by grant funds pursuant to National Oceanic and Atmospheric Administration Award No. NA07FC0015.