

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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COUNCIL SELECTS PREFERRED ALTERNATIVES FOR RED GROUPER REBUILDING PLAN AND DEEP-WATER GROUPER/TILEFISH QUOTA

At the March 2002 Gulf Council meeting in Mobile, Alabama, the Council selected preferred alternatives to implement a 10-year rebuilding plan for red grouper (the red grouper stock was declared overfished by NMFS in October 2000). In order to allow the red grouper landings to increase as the stock recovers, the Council proposed a strategy where the allowable red grouper catch will be set at 3-year

intervals. The first 3-year interval will need to achieve a total annual red grouper landings (commercial and recreational combined) of 3.14-4.29 million pounds gutted weight. This is a 36-53% reduction (mid-point 45%) from the 1990-2000 average of 6.683 million pounds gutted weight. The Council's preferred

NEXT COUNCIL MEETING

May 13-16, 2002
Hilton - Sandestin Beach
4000 Sandestin Boulevard South
Destin, Florida 32550



alternatives to achieve these harvest reductions are as follows:

Recreational fishing:

Closed season from August through November to recreational harvest of all shallow-water grouper (which is all groupers except misty, snowy, yellowedge, Warsaw, and speckled hind), in the Gulf of Mexico EEZ east of the Florida/Alabama state line. Within the existing 5 grouper recreational bag limit, no more than 2 red grouper are allowed. For permitted charter and head boats out over 24 hours which meet U.S. Coast Guard qualifications, a two-day bag limit will be allowed, i.e., 10 groupers of which no more than 4 can be red grouper.

Commercial fishing:

Change the existing February 15 - March 15 commercial closed season from being a Gulf-wide closure for red, gag, and black grouper to being a commercial closed season for all shallow-water grouper in the Gulf of Mexico EEZ east of the Florida/Alabama state line. Move the reef fish longline/buoy gear boundary from the 20-fathom contour east of Cape San Blas and the 50-fathom depth contour west of Cape San Blas to the 50-fathom contour Gulf-wide. Reduce the shallow-water aggregate grouper quota by an amount equal to an adjustment in the commercial allocation of red grouper allowable catch.

The above preferred alternatives are intended to achieve proportional harvest reductions in both the commercial and recreational fisheries. The closed seasons apply to all shallow-water grouper rather than only red grouper in order to minimize the possibility of release mortality of red grouper by fishermen fishing for other grouper species. Prior to the second and third 3-year intervals of the rebuilding plan, the stock will be re-evaluated to determine what harvest levels need to be achieved.

In addition to the above preferred alternatives for shallow-water grouper, the Council also voted to add deep-water grouper (misty, snowy, yellowedge, Warsaw, speckled hind, and, once the shallow-water grouper quota is filled, scamp) and tilefish quota alternatives (currently part of Reef Fish Amendment 18) into the Secretarial Red Grouper Amendment.

The preferred alternative for this section would be to change the existing quotas for deep-water grouper (1.6 million pounds whole weight, equal to 1.53 million pounds gutted weight) and tilefish (currently there is no tilefish quota) to a single combined deep-water grouper/tilefish quota of 1.39 million pounds gutted weight. This is the average annual harvest of deep-water grouper and tilefish combined from 1996-2000. The addition of deep-water grouper/tilefish quota alternatives to the amendment was made to pro-actively respond to the likelihood of additional fishing pressure on these species as a result of moving the longline/buoy gear boundary out to 50 fathoms along with closed seasons on the shallow-water grouper aggregate. These alternatives were part of the draft Amendment 18 public hearings held in the summer of 2001, and represent a logical extension of the regulations implementing a red grouper rebuilding plan.

These preferred alternatives are only preliminary decisions. The Council will take additional public testimony at its May 13-16 meeting in Destin, Florida and at its July 8-11 meeting in Sarasota, Florida before making its final approval of the amendment. After the Council makes its approval, final approval and implementation will be up to NMFS after reviewing public comment on the proposed rule.

A new red grouper stock assessment is being prepared by NMFS, but it will not be ready before legal deadline of July 2002 for the Council and NMFS to submit a rebuilding plan. Therefore, the rebuilding plan currently being developed is based on the 1999 assessment with some additional analyses conducted in 2000 and 2001. The new assessment will be reviewed by the Council this fall. This assessment may or may not show results that are significantly different from the 1999 assessment. If the results of the new stock assessment warrant a different rebuilding strategy, the Council may choose to submit a revised rebuilding plan to NMFS at that time.

A stock assessment is also being prepared by NMFS for yellowedge grouper, the primary species in the commercial deep-water grouper harvest. This assessment will also be reviewed by the Council this fall. Depending upon the results of the assessment, the need for additional deep-water grouper management measures will be considered.

SFA STATUS CRITERIA

Through the rest of the year, the Gulf Council will be working on setting status criteria for gag, greater amberjack, and coastal pelagic species (e.g., king mackerel, Spanish mackerel, and cobia). Status criteria are measures that can be used to determine the condition of a stock.

In 1996, Congress passed the Sustainable Fisheries Act (SFA) that implemented new requirements for marine fisheries managed by the Gulf Council and other regional management councils. The Council had responded to this by developing the Generic SFA Amendment that included among other actions, the specification of higher standards for overfishing and overfished criteria that would restore fishery stocks to maximum sustainable yield (MSY) levels. However, since the time the amendment was submitted to the NMFS, the NMFS had determined that biomass-based proxies for MSY, optimum yield (OY), and minimum stock size threshold (MSST) were superior to fishery mortality-based reference points such as spawning potential ratio (SPR) that were used in Council's amendment. Therefore, the NMFS disapproved the Council's SPR-based reference points of MSY, OY, and MSST. However, SPR-based thresholds that the Council chose to define overfishing were allowed by NMFS.

In order to understand how overfishing and overfished criteria are developed, it is important to understand MSY. According to the National Standard Guidelines (NSG) developed by NMFS, MSY is defined as the "largest long-term average catch or yield that can be taken from a stock or stock complex under prevailing ecological and environmental conditions." Associated with MSY is a stock size (biomass at MSY or B_{MSY}) that is the "long term average size of the stock or stock complex, measured in terms of spawning biomass or other appropriate units, that would be achieved under an MSY control rule in which the fishing mortality rate (F) is constant." The MSY control rule means a harvest strategy that would be expected to result in a long-term average catch approximating MSY.

The MSST and the maximum fishing mortality threshold (MFMT) are two important parameters dictated by the NSGs for use in the MSY control rule regarding overfished and overfishing status for a stock, respectively. These two parameters are called

status determination criteria. If the current stock size is below MSST, then the stock is overfished. If the current F is above MFMT, then overfishing is occurring on the stock.

In selecting a MSST, NMFS NSGs advise that "to the extent possible, the stock size threshold should equal whichever of the following is greater: one-half the MSY stock size (B_{MSY}), or the minimum stock size at which rebuilding to the MSY level would be expected to occur with 10 years if the stock or stock complex were exploited at the MFMT." NMFS technical guidance for the precautionary approach to the setting of OY has recommended to setting MSST so that is related to the natural mortality rate (M) of a stock. This guidance is that MSST should be equal to $0.5 * B_{MSY}$ or $(1-M) * B_{MSY}$; whichever yields the largest MSST. The theory behind using M as an indicator of what level to set MSST is that a stock fished at F_{MSY} (the F that will achieve MSY) should fluctuate around B_{MSY} on a scale related to M (i.e., populations with small values for M are generally more stable than populations that have higher values of M). As an example of how these measures can be applied, the Gulf of Mexico greater amberjack stock has an estimated value of M equal to 0.24. Therefore, the MSST value recommended by NMFS technical guidance would be $1-M$ or $0.76 * B_{MSY}$ because this MSST level is greater than $0.5 * B_{MSY}$. For a species like dolphin where M is greater than 0.5 (estimated M between 0.68 and 0.80), the MSST value recommended by NMFS technical guidance would be $0.5 * B_{MSY}$.

The other parameter needed for the status determination of a stock is MFMT. This is a fishing mortality threshold that should not exceed F_{MSY} . Fishing at a level above MFMT for a period of 1 or more years would constitute overfishing. In general, MFMT is set at F_{MSY} or some proxy of F_{MSY} . MFMT values were approved by NMFS in the SFA Generic Amendment and were associated with the F that would generate a yield associated with a certain SPR level thought to approximate MSY. For example, the MFMT value for Gulf of Mexico greater amberjack was associated with the F value needed to maintain 30 percent static SPR ($F_{30\%SPR}$). (continued on next page)

The other reference point needed for a stock or stock complex as a result of the SFA is OY. OY is a target

reference point that should be set no higher than MSY (a limit reference point). OY can be set through either an analysis of the risk associated with various yield levels and selecting the appropriate risk adverse strategy, or by selecting a particular yield level where the probability of exceeding the limit (or MSY) is below some level. One method recommended in NMFS Technical Guidance is to set OY at the yield corresponding to the F value that is 75 percent of F_{MSY} (i.e., $0.75 * F_{MSY}$). An analysis of the corresponding OY associated with fishing at this F value finds that OY will be 94 percent or better of MSY once the stock has achieved equilibrium. F refers to the proportion of fish that are removed by fishing each year. In this case, the proportion of fish being removed from the stock at F_{OY} is less than the proportion removed at F_{MSY} . At this lower harvest rate, the stock size can grow to a larger level. Thus, OY is more than 75 percent of MSY because the stock has a chance to build to a level higher than B_{MSY} (estimated to between 125-131 percent of B_{MSY}).

To show where stocks are in relation to being overfished or experiencing overfishing, stock assessments often use control rule plots. These plots compare current levels of fishing mortality and stock biomass to MFMT and MSST through ratios. If the current F level is greater than MFMT, the ratio will be greater than 1 and the stock will be experiencing overfishing. If the current biomass level is less than MSST, then the ratio will be less than the multiplier used to determine MSST from B_{MSY} (e.g., 1-M). In

the plot below, if the stock assessment results indicate that the stock is in quadrants 1 or 4, then the stock is undergoing overfishing. If the stock is assessed at being in quadrants 1 or 2, then the stock is overfished. Stocks that are in quadrant 1 are overfished and experiencing overfishing while stocks in quadrant 3 are considered healthy.

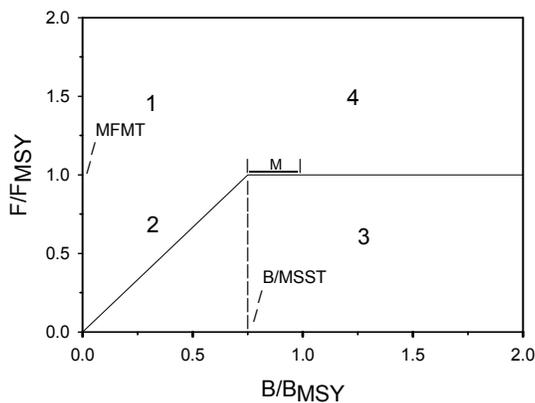
Stock assessment results can be presented in a control rule plot as either a point estimate (one point) or as a cloud of points that represent a range in variation of input parameters. If the results are presented in a cloud of points, then the status of the stock can associated with the proportion of points that fall on one side or the other of the control rule lines.

COUNCIL CHOOSES PREFERRED ALTERNATIVES FOR COASTAL PELAGIC STATUS CRITERIA

At its March 2002 meeting, the Gulf Council selected preferred alternatives for status criteria of king mackerel, Spanish mackerel, and cobia. These management measures will be approved through a regulatory amendment (For a discussion of status criteria and elaboration on acronyms, see the article in this newsletter titled “SFA Status Criteria”). Preferred alternatives were as follows:

For Gulf group king mackerel, the proposed alternative for MSY would be the yield associated with $F_{30\%SPR}$ when the stock is at equilibrium; OY would be the yield associated with an $F_{40\%SPR}$ when the stock is at equilibrium; the overfishing threshold (MFMT) would be equal to $F_{30\%SPR}$ (a proxy for F_{MSY}) and the stock would be considered undergoing overfishing if the probability that the current fishing mortality rate ($F_{current}$) is larger than F_{MSY} is greater than 50%; and the overfished threshold (MSST) would be $(1-M)*$ or 80% of B_{MSY} and king mackerel stocks in the Gulf of Mexico would be considered overfished if the probability that $B_{current}$ is less than MSST is greater than 50 percent.

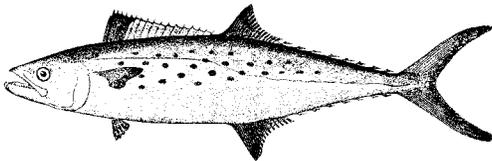
For Gulf group Spanish mackerel the proposed alternative for MSY would be the yield associated with $F_{30\%SPR}$ when the stock is at equilibrium; OY would be the yield associated with an $F_{35\%SPR}$ when the stock is at equilibrium; the overfishing threshold (MFMT) would be equal to $F_{30\%SPR}$ (a proxy for F_{MSY})



Control rule plot

and the stock would be considered undergoing overfishing if the probability that F_{current} is larger than F_{MSY} is greater than 50 percent; and the overfished threshold (MSST) would be $(1-M)^*$ or 70% of B_{MSY} and Spanish mackerel stocks in the Gulf of Mexico would be considered overfished if the probability that B_{current} is less than MSST is greater than 50 percent.

For Gulf of Mexico cobia the proposed alternative for MSY would be the yield associated with F_{MSY} when the stock is at equilibrium; OY would be the yield corresponding to a fishing mortality rate (F_{OY}) defined as: $F_{\text{OY}} = F_{40\% \text{SPR}}$ when the stock is at equilibrium; the overfishing threshold (MFMT) would be equal to F_{MSY} ; and the stock would be considered undergoing overfishing if the probability that F_{current} is larger than F_{MSY} is greater than 50%; and the overfished threshold (MSST) would be $(1-M)^*$ or 70% of B_{MSY} , and the cobia stocks in the Gulf of Mexico would be considered overfished if the probability that B_{current} is less than MSST is greater than 50 percent.



COUNCIL SELECTS PREFERRED ALTERNATIVES FOR A GREATER AMBERJACK REBUILDING PLAN AND STATUS CRITERIA

In a February 9, 2001 letter, NMFS notified the Council that the Gulf of Mexico stock of greater amberjack was overfished, but was not currently experiencing overfishing. NMFS concluded that overfishing is not currently occurring due to the recent implementation of management measures that were not reflected in the stock assessment. These measures included: 1) a reduction in the greater amberjack recreational bag limit from 3 to 1 fish (implemented 1997); 2) a commercial closed season during March, April and May (implemented 1998); and 3) partial protection of misidentified juvenile greater amberjack by establishment of a slot limit on lesser amberjack/banded rudderfish prohibiting harvest between 14 and 22 inches fork length plus an

aggregate 5-fish recreational bag limit. As a result of this finding, additional measures to end overfishing are not needed. However, a plan to rebuild the stock that complies with SFA and the NMFS National Standard Guidelines must be specified.

At its March 11-14, 2002 meeting, the Gulf Council selected preferred alternatives for both a rebuilding plan and SFA status criteria. The Council voted to institute a 10-year rebuilding plan for greater amberjack where TAC is held constant for 3-year intervals. The TAC would be set at yields derived from a $F_{40\%}$ constant catch rebuilding scenario with TAC being set at 2.917 mp for 2003-2005, at 5.162 mp for 2006-2008, at 7.012 mp for 2009-2011, and at 7.919 mp for 2012. This rebuilding plan was one of the more conservative plans the Council examined and is advantageous in that it holds TAC constant for three-year intervals that should give the fishery increased stability.

The Council also selected preferred alternatives for SFA status criteria. These were: MSY would be the yield associated with $F_{30\% \text{SPR}}$ when the stock is at equilibrium; OY would be the yield associated with an $F_{40\% \text{SPR}}$ when the stock is at equilibrium; the overfishing threshold (MFMT) would be equal to $F_{30\% \text{SPR}}$ (a proxy for F_{MSY}) and the stock would be considered undergoing overfishing if the probability that F_{current} is larger than F_{MSY} is greater than 50%; and the overfished threshold (MSST) would be $(1-M)^*$ or 76% of B_{MSY} and greater amberjack stocks in the Gulf of Mexico would be considered overfished if the probability that B_{current} is less than MSST is greater than 50 percent. For a discussion of status criteria and elaboration on acronyms, see the article in this newsletter titled "SFA Status Criteria."

The rebuilding plan will be addressed through a Secretarial Plan amendment because the Council did not submit the plan within the required 1-year time frame. The SFA status criteria will be addressed in a separate regulatory amendment to the Reef Fish Fishery Management Plan (FMP).

INFORMATIONAL UPDATE FROM THE SOUTHEAST REGION PERMITS OFFICE

In order to better serve fishing permit holders, the Southeast Regional Office has been working with the NMFS Office of Science and Technology over the past 14 months to upgrade their permit database system. NMFS may be contacting permit holders via telephone or mail over the next few months to certify the accuracy of the previously collected information. Also, the permits printed under the new Oracle-based system will be slightly different in appearance, with one fishery permit printed on each page. This will not affect the validity of fishing permits, permit history, or NMFS' renewal process.

Informational items of interest include:

- If transferring a Federal vessel permit to a different owner, all parties must sign the back of the transferrable permit(s) beginning April 1, 2002.
- The new Floy Tag fee will be \$1.30 per trap tag after March 29, 2002.
- To assist permit holders with the application process, the following are some common problems encountered during application processing, as well as some other helpful reminders:
 - Copies or facsimiles of current (not expired) U.S. Coast Guard Documentation or State Registration must be provided with all vessel applications.
 - Enclose a check or money order (payable to the U.S. Treasury) in the correct amount for the number of fisheries selected.
 - Include all copies or facsimiles of tax information and/or receipts for gross sales of fish, if required for that fishery.
 - Applicable logbooks must be current prior to renewal or transfer of any vessel permit.
 - Failure to submit all required documents with application could result in return of your application documents and the delay of your permit issuance.
 - A completed application and all required supporting documents must be submitted at

least 30 days prior to the date on which you desire to have the permit made effective.

- Permits are processed in the order in which they are received. Please plan accordingly, particularly when transferring permits near the time of a fishery opening.
- Any change to the vessel or dealer permit information (i.e., vessel sunk, address change, name change, vessel sold, etc.) must be submitted in writing within 30 days after change to: NMFS, Permits Office, 9721 Executive Center Drive N, Suite 105, St. Petersburg, FL 33702. The permit is considered void if any change is not reported within 30 days.
- It is the responsibility of the permit holder to be informed of any and all changes in the Federal fishing regulations. If copies of those regulations are needed, the NMFS Permits Office can be contacted at the above address. The regulations are also found on the NMFS website: <http://caldera.sero.nmfs.gov>.

RED SNAPPER RECREATIONAL FISHERY IN GULF OF MEXICO FEDERAL WATERS WILL OPEN APRIL 21, 2002 THROUGH OCTOBER 31, 2002

The recreational fishery for red snapper in Gulf of Mexico Federal waters will open at 12:01 a.m., on April 21, 2002, with a 16-inch minimum size limit and a four-fish bag limit that includes captain and crew of for-hire vessels. The fishery will close at midnight on October 31, 2002, when the recreational quota of 4.47 million pounds is projected to be caught.

The commercial red snapper Spring fishery opened at noon on February 1, 2002 and had its first monthly closure at noon on February 10. The commercial season will continue to open from noon on the 1st of each month until noon on the 10th of each month until the Spring sub-quota of 3.10 million pounds has been harvested. At that point, the fishery will close until October 1, 2002 when it will reopen under a sub-quota of 1.55 million pounds (adjusted for any over or under harvest in the Spring).

NOAA, NATIONAL PARK SERVICE, SPEARHEADED EMERGENCY CORAL REEF RESTORATION ACTIVITIES IN FLORIDA'S DRY TORTUGAS

The National Oceanic and Atmospheric Administration (NOAA) and the National Park Service (NPS) have joined forces in Florida to restore coral reefs and seagrass in the Dry Tortugas National Park damaged by three recent shrimp boat groundings and an oil spill. Last week, NOAA began the restoration work near Ft. Jefferson through its Habitat Restoration Center and National Marine Sanctuaries Program working in concert with the NPS, the state of Florida and Mote Marine Laboratory.

"The extensive damage caused by the groundings and oil spills in the seagrass and coral in the park's prime visitor swim area is tragic," said Superintendent of Everglades and Dry Tortugas National Parks, Maureen Finnerty. "This emergency response for coral salvage and continuing oil spill impacts is absolutely time critical and crucial to the long-term restoration effort."

Finnerty expressed her deep appreciation for the diligence, professionalism and efficiency with which the United States Coast Guard, Florida Keys National Marine Sanctuary and Titan Marine Engineering staff have offered immediate response and assistance to work with local park staff to salvage the vessels and assess the extent of damage.

"Experience has shown us that coral reef habitats stand a better chance to rebound quickly if restoration is done soon after damage has occurred," said Bill Hogarth, director of NOAA's National Marine Fisheries Service. "We are pleased to be able to swiftly rally resources and support from our partners to meet the restoration needs of these coral reefs and seagrass beds adjacent to Ft. Jefferson in the Dry Tortugas National Park."

In two incidents on December 16, 2001 and January 3, 2002, three shrimp boats grounded in the Dry Tortugas National Park, 68 miles west of Key West, Fla. One vessel grounded was successfully removed, but not before significant damage to coral and seagrass beds occurred. The second incident involved two shrimp boats that grounded close to the historic Fort Jefferson. One vessel broke-up and spilled approximately 2000 gallons of diesel fuel. The other

was carried by surge and wind up against the moat wall, where it partially broke-up. The area of these groundings is both within and adjacent to the park's most popular swimming and snorkeling area. The groundings caused significant injuries to seagrass and numerous reef corals.

Given the remote location of the site, response and salvage efforts are difficult and expensive. The NOAA Restoration Center secured funding agreements from several sources: NOAA Restoration Center funds, the NOAA Fisheries Southeast Region coral reef initiative, the Florida Department of Environmental Protection Bureau of Emergency Response and the Disney Corporation's Wildlife Conservation Fund.

Matching in-kind support is being provided by the National Park Service, Florida Keys National Marine Sanctuary, NOAA Restoration Center, Florida Marine Research Institute and Florida Department of Environmental Protection. This support will be used to conduct emergency stabilization of the damaged areas and some restoration-- particularly of the coral resources.

GULF COUNCIL TO HOLD WORKSHOPS ON DEVELOPMENT OF THE PEIS FOR THE GENERIC AMENDMENT FOR EFH

The Gulf Council has recently contracted with MRAG Americas, Inc. to prepare a Programmatic Environmental Impact Statement (PEIS) for the Council's Generic Amendment for Essential Fish Habitat (EFH) in the Gulf of Mexico. MRAG Americas has assembled a team of biologists, economists, GIS specialists, and NEPA specialists, to develop a comprehensive PEIS that addresses all NEPA requirements and the settlement agreement that was recently reached in *AOC et al. v. Daley et al.*

As part of this effort, the Council and the MRAG Americas Team consider it very important to involve potential stakeholders throughout the process of the PEIS development to the greatest extent possible. Therefore, two workshops have been organized to take place in mid-April, one in Washington, DC and one in New Orleans, Louisiana to initiate this process. Each meeting will begin with a focus group

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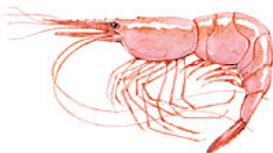
workshop of interested participants from 9:00 a.m. to 12:00 noon. The consultants will present an outline of the structural components of the PEIS and review and discuss with participants the potential alternatives for defining EFH, defining habitat areas of particular concern (HAPCs), and potential impacts to and for minimizing fishing impacts on EFH. A public comment session will be held from 1:00 p.m. to 3:00 p.m.

The meetings times and locations are:

Tuesday, April 16, 2002
Silver Spring, Maryland
Holiday Inn
8777 Georgia Avenue (Route 97)
Silver Spring, Maryland
telephone: 301-589-0800

Wednesday, April 17, 2002
Kenner, Louisiana
New Orleans Airport Hilton
901 Airline Drive
Kenner, Louisiana
telephone: 504-469-5000

Ms. Heidi Lovett, consultant from the MRAG Americas Team, will coordinate these workshops and can be reached at 813-639-9519 or through email: heidilovett@compuserve.com. These will not be the only workshops scheduled; other opportunities for public and stakeholder involvement exist during the PEIS development process and will be noticed accordingly.



COMMENT PERIOD OPEN ON SHRIMP AMENDMENT 11

The NMFS is taking written comments on Amendment 11 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (FMP). The proposed rule would require owners or operators of all boats and vessels harvesting shrimp in the exclusive economic zone (EEZ) of the Gulf of Mexico to obtain a commercial vessel permit for Gulf shrimp; prohibit the use of traps to harvest royal red shrimp in the Gulf EEZ; and prohibit the transfer of royal red shrimp at sea. For a copy of the plan

amendment, contact the Gulf Council office (see page 16 for details) or by contacting the Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702. All comments on the proposed rule must be received before 4:30 PM eastern time on April 11, 2002 and comments should be sent to Dr. Steve Branstetter at the Southeast Regional Office. Written comments regarding the collection of information requirements associated with completing an application form for the proposed permit may be submitted to Robert Sadler, also of the Southeast Regional Office, or to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503 (Attention: NOAA Desk Officer).

GULF COUNCIL SELECTS PREFERRED ALTERNATIVE FOR SHRIMP AMENDMENT 10

The Gulf Council selected its preferred alternative for Amendment 10 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico. This amendment contains alternatives for requiring additional measures to reduce bycatch in the shrimp fishery off the west coast of Florida, east of Cape San Blas (85°30' West Longitude). The Council moved that the preferred alternative be to require the installation of NMFS-certified bycatch reduction devices (BRDs) that meet or exceed the bycatch reduction criteria established by the Council in each net used aboard vessels trawling for shrimp in the Gulf of Mexico EEZ east of 85°30' West Longitude. Exempted are vessels trawling for royal red shrimp beyond the 100-fathom contour and vessels trawling for groundfish or butterfish. A single try net with a headrope length of 16 feet or less per vessel and no more than two rigid-frame roller trawls limited to 16 feet or less, such as those used in the Big Bend area of Florida are also exempted. Bycatch reduction criteria shall be that BRDs must reduce bycatch of finfish by [at least] 30% by weight. Other measures that were considered in the amendment but were not selected as preferred alternatives included area and/or seasonal closures. Final approval by the Council for the provisions of the amendment are scheduled for the May 13-16, 2002 meeting in Destin, Florida.

GULF SAFETY COMMITTEE SCHEDULES MEETING IN LAROSE LOUISIANA ON OFFSHORE RIG SECURITY ZONES

The Gulf Safety Committee (GSC), a group consisting of representatives from companies involved in Gulf of Mexico (GOM) offshore drilling plus representatives from various government agencies has scheduled a public meeting April 17, 2002 in Larose, Louisiana to discuss potential security zones around offshore platforms, including how to accommodate fishing and other legitimate activities within the security zones. Items on the agenda include: GOM safety zones-what are they; GOM security zones-a new tool; Loop's safety zone; typical fishing techniques around offshore facilities; potential hazards near offshore facilities; and potential contacts for GSC members. The meeting is scheduled from 5:00 p.m. – 8:00 p.m. on Wednesday, April 17, 2002 at Larose Regional Park, 307 East Street, Larose, Louisiana. Mr. Myron Fisher serves as the Council representative to the GSC and also represents the Louisiana charter boat industry.

MDMR EXECUTIVE DIRECTOR ANNOUNCES RESIGNATION

Glen H. Carpenter, Executive Director of the Mississippi Department of Marine Resources (MDMR), has announced his resignation from the state regulatory agency, effective April 30, 2002, citing a desire to pursue other career opportunities as the reason for his departure. Mr. Carpenter was appointed by Gov. Ronnie Musgrove on Nov. 30, 2000 to head the agency, which is charged with the wise stewardship of the state's valuable marine and coastal resources.

Under his leadership the Department made great strides in developing one of the nation's first mitigation compliance programs and utilizing GIS and remote-sensing technology to further the agency's mission.

"Over the past year, I have come to appreciate the staff of the Department of Marine Resources for the professionalism and enthusiasm they bring to work with them each day," said Carpenter. "I am grateful to Gov. Musgrove for having given me the opportunity to serve the people of Mississippi."

FWC DIRECTOR ANNOUNCES APRIL 30 RETIREMENT PLANS

Allan L. Egbert, Ph.D., announced his plans to retire April 30 from his post as Executive Director of the Florida Fish and Wildlife Conservation Commission (FWC). Egbert has headed the state's fish and wildlife agency for the past eight years.

During his 24 years of employment with the FWC and the former Game and Fresh Water Fish Commission, Egbert has worked as a wildlife biologist and administrator.

Egbert said he initially intended to serve as the FWC's executive director for five years. "I've stayed with it eight years," he said. "I feel like it's time to move on to something else." Egbert said he is considering various options, but declined to be specific.

FWC Chairman John Rood said he and the five other current Commissioners are saddened by Egbert's impending departure. He said Egbert has been a personal friend to the Commissioners as well as a first-rate leader for the agency's 1,800 employees.

"In a state, like Florida, where environmental issues are so complex and dynamic, it requires the highest caliber of leadership to administer fish and wildlife conservation," Rood said. "Dr. Egbert has never failed to measure up to the task, and it will be extremely difficult to replace him."

Egbert, reflecting on his tenure as head of the state's fish and wildlife agency, said he is particularly proud of his role in development of the biodiversity program, which led to maturation of the Game and Fresh Water Fish Commission (GFC) into a comprehensive fish and wildlife agency.

"I was privileged to preside over the merger of three agencies into the FWC," he said. "It was difficult and required long hours, but I think we have made good progress. Florida's fish and wildlife are generally in good condition, and those species in precarious status are the subjects of active management efforts."

Mr. Ken Haddad, current director of the FWC's Florida Marine Research Institute (FMRI), has been selected as Dr. Egbert's replacement to head the agency. Mr. Haddad has headed FMRI since 1993. His appointment is subject to confirmation by the Florida Senate next year.

FLORIDA LEGISLATURE TIGHTENS RULES ON THE SALE OF FISH

The Florida Legislature passed a bill that creates penalties for purchase or sale of illegally harvested saltwater products taken in violation of specified provisions of the State Constitution. This means that the selling of saltwater products by unlicensed sellers is a major violation with fines for buyers and sellers for the first offense of up to \$2,500. Fines for a second violation are up to \$5,000. The bill clarifies that licenses or permits under which a violation are committed may be subject to suspension or revocation.

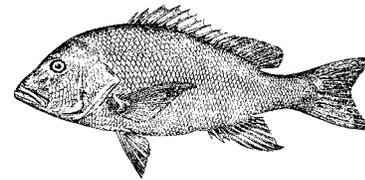
COAST GUARD RECEIVES USFWS SOUTHEAST REGION CONSERVATION AWARD

Lieutenant Commander David Cinalli, who represents the 7th United States Coast Guard District (District) at Gulf Council meetings, and the District staff were awarded the 2001 U.S. Fish and Wildlife Service (USFWS) Southeast Region Conservation Award. This award was given in recognition of the District's efforts to enforce laws to protect manatees within the region. Lieutenant Commander Cinalli has demonstrated strong leadership and direction in a complex program that has achieved dramatic results in manatee protection. Under his guidance and strategic planning, involving all levels of governmental participation, the Coast Guard has become an increasingly strong partner in manatee recovery efforts with the USFWS. Through developing a superb training program and utilizing the training team at the Southeastern Fisheries Training Center, the District completed more than 1,500 enforcement boardings. These boardings have resulted in more than 700 notices of violation, a 700 percent increase since Lieutenant Commander Cinalli assumed responsibility of the program in 1999.

LDWF NABS RED SNAPPER VIOLATORS

On February 28, 2002, Louisiana Department of Wildlife and Fisheries (LDWF) Enforcement Division agents cited four men for allegedly violating federal fisheries laws. The agents were patrolling in the Gulf of Mexico approximately 75 miles offshore in federal waters, working under a Joint Enforcement

Agreement (JOA) with the National Oceanic and Atmospheric Administration Office (NOAA) of Enforcement.



The Austin T., a fishing boat out of Tampa, Florida was boarded for inspection and a total of 84 red snapper were discovered. The season for red snapper was closed in federal waters and was not set to open until March 1 at noon. The boat captain identified as Daniel J. Fidler, 43 of Chipley, Florida and crew members Scott A. Brown, 39, John Ro1f, 27, both of Panama City, Florida, and Jerry P. Naquin, 41, of Dulac, Louisiana, were all cited for taking a federally controlled fish in a closed season and taking under-sized red snapper.

All the snapper were seized and sold. The money will be held in an escrow account until the case is prosecuted. If convicted of violating federal fisheries regulations the men could face fines of up to \$15,000.

On March 20, LDWF agents of the Special Investigations Unit responded to complaints of red snapper smuggling by workers from offshore oil facilities during the closed season. While working under a JOA with NOAA, agents identified five offshore workers who had red snapper fillets and white trout hidden in duffle bags, coming in via helicopter to the Chevron dock in Leesville, Louisiana. Agents seized 29.2 pounds of red snapper fillets and 15 headless white trout. Travis Leblanc, 32, of Erath, Joseph Shon Calcote, 21, of Leesville, Christopher Butler, 22, of Otis Timothy Dewayne Vines, 32, of Zwolle, and Jonathan Keith Lopez, 30, of Noble, were all cited for allegedly violating statutes for failure to have saltwater fish intact when set onshore and allegedly violating LDWF Commission Rules and Regulations for taking and possessing red snapper during the closed recreational red snapper season. The penalty for failure to have saltwater fish intact is a fine of up to \$500, or up to 90 days in jail, or both, plus court costs. The penalty for violating commission rules and regulations is a fine of up to \$350, or up to 60 days in jail, or both, plus court costs.

NOVAs ISSUED BETWEEN OCTOBER 1, 2001 THROUGH DECEMBER 31, 2001

CASE NUMBER	RESPONDENT NAME	AREA	LE UNIT	CASE DESCRIPTION	NOVA AMOUNT	NOFF* AMOUNT	PROPOSED NOPS** DURATION
SE981039MS	Fernando Melendez John R. Hilbert	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral or seagrass	\$9,200.00		
SE990107FM	Juan Rodriguez-Puente Independent Fish Co., Inc.	GOM	USCG	1) possess prohibited species (Goliath grouper) 2) fail to maintain fish (cobia) intact through offloading ashore	\$4,000.00 \$1,500.00		
SE990329FM	Curtis L. Hopkins W. J. of Tampa, Inc.	GOM GOM	USCG USCG	1) fail to maintain red grouper intact through offloading 2) dispose of fish after signal from authorized officer 3) interfere with investigation fail to maintain red grouper intact through offloading	\$3,000.00 \$2,500.00 \$2,500.00 \$3,000.00		30 days
SE000162FM	C. Frisky, Inc. Luis Linarte	GOM	USCG	fish in Tortugas Shrimp Sanctuary	\$12,000.00		
SE000654ES	Linh Nguyen Jose Soria Higuera	GOM	LA	unlawfully possess endangered or threatened sea turtle	\$ 600.00		
SE000910FM	Dick's Seafood Mark T. Nahon	GOM	NMFS	make false statement to authorized officer	\$1,000.00		
SE000911FM	Captain D's Fishing, Inc.	GOM	NMFS	falsify or fail to record, report, or maintain information required to be recorded, reported, or maintained	\$1,500.00		
SE001312ES/FM	Binh Van Nguyen	GOM	USCG	1) TED violation 2) BRD violation	\$2,000.00 \$3,000.00		
SE010172FM	Thai Hung, Inc. Cui Hoa Lam	GOM	USCG	BRD violation	\$ 6,000.00		
SE010370FM	Island Way Charters, Inc. Kristopher Adam Sahr	GOM	USCG	unlawfully possess or land fish (greater amberjack) in excess of commercial trip limits	\$1,500.00		15 days
SE010540FM	John Tran St. Joseph Fishery, Inc.	GOM	USCG	fail to maintain shark in its proper form	\$12,000.00	\$2,843.50	30 days
SE010546FM	Miss Susan, Inc. Randole Scott	GOM	USCG	bottom trawling in Florida Middle Grounds	\$12,000.00	\$10,095.40	
SE010580FM	Michael Duke	GOM	USCG	1) possess undersize red snapper 2) fail to maintain fish intact through offloading	\$1,000.00 \$1,000.00		
SE015228MS	Jogly Diaz	FKNMS	FFWCC	fish in sanctuary preservation area	\$ 600.00		
SE015392MS	John Tellam	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral or seagrass	\$ 5,000.00		
SE015247MS	Pablo Corbo	FKNMS	FFWCC	fish in sanctuary preservation area	\$ 600.00		
SE015250MS	William Diaz	FKNMS	FFWCC	fish in sanctuary preservation area	\$ 600.00		

SE015252MS	Neil Callahan	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral or seagrass	\$1,000.00		
SE015253MS	Fred Grothe	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral or seagrass	\$ 200.00		
SE015282MS	Arturo Henry Noriega	FKNMS	FFWCC	fish in sanctuary preservation area	\$ 600.00		
SE015294MS	Brian Walker	FKNMS	FFWCC	illegal lobster traps in Spa	\$5,000.00		
SE015295MS	Jose Castillo	FKNMS	FFWCC	1) interfere with investigation 2) unauthorized entry into special use area	\$1,000.00 \$ 500.00		
SE015301MS	Claudio Luca Po	FKNMS	FFWCC	fish in sanctuary preservation area	\$ 600.00		
SE015306MS	Ernesto Escobedo	FKNMS	NMFS	fish in sanctuary preservation area	\$ 150.00		
SE015325MS	Byzantine Maritime Corp. Dimitrio Katoadis	FKNMS	USCG	ATBA violation	\$10,000.00		
SE015326MS	Neil Drew	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral or seagrass	\$1,500.00		
SE015327MS	Vito Ciacciulli	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral or seagrass	\$1,000.00		
SE015332MS	Lazaro Victorero	FKNMS	FFWCC	fish in sanctuary preservation area	\$2,500.00		
SE015334MS	Yossi Mano	FKNMS	FFWCC	fish in sanctuary preservation area	\$3,500.00		
SE015340MS	Mark Pomeranke	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral or seagrass	\$1,450.00		
SE015344MS	Marvin Frank	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral or seagrass	\$9,500.00		

NOPF* - NOTICE OF PROPOSED FORFEITURE

NOPS** - NOTICE OF PERMIT SANCTION

SETTLEMENTS BETWEEN October 1, 2001 and December 31, 2001

CASE NUMBER	RESPONDENT NAME	AREA	LE UNIT	CASE DESCRIPTION	FINAL AMOUNT	FORFEITED AMOUNT	PERMIT SANCTION
SE990154ES	Hoang Van Tran Bryant Shelvin	GOM	USCG	TED violation	\$1,748.00		
SE990601ES	Joseph Rice Lady Frances, Inc.	GOM	USCG	TED violation	\$ 1,750.00		
SE991149MS	Bryant Joseph Mesa	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 100.00		
SE000159FM	Darrell Knepp Elton Knepp	GOM	NMFS	fail to maintain fish intact through offloading and possessing undersize red grouper	\$1,875.00		
SE000486FM	William Cox Sea Fever, Inc.	GOM	USCG NMFS	1) fish in violation of gear restrictions and restrictions on take of fish 2) possess undersize grouper 3) fail to maintain shark in its proper form	\$17,000.00		15 days
SE000908FM	Star Chief, Inc. Ronnie Avery	GOM	NMFS	1) exceed commercial retention limit for shark 2) falsify records/fail to report	\$7,500.00		30 days

CASE NUMBER	RESPONDENT NAME	AREA	LE UNIT	CASE DESCRIPTION	FINAL AMOUNT	FORFEITED AMOUNT	PERMIT SANCTION
SE000910FM	Mark T. Nahon Dick's Seafood	GOM	NMFS	make false statements	\$750.00		
SE000911FM	Captain D's Fishing, Inc.	GOM	NMFS	falsify record or report	\$1,100.00		
SE001071MS	Donald G. Paskins	GOM	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$1,250.00		
SE001105ES/FM	Phan Van Nguyen Van Ha	GOM	USCG	TED violation BRD violation	\$7,000.00		
SE001128MS	Mario L. Morales	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$100.00		
SE001183FM	Mark Stuart	GOM	NMFS	1) operate vessel without valid permit 2) make false statements to officer	\$2,500.00		
SE001216MS	Henry Peter Noriega	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 175.00		
SE001245ES	Linda Tippitt John Williams	GOM	NMFS	TED violation	\$1,750.00		
SE001430MS	Nordstrand Maritime & Trading Captain Pulles	FKNMS	USCG	ATBA violation	\$7,500.00		
SE001446MS	James R. Quist	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$1,000.00		
SE010296FM	John R. Rawlings, Sr. Randall K. Vossler	GOM	NMFS	fish during closure (red snapper)	\$7,920.00	\$3,974.40	10 days
SE010297FM	Ralph E. Rawlings, Jr. John R. Rawlings, Sr. Hamlin B. Johnston	GOM	NMFS	fish during closure (red snapper)	\$7,920.00	\$4,012.80	10 days
SE010338ES	Roy Campo, Jr. Roy Campo, Sr.	GOM	USCG	TED violation	\$4,000.00	\$3,460.50	
SE010370FM	Island Way Charters, Inc. Kristopher Adam Sahr	GOM	USCG	unlawfully possess or land fish (greater amberjack) in excess of commercial trip limits	\$1,500.00		15 days
SE010480ES/FM	Thomas Flores/Craig Wallis Guadalupe Hurtado/Keith Wallis	GOM	USCG	1) TED violation 2) BRD violation	\$7,000.00	\$6,884.85	
SE015031MS	Almi Marine Management, SA Capt. P. Lourdes	FKNMS	USCG	ATBA violation	\$3,500.00		

CASE NUMBER	RESPONDENT NAME	AREA	LE UNIT	CASE DESCRIPTION	FINAL AMOUNT	FORFEITED AMOUNT	PERMIT SANCTION
SE015034MS	Emmanuel Aisina Arnaldo Gonzalez	FKNMS	FFWCC	1) dive without "diver down" flag 2) possess spearguns 3) interfere with investigation	\$2,000.00		
SE010546FM	Randole S. Scott Miss Susan, Inc.	GOM	USCG	bottom trawling in Florida Middle Grounds	\$7,500.00	\$10,095.40	
SE015063MS	Mark Munson	GOM	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$1,800.00		
SE015109MS	David L. Lewis	FKNMS	FFWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 250.00		30 days
SE015168MS	Alex R. Canalejo Randall B. Sterling	FKNMS	NMFS/ FFWCC	place structure, material or other matter on the seabed of the Sanctuary	\$15,000.00		5 years (lobster)
SE015176MS	Pan Ocean Shipping Capt. I. Hong Beom	FKNMS	USCG	ATBA violation	\$6,500.00		150 days
SE015178MS	Vidal Victor Lazo	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$1,500.00		
SE015210FM	Chance Enterprise, Inc. Robert Wells	GOM	FFWCC NMFS	fail to maintain red grouper intact through offloading	\$1,530.00		15 days
SE015211FM	Ernest Davis Gail Davis	GOM	USCG NMFS	fail to maintain shark in proper form	\$3,000.00		10 days
SE015247MS	Pablo Corbo	FKNMS	FFWCC	fish in sanctuary preservation area	\$2,000.00		
SE015250MS	William Diaz	FKNMS	FFWCC	fish in sanctuary preservation area	\$ 150.00		
SE015262MS	Neil F. Callahan	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$1,000.00		
SE015264MS	Arthur R. Windram	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$7,000.00		
SE015273MS	Gus Nuckols	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$5,000.00		
SE015282MS	Arturo Henry Noriego	FKNMS	FFWCC	fish in sanctuary preservation area	\$ 150.00		
SE015294MS	Brian Allen Walker	FKNMS	FFWCC	fish in sanctuary preservation area	\$3,750.00		
SE015295MS	Jose V. Castillo	FKNMS	FFWCC	i) interfere with investigation 2) fish in research only area	\$1,000.00 \$ 500.00		
SE015301MS	Claudio Po	FKNMS	FFWCC	fish in sanctuary preservation area	\$ 150.00		
SE015306MS	Ernesto Reinaldo Escobedo	FKNMS	FFWCC	fish in sanctuary preservation area	\$ 150.00		
SE015327MS	Vito S. Ciaciulli	FKNMS	FFWCC	operate a vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$1,000.00		
SE015334MS	Mano Yossi	FKNMS	FFWCC	fish in sanctuary preservation area	\$1,200.00		

TENTATIVE AGENDA FOR THE MAY GULF COUNCIL MEETING

COMMITTEE SCHEDULE

Monday, May 13, 2002

Shrimp Management Committee

- Review and Approval of Shrimp Amendment 10/EA/RIR
- Effects of Shrimp Trawling on Environment

Data Collection Committee

- GSMFC RecFIN/Com/FIN Programs

Habitat Protection Committee

- Options Paper for EFH PEIS Document

Spiny Lobster Committee

Tuesday, May 14, 2002

Reef Fish Management Committee

- Jewfish (Goliath Grouper) Status Reports
- Evaluation of Gag Marine Reserves
- Completion of Secretarial Amendment for Rebuilding Amberjack
- Reef fish Amendment 21 Scoping Document for Extension of Marine Reserves Rule
- Regulatory Amendment for Gag and Greater Amberjack Status Determination Criteria
- Report on Progress of Ad Hoc Red Snapper AP on Development of IFQ Profile

COUNCIL AGENDA

Wednesday, May 15, 2002

- I. Call to Order and Introductions
- II. Adoption of Agenda
- III. Approval of Minutes
- IV. Public Testimony¹
 - a. Shrimp Amendment 10

¹ Persons testifying must turn in the registration card prior to the start of the testimony period.

- b. Secretarial Greater Amberjack Rebuilding Amendment
- c. Secretarial Red Grouper Amendment

V. Ad Hoc Red Snapper AP Appointment (Closed Session)

Thursday, May 16, 2002

VI. Committee Reports

- a. Shrimp Management
- b. Reef Fish Management
- c. Lobster Management
- d. Habitat Protection
- e. Data Collection
- f. Personnel

VII. NMFS Billfish AP Report

VIII. NMFS HMS AP Report

IX. Gulf Safety Committee Report

X. Council Coral Grants Report

XI. Enforcement Reports

XII. Regional Administrator's Report

XIII. Directors' Reports

IVX. Other Business

The above agenda is tentative and is not final until it becomes noticed. Updates to the agenda will be posted on the Gulf Council web site as they become available. Although non-emergency issues not contained in the agenda may come before the Gulf Council for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), those issues may not be the subject of formal Gulf Council action during the meeting. The Gulf Council's actions will be restricted to those issues specifically identified in the noticed agenda and any issues arising after publication of that notice that require emergency action under section 305 (c) of the MSFCMA, provided the public has been notified of the Gulf Council's intent to take final action to address the emergency.

GULF FISHERY NEWS WANTS YOUR NEWS AND VIEWS

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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 newsletter was provided by grant funds pursuant to National Oceanic and Atmospheric Administration Award No. NA17FC1052.

July Meeting:

July 8-11, 2002

Hyatt Sarasota

1000 Boulevard of the Arts

Sarasota, Florida 34236

September Meeting:

September 9-12, 2002

DoubleTree Hotel Lakeside

3838 N. Causeway Boulevard

Matairie, Louisiana 70002

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

3018 U.S. Highway 301 N.

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Tampa, Florida 33619-2266

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE, \$300

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