

GULF FISHERY NEWS

VOLUME 20, NO. 3

MAY-JUNE 1998



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

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REEF FISH

NEW SIZE AND BAG LIMITS PROPOSED FOR SEVERAL REEF FISH SPECIES

The Council, at its May meeting in Destin, Florida, took final action on Reef Fish Amendment 16B, containing size and bag limit alternatives for several reef fish species. These issues were originally included in draft Amendment 16 and were to have been acted on in the previous Council meeting, but were deferred due to time constraints. The actions proposed by the Council in Amendment 16B are as follows:

Banded Rudderfish and Lesser Amberjack: Set a slot limit of 14 inches to 22 inches fork length for both the commercial and recreational fishery, and establish a recreational 5-fish aggregate bag limit for these two species (this removes these species from inclusion in the 20-fish bag limit for reef fish species that do not otherwise have a bag limit). Note: this slot limit differs slightly from Florida's slot limit of 14 to 20 inches. The Council felt that the wider range more completely

encompasses the sizes within which banded rudderfish are caught, while still achieving the goal of protecting juvenile greater amberjack that are larger than the slot limit from being landed as misidentified banded rudderfish or lesser amberjack.

Queen Triggerfish: Remove this species from management under the Reef Fish FMP. This action will remove this species from inclusion in the 20-fish bag limit for reef fish species that do not otherwise have a bag. However, it allows Florida's tropical marine life rule to apply to queen triggerfish whether caught in federal or state waters. Florida's rule includes a marine life aggregate bag limit and a live landing requirement.

NEXT COUNCIL MEETING

July 20-24, 1998
Lafayette Hilton and Towers
1521 West Pinhook Road
Lafayette, Louisiana 70505
(318) 235-6111



Species Listed as Not in the Management Unit: The Council voted to eliminate from the Reef Fish FMP the often confusing distinction between categories of "Species in the fishery" and "Species in the fishery but not in the management unit", with the clarification that sand perch and dwarf sand perch are to continue to be excluded from the aggregate reef fish bag limit.

New size limits on the following species:

Cubera Snapper	12 inches total length
Dog Snapper	12 inches total length
Mahogany Snapper	12 inches total length
Schoolmaster	12 inches total length
Gray Triggerfish	12 inches total length
Scamp	16 inches total length
Hogfish	12 inches "fork" length

Mutton Snapper: Increase the size limit from 12 inches to 16 inches total length.

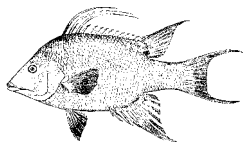
Hogfish: Establish a 5-fish bag limit in addition to the size limit (this removes hogfish from inclusion in the 20-fish bag limit for reef fish species that do not otherwise have a bag limit).

The Council considered setting size limits for blackfin snapper, silk snapper, queen snapper, and yellowmouth grouper, but because these species are usually caught from deep depths in federal waters and have high release mortality rates, the Council voted to leave them with no size limit in federal waters. (Florida has size limits for these species when caught in Florida state waters.)

Speckled Hind and Warsaw Grouper: Set a recreational bag limit of 1 speckled hind and 1 Warsaw grouper per vessel, and prohibit sale of these species by the recreational sector (note: Sale of any recreationally caught reef fish species is already prohibited. This statement is included for emphasis.)

Note: If the amberjack and hogfish bag limits are approved by NMFS, and Queen triggerfish are removed from the FMP, then the only species remaining subject to the 20-fish aggregate reef fish bag limit will be vermilion snapper, lane snapper, almaco jack, and tilefishes.

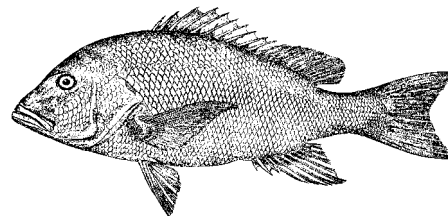
These proposed actions will be submitted to NMFS for review and implementation. Due to a lengthy review process that NMFS must go through, a final decision and implementation will likely not occur until sometime in 1999.



NMFS RESTATES ITS POSITION REGARDING RED SNAPPER TAC AND BRD EFFECTIVENESS

In the last issue of *Gulf Fishery News*, we reported that NMFS had decided to hold 3.12 million pounds of the 9.12 million pound red snapper 1998 total allowable catch (TAC) in reserve, pending the results of an observer study to determine the effectiveness of shrimp trawl bycatch reduction devices (BRDs). In their April 9 notice, NMFS stated that the 3.12 million pounds will be released for harvest on September 1, 1998 if NMFS is able to validate a reduction in the juvenile red snapper bycatch mortality in shrimp trawls of at least 60 percent. If the research demonstrates that the bycatch mortality reduction is more than 50 percent, but less than 60 percent, a portion of the remaining 3.12 million pounds will be released proportional to the efficiency of the BRDs, i.e., 10 percent of the TAC reserve for each 1 percent of bycatch reduction over 50 percent. Release of this reserve affects whether and when there will be a recreational red snapper quota closure in 1998, and whether there will be a September commercial season.

At the May Council meeting in Destin, the NMFS Regional Administrator, Andrew Kemmerer, attempted to clarify the position regarding release of the TAC reserve. According to Dr. Kemmerer, the BRDs, rather than actually being required to achieve a 60 percent bycatch reduction during the observer study, will need to demonstrate that a 60 percent BRD bycatch reduction is a reasonable expectation with existing technology. Factors such as compliance and release mortality from BRDs will be taken into account when making that determination. Both the Council and NMFS agree that it is unlikely for BRDs to achieve a 60 percent bycatch reduction in their first year of operation, due to incomplete compliance and a learning curve by shrimpers using the devices. However, the Council feels that improvements in BRD efficiencies will occur in subsequent years based on results of the certification trials, which produced reductions of up to 74 percent by some BRDs, and on the testimony of NMFS BRD specialist John Watson, who felt that there would be improvements in the BRDs as the operational problems were worked out. A decision by NMFS on whether to release all or part of the 3.12 million pound reserve will be made in August.



KING MACKEREL SIZE LIMIT TO INCREASE TO 24 INCHES, OTHER MACKEREL CHANGES PROPOSED

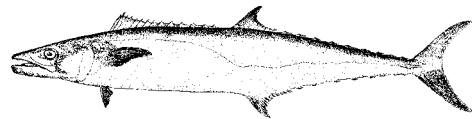
At the May 1998 Council meeting, the primary action taken with regard to mackerels was setting of total allowable catch (TAC) for the 1998-99 fishing year that begins July 1, 1998. In setting TAC, the Council considered the comments of its Mackerel Stock Assessment Panel, Socioeconomic Panel, Scientific and Statistical Committee, and Mackerel Advisory Panel. This year's stock assessment calculated a range of acceptable biological catch (ABC) for Gulf group king mackerel, within which the Council sets TAC, of between 7.1 and 10.8 million pounds (MP). This range was slightly lower than the 1997 stock assessment update (6.0 to 13.7 MP) on which the Council voted to increase TAC from 7.8 MP in 1996 to 10.6 MP in 1997. Although the range of ABC that was calculated in 1998 was somewhat narrower than in 1997, the mid-points were about the same, 8.9 MP and 8.7 MP, respectively. Additionally, the biomass of the fishable stock continued to show an increase, and testimony from users supported the contention of a strong and recovering stock. Based on the information available, the Council voted to maintain the 10.6 million pound TAC for 1998-99.

Because of continuing and significant overruns of the allocation of TAC by the recreational sector and data indicating a large and increasing trend in catch by the charter industry, the Council voted to reduce the bag limit for captain and crew of for-hire vessels to zero for the 1998-99 year. The Council took this same action when setting TAC in 1996; however, following a delayed implementation period and the improved 1997 stock assessment, the Council rescinded that action when setting the 10.6 MP TAC. This year, however, the Council noted that even under the increased TAC, the recreational overrun for the 1997-98 year was over 1.0 MP, and the majority of the catch appeared to be coming from the for-hire segment.

In developing Amendment 9 to the Fishery Management Plan for Coastal Migratory Pelagic Resources (Mackerels), the Council reviewed alternatives to increase the minimum size limit on king mackerel from the current 20" FL. Having received strong support from the industry and noting that the current 20" size limit is below the size at sexual maturity for most fish, the Council approved increasing the minimum size limit to 24" FL through this years framework actions.

Another framework change adopted at the May 1998 meeting included setting a 3,000 pound trip limit for king mackerel in the Western Zone (Alabama through

Texas). The recommended 3,000 pound trip limit in the Western Zone was also proposed in Amendment 9 as a means to combat the vastly accelerating derby fishery in this area that has reduced the season to about 1 month and produced very poor quality fish. Since the trip limit has been so strongly supported by the industry and the need to address the significant threats to the resource is so great, the Council unanimously approved including this measure in this year's framework; and the Council also voted to ask NMFS to approve it as an emergency measure to try to insure that it will be in effect by the July 1 start of the commercial fishing season.



SHRIMP

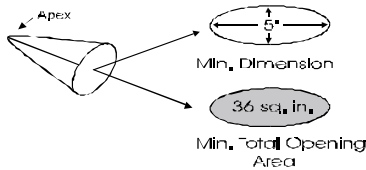
ADDITIONAL SHRIMP TRAWL BYCATCH REDUCTION DEVICES CERTIFIED BY NMFS

NMFS has certified two additional bycatch reduction devices (BRDs) for use in the Gulf of Mexico shrimp fishery; the Jones-Davis and Gulf fisheye BRD. Along with the original fisheye BRD that was previously approved by NMFS, this gives Gulf shrimp trawlers a choice of three BRDs and provides flexibility for complying with the requirement to use a BRD. This will allow shrimp trawlers to select a BRD based on how it matches the operating conditions their vessel encounters. According to NMFS, this should enhance compliance, help minimize shrimp loss, and further increase bycatch reduction and, thus, further reduce overfishing of red snapper.

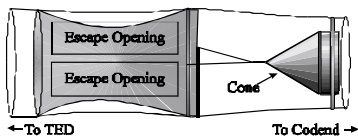
Amendment 9 to the Shrimp Fishery Management Plan, which was implemented on May 14, 1998, requires the use of NMFS-certified BRDs in shrimp trawls towed in the Gulf of Mexico exclusive economic zone, shoreward of the 100-fathom depth contour west of 85°30' west longitude, the approximate longitude of Cape San Blas, Florida. Royal red shrimp trawlers, try-nets with a 16 foot or shorter headrope, and rigid-frame roller trawls are exempt from the BRD requirement.

To be certified, a BRD must meet the FMP's bycatch reduction criterion for red snapper (i.e., it must reduce the shrimp trawl bycatch mortality of age 0 and 1 red snapper by a minimum of 44 percent from the average level of fishing mortality on these age groups during the period 1984-89).

The Fisheye BRD and the Gulf Fisheye BRD are cone-shaped rigid frames constructed from aluminum or steel rod of at least 1/4 in diameter. They are inserted into the top of the codend to form an escape opening. The Fisheye BRD and the Gulf Fisheye BRD differ only in the placement of the device in the trawl.



The Jones-Davis is a funnel type BRD. It uses a webbing funnel, placed in an extension of webbing, to separate fish and shrimp. Four windows cut in the extension webbing, around the funnel, allow fish to escape. A cone constructed of webbing is placed behind the funnel to enhance finfish reduction.



An informational pamphlet providing more details on the construction and installation of approved BRDs is available from the Gulf Council office (813-228-2815 or toll-free 888-833-1844) or from the NMFS Regional Office (813-570-5305). For technical assistance on the construction, installation, or use of these BRDs, contact the NMFS Harvesting Systems and Engineering Branch at 228-762-4591.

SHRIMP INDUSTRY CHALLENGES BRD REGULATIONS AND RED SNAPPER TAC

On May 8, 1998, the Texas Shrimp Association filed a lawsuit against NMFS and the Gulf Council in U.S. District Court in Brownsville, Texas. The lawsuit seeks to have the regulations implementing the BRD requirements of Shrimp Amendment 9 and the 1998 red snapper status quo TAC of 9.12 million pounds set aside. In its lawsuit, the Texas Shrimp Association charges that Shrimp Amendment 9 and its implementing regulations are not based on the best scientific information available, fail to promote efficiency in the utilization of fishery resources, and fail to take into account the importance of fishing communities and minimize adverse economic impact on such

communities. The lawsuit also charges that NMFS and the Gulf Council have failed to establish that fish excluder devices are practicable, and that NMFS has not determined that shrimp bycatch causes a serious adverse impact on the environment.

With respect to the red snapper TAC, the lawsuit charges that refusal by the Gulf Council and NMFS to reduce the red snapper total allowable catch is not based on the best scientific information available, and that the 1998 red snapper TAC fails to prevent overfishing of sub-adult and adult red snapper. The lawsuit also charges that the Optimum Yield target of 20 percent SPR as the basis for Shrimp Amendment 9 and its implementing regulations is neither an objective nor measurable criteria for determining overfishing, and that Shrimp Amendment 9 and its implementing regulations and the Reef Fish FMP do not fairly and equitably allocate fishery resources among all sectors of the red snapper fishery.

A court date for this lawsuit has not yet been set. This lawsuit notwithstanding, the BRD requirements of Shrimp Amendment 9 are in effect as of May 14, 1998.



MISCELLANEOUS

PUBLIC HEARINGS SCHEDULED ON ESSENTIAL FISH HABITAT

The Gulf Council has scheduled public hearings on a draft generic amendment addressing essential fish habitat (EFH) in the Gulf of Mexico. This document is mandated by the Magnuson-Stevens Fishery Conservation and Management Act and addresses EFH in all seven of the Council's Fishery Management Plans.

EFH is identified and described for the Gulf of Mexico based on areas where various life stages of 21 managed species and the coral complex commonly occur. The selected species are shrimp (brown shrimp, *Penaeus aztecus*; white shrimp, *Penaeus setiferus*; pink shrimp, *Penaeus duorarum*); red drum, *Sciaenops ocellatus*; reef fish (red grouper, *Epinephelus morio*; gag grouper, *Mycteroperca microlepis*; scamp grouper, *Mycteroperca phenax*; red snapper, *Lutjanus campechanus*; gray snapper, *Lutjanus griseus*; yellowtail sapper, *Ocyurus chrysurus*; lane snapper, *Lutjanus synagris*; greater amberjack, *Seriola dumerili*;

lesser amberjack, *Seriola fasciata*; tilefish, *Lopholatilus chamaeleonticeps*; and gray triggerfish, *Balistes capricus*), coastal migratory pelagic species (king mackerel, *Scomberomorus cavalla*; Spanish mackerel, *Scomberomorus maculatus*; cobia, *Rachycentron canadum*; and dolphin, *Coryphaena hippurus*), stone crab, *Menippe mercenaria*; spiny lobster, *Panulirus argus*; and the coral complex.

The 21 species represent about a third of the species under management by the Council; however, these species commonly occur throughout all of the marine and estuarine waters of the Gulf of Mexico. Consequently, EFH for the remaining managed species would be included with that of the species discussed.

EFH is defined as everywhere that the above managed species commonly occur. Because these species collectively occur in all estuarine and marine habitats of the Gulf of Mexico, EFH is separated into *estuarine* and *marine* components. For the *estuarine* component, EFH includes all estuarine waters and substrates (mud, sand, shell, rock, and associated biological communities), including the sub-tidal vegetation (seagrasses and algae) and adjacent inter-tidal vegetation (marshes and mangroves). In *marine* waters of the Gulf of Mexico, EFH includes virtually all marine waters and substrates (mud, sand, shell, rock, and associated biological communities) from the shoreline to the seaward limit of the Exclusive Economic Zone.

Threats to EFH from fishing and nonfishing activities are identified.

Options to conserve and enhance EFH are provided and research needs are identified.

No management measures and, therefore, no regulations are proposed at this time. Fishing-related management measures to minimize any identified impacts are deferred to future amendments when the Council has the information necessary to decide if the measures are practicable.

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

Wednesday, June 17, 1998

Ramada Airport Inn & Conference Center
5303 West Kennedy Blvd
Tampa, Florida 33609

Thursday, June 18, 1998

Holiday Inn Beachside
3841 North Roosevelt Blvd
Key West, Florida 33040

Monday, June 22, 1998

New Orleans Airport Radisson
2150 Veterans Boulevard
Kenner, Louisiana 70062

Tuesday, June 23, 1998

J. L. Scott Marine Education Ctr.
115 East Beach Blvd (Hwy 90)
Biloxi, Mississippi 39530

Wednesday, June 24, 1998

Holiday Inn on the Beach
365 East Beach Boulevard
Gulf Shores, Alabama 36547

Thursday, June 25, 1998

National Marine Fisheries Service
Panama City Laboratory
3500 Delwood Beach Road
Panama City, Florida 32408

Tuesday, June 30, 1998

Hobby Airport Hilton
8181 Airport Boulevard
Houston, Texas 77061

Wednesday, July 1, 1998

Ellis Memorial Library
700 West Avenue A
Port Aransas, Texas 78373

Copies of the amendment can be obtained by calling 813-228-2815 (toll-free 888-833-1844, or by sending e-mail to gulf.council@noaa.gov.



GULF COUNCIL PRESS RELEASES CAN NOW BE RECEIVED VIA E-MAIL

The Gulf Council has begun a read-only listserver service for distribution of press releases via the Internet. If you would like to receive the Council's press releases via e-mail, send a blank message to pressreleases@gulfcouncil.org with SUBSCRIBE as the subject.

NEW REEF FISH ADVISORY PANEL MEMBERS APPOINTED

In response to a request from Congress that the Council’s Reef Fish Advisory Panel be more geographically balanced, the Council has appointed new members to assure that each Gulf state has at least one representative on the Panel. The Panel is now comprised of the following individuals (asterisk indicates new appointees).

Captain Bob Zales, II, Chair	Charter	Florida
Mr. Marty Harris, Vice-chair	Commercial	Florida
Captain Ralph Allen	Charter	Florida
Ms. Karen Bell	Commercial	Florida
*Captain Henry Denton	Commercial	Mississippi
*Mr. Michael Dolfi	Commercial	Texas
Ms. Gail Gaudet	Commercial	Louisiana
*Mr. Taeger Gisclair	Charter	Louisiana
Mr. Greg Haring	Commercial	Florida
Captain Gus Loyal	Charter	Florida
Mr. H. Gilmer Nix	Recreational	Florida
Mr. Robert Spaeth	Commercial	Florida
Mr. Frank Stephenson	Recreational	Florida
Captain. Ed Thompson	Charter/Head	Florida
*Ms. Bobbi Walker	Charter	Alabama
Mr. Wayne Werner	Commercial	Louisiana
Mr. Johnny Yarbrough	Commercial	Florida

MARINE RESERVES SCIENTIFIC COMMITTEE ESTABLISHED

Under the existing fisheries management paradigm of separate management plans and regulations for each species or species group that is in need of management, fishing regulations have become increasingly complex and polarized toward specific species. The Gulf of Mexico Fishery Management Council (Council) has expressed an interest in adopting a multi-species alternative to this single-species approach through the use of marine reserves. It should be noted that while marine reserves may provide benefits to managed fishery resources, they represent a method of ecosystem management, and as such, impact all facets of the managed ecosystem, including exploited and non-exploited species, predator-prey relationships, habitat, and biodiversity. This is a substantial departure from traditional approaches to fisheries management.

To help managers and the public become better informed about marine reserves and their application, the Council has created an Ad Hoc Marine Reserves Scientific and Statistical Committee (SSC), which will work with Council staff in developing a marine reserves scoping document. The target audience for this document is the Council, resource user groups, and others interested in the marine environment and its

resources. While the scoping document will not propose specific marine reserve sites, it will cover the use and application of marine reserves relevant to fisheries management.

The following individuals have been appointed to the Ad Hoc Marine Reserves SSC:

Mr. Billy Causey (biologist)	FL Keys Nat. Mar. Sanctuary
Dr. Christopher C. Koenig (biologist)	Florida State University
Dr. J. Walter Milon (economist)	University of Florida
Dr. James Bohnsack (biologist)	NMFS
Dr. Don R. Levitan (biologist)	Florida State University
Dr. J. Wes Tunnel, Jr. (biologist)	Texas A&M University
Dr. Stephen Thomas (anthropologist)	Univ. of South Alabama
Ms. Pamela B. Baker (biologist)	Environmental Defense Fund
Dr. Frederick C. Whitrock (attorney)	Baton Rouge, LA

APPLICANTS SOUGHT TO FILL VACANCY ON REEF FISH STOCK ASSESSMENT PANEL

The Gulf of Mexico Fishery Management Council deferred an appointment to fill a vacancy for its Reef Fish Stock Assessment Panel until the July meeting. Biologists with an interest in serving on this Panel are encouraged to submit their vitae for consideration. The Reef Fish Stock Assessment Panel is comprised of biologists knowledgeable about methods of population dynamics and stock assessments. It is responsible for reviewing stock assessments and other biological information prepared by NMFS (and occasionally by others) on reef fish species under management by the Council. For species in need of catch restrictions to prevent overfishing or restore an overfished stock, the Panel is responsible for specifying a range of acceptable biological catch (ABC) which will be used by the Council as the basis for setting the total allowable catch (TAC). The Panel meets at least once per year in the Fall, usually in Miami, and may meet other times as needed.

Members of the Panel are not paid, but travel expenses are reimbursed by the Council.






Persons wishing to be considered for this vacancy should send a resumé describing their background by July 2, 1998 to Anne Alford at the Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, Florida 33619-2266. Resumés may also be faxed (813-225-7015) or e-mailed (anne.alford@gulfcouncil.org).



ERRATA AND UPDATE PAMPHLETS AVAILABLE FOR FISHING REGULATION PAMPHLETS

An "Errata and Update" pamphlet is available which supplements Commercial Fishing Regulations pamphlet and Recreational Fishing Regulations pamphlet that were published in October, 1997. The Errata and Update pamphlet contains corrections and changes to the recreational and commercial fishing regulations for Gulf of Mexico federal waters since the regulation pamphlets were published.

The current Errata and Update sheet is dated April 1998. It will be periodically revised to reflect changes in the fishing regulations until the next full revision of the fishing regulation pamphlets. All three pamphlets are available from the Council office (toll free 888-833-1844). Persons or organizations who would like copies of the pamphlets in quantity are encouraged to contact the Council office with their requests.

<p>ERRATA AND UPDATES TO THE OCTOBER 1997 FISHING REGULATION PAMPHLETS FOR GULF OF MEXICO FEDERAL WATERS April 1998</p> <p>Gulf of Mexico Fishery Management Council The Commons at Rivergate 3018 U.S. Hwy. 301 N., Suite 1000 Tampa, Florida 33619-2266</p> <p>813-228-2815 888-833-1844 (TOLL-FREE) 813-228-7015 (FAX)</p> <p>e-mail: gulf.council@noaa.gov web page: www.gulfcouncil.org</p>  <p><small>This booklet was prepared for general informational purposes in April 1998 and has no legal force or effect. Fishing regulations are subject to change. A separate summary of recreational fishing regulations is available from the Council.</small></p> <p><small>Report federal fishing violations: 24 hour toll-free hotline: 1-800-853-1964</small></p>	<p>COMMERCIAL FISHING REGULATIONS FOR GULF OF MEXICO FEDERAL WATERS October 1997</p>  <p>Gulf of Mexico Fishery Management Council The Commons at Rivergate 3018 U.S. Hwy. 301 N., Suite 1000 Tampa, Florida 33619-2266</p> <p>813-228-2815 888-833-1844 (TOLL-FREE) 813-228-7015 (FAX)</p> <p>e-mail: gulf.council@noaa.gov web page: www.gulfcouncil.org</p>  <p><small>This booklet was prepared for general informational purposes in October 1997 and has no legal force or effect. Fishing regulations are subject to change. A separate summary of recreational fishing regulations is available from the Council.</small></p> <p><small>Report federal fishing violations: 24 hour toll-free hotline: 1-800-853-1964</small></p>	<p>RECREATIONAL FISHING REGULATIONS FOR GULF OF MEXICO FEDERAL WATERS October 1997</p>  <p>Gulf of Mexico Fishery Management Council The Commons at Rivergate 3018 U.S. Hwy. 301 N., Suite 1000 Tampa, Florida 33619-2266</p> <p>813-228-2815 888-833-1844 (TOLL-FREE) 813-228-7015 (FAX)</p> <p>e-mail: gulf.council@noaa.gov web page: www.gulfcouncil.org</p>  <p><small>This booklet was prepared for general informational purposes in October 1997 and has no legal force or effect. Fishing regulations are subject to change. A separate summary of recreational fishing regulations is available from the Council.</small></p> <p><small>Report federal fishing violations: 24 hour toll-free hotline: 1-800-853-1964</small></p>
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ENFORCEMENT

RED SNAPPER SMUGGLERS PLEAD GUILTY, SENTENCED

NMFS, April 23, 1998 - James Gregory Thompson, 47, was remanded to authorities at the Eglin Federal Penitentiary in Valparaiso, Fla., at noon on April 15, 1998. However, unlike his last two prison terms for drug smuggling, this time he will serve 21 months behind bars for smuggling fish--red snapper to be exact. Thompson, a seafood dealer from Bay St. Louis, Miss., entered a guilty plea in federal court in Louisiana for illegally receiving over \$30,000 worth of red snapper during the 1996 closed season. Red snapper is a severely overfished resource which is under strict

management, and fisheries managers are working hard to develop long term plans to rebuild the stock.

Thompson conspired with Robert J. Collins, 38, his wife Marie Collins, 34, and Christopher Hernandez, 35, all of Grand Isle, La., to circumvent the red snapper season by a week. Working from a tip, agents from the National Marine Fisheries Service and Louisiana Department of Wildlife and Fisheries set up a covert surveillance, following two unmarked trucks pulling rented trailers from Bobby Collins Seafood in Grand Isle, La., to Greg Thompson Seafood in Mississippi. Upon arrival, the agents seized 6,202 pounds of the contraband red snapper from the defendants.

Eddie J. Jordan, Jr., U. S. Attorney for the Eastern District of Louisiana announced the sentencing of James G. Thompson, Robert J. Collins, Christopher Hernandez and Bobby Collins Seafood, Inc. The defendants had entered guilty pleas for two felony counts of conspiring to violate the Lacey Act and a substantive violation of the Lacey Act. Marie Collins had pleaded guilty to a misdemeanor violation of the Lacey Act. The Lacey Act is a federal statute which makes it unlawful to transport, sell, receive or acquire fish and wildlife in interstate commerce when taken in violation of a state law.

Federal Judge Eldon Fallon handed down the following sentences: Robert J. Collins received five months incarceration in a halfway house followed by five months home detention with electronic monitoring, three years probation and \$1,200 restitution and special assessments. Marie Collins received three years probation and a \$25 special assessment. Christopher Hernandez received six months home detention, three years probation and \$400 of restitution and special assessments. Bobby Collins Seafood, Inc., received three years probation and an \$800 special assessment. James G. Thompson received 21 months incarceration, \$16,940 restitution and special assessments.

SHRIMP VESSEL OWNER AND CAPTAIN ASSESSED \$10,000 CIVIL PENALTY FOR VIOLATING TED REGULATIONS

NMFS, April 27, 1998 - The National Oceanic and Atmospheric Administration (NOAA) has charged the captain and owner of the shrimp trawler H.W., JR. with a civil violation of turtle excluder device (TED) regulations, and has assessed a civil penalty of \$10,000 against Henry Wolfe III, the captain, and Wolfe Trawlers, Inc., the owner of the trawler, in a Notice of Violation and Assessment (NOVA). On April 3, 1998, off the Texas coast, a U.S. Coast Guard team boarded the

H.W., JR and found that the trawler did not have an approved TED installed in each net that was rigged for fishing. In order to be an approved TED, all regulatory requirements must be met, including escape opening sizes.

The respondents have 30 days from the day that they are served with their NOVAs to either pay the penalty, seek to have the NOVA modified, or request a hearing before an administrative law judge to deny or contest all or any part of the violation charged and the civil penalty assessed. The agency is also seeking administrative forfeiture of the \$2,500 in proceeds from the sale of assorted shrimp and other fish that were seized during the investigation.

marked fish traps, fish traps in a stressed area, and disposing of fish traps after the approach of an enforcement vessel. At that time, ten fish traps and five stone crab traps were seized as evidence.

A NMFS Special Agent, working with USCG officers from Station Port Isabel, seized 80 pounds of red snapper from the operator of the vessel JESSICA ANN. The vessel operator was cited on March 30, 1998, for possessing red snapper in excess of the allowable bag limits. The red snapper were then sold for \$180.00.

NMFS ENFORCEMENT REPORT: JANUARY - MARCH 1998

The Southeast Enforcement Division summary report on enforcement activities is produced on a quarterly basis. This report covers the second quarter of FY 98: January 1, 1998 through March 31, 1998, and includes NMFS enforcement activities in the South Atlantic and Gulf of Mexico.

NMFS SEIZURES

A NMFS Special Agent, working with USCG officers from the Cutter Point Winslow, seized 1,931 pounds of shrimp from the operator of the vessel SEA GULL II on February 11, 1998. The vessel was cited for trawling with a top shooting hard TED sewn shut with monofilament line. The shrimp were then sold for \$3822.05.

The operator of the vessel SENORA BONITA was cited by USCG officers from the Cutter Point Steele on February 25, 1998, for possessing 8 spiny lobster tails without a permit, possession of 94 reef fish in excess of the allowable bag limits, and for trawling with a TED with flaps beyond the 24 inches of the posterior edge. The 94 snapper and eight spiny lobsters were subsequently seized.

On February 28, 1998, USCG Officers from the Cutter Point Sal were advised by a NMFS Special Agent to seize 32 king mackerel from the vessel MISS ANDREA. The vessel operator was cited for possessing 32 king mackerel in excess of the allowable bag limits. The king mackerel were sold for \$282.60.

Florida Marine Patrol officers cited the operator of the vessel Capt. Carl on March 23, 1998, for improperly



NOVAs ISSUED BETWEEN JANUARY 1, 1998 AND MARCH 31, 1998 - GULF OF MEXICO AND MEXICO

CASE NUMBER	RESPONDENT NAME	AREA	LE UNIT	CASE DESCRIPTION	NOVA AMOUNT	PROPOSED FORFEITURE AMOUNT	PROPOSED SANCTION DURATION
SE950936MS	Donald Holman Deral Holman	GOM	USCG	Injuring coral within sanctuary	\$1,500.00		
SE960942MS	Jian Zhang Qiang Guangzhou Salvage	GOM	NOAA	Anchor vessel greater than 100 feet in sanctuary	\$1,000.00		
SE970062FM	Joseph C. Mott, II Swordfishers, Inc.	GOM	FL	(1) Possess shark fins after first point of landing (2) Possess swordfish in form other than whole or dressed	(1) \$3,000.00 (2) \$2,000.00		45 days
SE970153FM	Thiet Van Tran Tan V. Tran	GOM	LA	Retain shark during closure of specified species	\$12,000.00	\$4,432.55	30 days
SE970195FM	Joseph J. McCann Hattie Mac, Inc.	GOM	USCG	(1) Possess undersized red grouper (2) Dispose of fish after approach of enforcement officer	(1) \$3,000.00 (2) \$7,000.00		45 days
SE970294ES	Thomas Mindler	GOM	USCG	TED violation	\$1,000.00		
SE970294ES	Windel Steele	GOM	USCG	TED violation	\$1,000.00		
SE970304ES	Brian K. DeBarge	GOM	USCG	TED violation	\$4,000.00		
SE970307ES	Hieu V. Ngo Tammy V. Ngo	GOM	USCG	TED violation	\$4,000.00		
SE970316LA	Alan D. Cisneros Kentucky Fisheries, Inc.	Mexico	USCG	Take shrimp without valid Mexican permit	\$3,500.00		
SE970322FM	Richard G. Fullen Reynolds E. Bryan	GOM	USCG	(1) Fishing in longline restricted area (2) Fail to maintain fish intact through offloading ashore	(1) \$20,000.00 (2) \$1,500.00		30 days
SE970333FM	Tran V. Duyen Lien Thi Bich Nguyen	GOM	USCG	Sell shark during closure	\$12,000.00		30 days
SE970336ES	Larry J. Barrier	GOM	USCG	TED violation	\$2,000.00	\$875.25	
SE970339ES	Tam Van Nguyen	GOM	USCG	TED violation	\$8,000.00		
SE970340FM	Hoa Thai Ngo Venice Fish & Shrimp, Inc.	GOM	USCG	Buying shark during closure	\$12,000.00		30 days
SE970341ES	Bardco, Inc.	GOM	USCG	TED violation	\$1,000.00		
SE970341ES	Everett L. McKnight	GOM	USCG	TED violation	\$1,000.00		
SE970349ES	Jean Touseignant	GOM	USCG	TED violation	\$1,000.00		
SE970349ES	Michael E. Hartley	GOM	USCG	TED violation	\$1,000.00		
SE970355LA	Guadalupe Resendez Don Enrique, Inc.	Mexico	USCG	Take shrimp without valid Mexican permit	\$3,500.00		
SE970370FM	Colin B. Petrey Provider, Inc.	GOM	USCG	Fishing in longline gear restricted area	\$15,000.00		30 days

NOVA - Notice of Violation and Assessment

SETTLEMENTS BETWEEN JANUARY 1, 1998 AND MARCH 31, 1998 - GULF OF MEXICO

CASE NUMBER	RESPONDENT NAME	AREA	LE UNIT	CASE DESCRIPTION	FINAL AMOUNT	FORFEITED AMOUNT	PERMIT SANCTION
SE900478ES	Gary W. Bossley	GOM	USCG	TED violation	\$5,626.15		
SE920262FM	Brian A. Kemmerer	GOM	FL	(1) Possess spiny lobster in closed season (2) Obstruct a lawful investigation or search (3) Possess a berried spiny lobster (4) Strip eggs or molest a berried spiny lobster (5) Possess grouper smaller than minimum size (6) Use prohibited gear to take spiny lobster	(1) \$2,160.00 (2) \$1,800.00 (3) \$342.00 (4) \$338.00 (5) \$270.00 (6) \$90.00		
SE940165FM	Luis Acosta	GOM	USCG	(1) Use of non-conforming trap gear (2) No valid trap endorsement (3) Fish in Riley's Hump during closed season	(1) \$1,087.50 (2) \$5,625.00 (3) \$2,700.00		
SE940443LA	Robert Williams A.C. Williams Seafood Co. Allen C. Williams, Jr.	GOM	NOAA	Receive or purchase fish taken during closure	\$5,000.00		
SE950053FM	Luan V. Bui Trung Dinh Le	GOM	USCG	Possess shark in excess of trip limits	\$3,960.00	\$8,647.00	
SE950314FM	Alva Johnson Allin, Inc.	GOM	USCG	Possession of red snapper during closure	\$12,500.00		
SE960211FM	Tung D. Duong Thanh C. Nguyen	GOM	USCG	Possess shark fins without corresponding carcasses	\$1,000.00	\$288.00	
SE960291ES	Darrel J. Theriot	GOM	USCG	TED violation	\$1,000.00		
SE970023FM	Keith A. Schultz Darrell Knepp Trenton Knepp	GOM	USCG	Possess shark fins without corresponding carcasses	\$1,200.00		
SE970161FM	Quang T. Tran Thanh L. Tran	GOM	USCG	Possess reef fish over bag limit	\$2,250.00	\$1,918.80	
SE970244FM	Billy Baird	GOM	FL	(1) Fish for snapper/grouper in Oculina Bank HAPC (2) Dispose of fish after approach of officer	(1) \$1,300.00 (2) \$1,950.00		30 days
SE970294ES	Thomas Mindler	GOM	USCG	TED violation	\$750.00		
SE970294ES	Windel Steele	GOM	USCG	TED violation	\$750.00		

VOTING COUNCIL MEMBERS

1997/98 Council Chairman: Dr. Maumus Claverie, Jr.

Vice-Chairman: Hal Osburn

The Chairman and Vice-Chairman are elected at each September Council meeting and serve through the following September meeting.

Appointed Voting Members

Name	Yr app	Int	Location	Phone	Fax	E-mail
Florida						
DR. FELICIA COLEMAN	96	O	Tallahassee	850-644-2019	805-644-9829	coleman@bio.fsu.edu
SCOTT GREEN	95	R	Winter Park	407-629-9277	407-629-5005 407-629-9272	
KARL J. LESSARD	94	C	Marathon	305-743-5996	305-289-1207	
Alabama						
ALBERT L. KING, SR.	91	C	Gulf Shores	334-968-7653	334-968-7654	fishking@gulftel.com
DR. ROBERT L. SHIPP	91	R	Mobile	334-460-7136 334-633-3178	334-460-7357	rshipp@jaguar1.usouthal.edu
Mississippi						
PHILIP D. HORN	89	C	Pascagoula	601-762-4511	601-769-5108	
KAY WILLIAMS	97	C	Pascagoula	601-762-0176	601-769-6153	
Louisiana						
DR. MAUMUS CLAVERIE, JR.	96	R	New Orleans	504-524-5418	504-524-1066	maumusjr@aol.com
MYRON JAMES FISCHER	97	R	Cut-Off	504-632-4525	504-632-4262	ddrum@cajunnet.com
Texas						
PETE APARICIO	96	C	Victoria	512-578-4989	512-578-0875	
IRBY W. BASCO	95	R	Port Neches	409-722-4434	409-722-6428	

Interest Sectors: C=commercial, R=recreational, O=other

State and Federal Voting Representatives

Name	State	Phone	Fax	E-mail
ROY O. WILLIAMS (d) (designee for Russell Nelson) Marine Fisheries Comm.	Florida	850-487-0554	850-487-4847	williams_r@dep.state.fl.us
R. VERNON MINTON Dept. of Cons. and Natural Res.	Alabama	334-861-2882	334-861-8741	rvminton.amrdgs@gulftel.com
CORKY PERRET (d) (designee for Glade Woods) Dept. of Marine Resources	Mississippi	601-385-5860	601-385-5864	
KAREN FOOTE (d) (designee for Jimmy Jenkins) Department of Wildl. and Fish.	Louisiana	504-765-2383	504-765-2489	
HAL OSBURN (d) (designee for Gene McCarty) Parks and Wildlife Department	Texas	512-389-4648	512-389-4388	
DR. ANDREW J. KEMMERER	NMFS	813-570-5301	813-570-5300	andrew.kemmerer@noaa.gov

(d) - Designee who usually attends Council meetings on behalf of the state fisheries management director.

Nonvoting members include representatives of the U.S. Coast Guard (Seventh and Eight Districts), Department of State, U.S. Fish and Wildlife Service, and Gulf States Marine Fisheries Commission.

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 news release was provided by grant funds pursuant to National Oceanic and Atmospheric Administration Award No. NA87FC0003.
