

# 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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## **GAG/BLACK GROUPER REGULATORY AMENDMENT TO BE RECONSIDERED AT THE JULY COUNCIL MEETING**

The Council will reconsider the Gag/Black Grouper Regulatory Amendment at its July 12-15, 1999 meeting in Key West, Florida. The regulatory amendment was approved by the Council in March. It proposed a 423 nautical square mile area off the west coast of Florida that would be closed to all reef fish fishing and an increase of the minimum size limit for gag and black grouper that would be phased in from the current 20 inches total length (TL) to 24 inches TL. At the July Council meeting, all measures contained in the regulatory amendment will be reconsidered, and public testimony will be taken. This includes not only the closed area and size limit proposals, but also the status quo proposals for total allowable catch (TAC), closed seasons, recreational bag limits, and commercial trip limits.

The Council's decision to reconsider the regulatory amendment was based on arguments put forth in a minority report submitted by the 5 members who voted against the original approval, and on a strong negative reaction to the proposed measures by many members of both the commercial and charter/headboat sectors.

*Prior to the July Council meeting, a public workshop will be held in Panama City to receive comments from the public and representatives of fishing and conservation organizations for alternatives to the original proposed measures. The workshop occurs **June 23, 1999**. It begins at **8:30 A.M.** and will be held at the **Oakland Terrace Clubhouse, 1900 West 11<sup>th</sup> Street, Panama City, FL 32401.***

### **NEXT COUNCIL MEETING**

**July 12-15, 1999**

**The Pier House  
One Duval Street  
Key West, FL 33040**



## **COUNCIL ASKS FOR EMERGENCY ACTION TO INCREASE RECREATIONAL RED SNAPPER SIZE LIMIT TO 18 INCHES**

The Council has requested that National Marine Fishery Service (NMFS) implement an emergency action to raise the recreational red snapper size limit from 15 inches to 18 inches total length on or about June 1 for the remainder of the 1999 recreational red snapper season. This request was made at the May 10-13 1999 Council meeting in Austin, Texas after the Council was informed that the current projected closing date for the recreational fishery is August 3-4 if no action is taken. This size limit increase is projected by NMFS scientists to extend the recreational season by about 25 days. Biologically, the size limit increase appears to be neutral. Average release mortality in the recreational red snapper fishery is estimated to be 20 percent. At that level, the losses from increased release mortality of snapper between 15 and 18 inches are almost exactly offset by the increased gains in growth and egg production from the additional fish that survive catch and release and grow to 18 inches.

Because of the importance of the month of August to the recreational fishery, the Council stipulated that the increased size limit should be implemented only if additional NMFS analyses projects that the action will result in the recreational fishery remaining open at least through August 28. NMFS is currently incorporating the most recent data from the Marine Recreational Fishery Statistics Survey into its projection model, and is expected to announce a final projected closing date within the next few weeks.

## **COUNCIL VOTES TO RESCIND ZERO-BAG LIMIT FOR CAPTAIN AND CREW OF RED SNAPPER AND KING MACKEREL FOR-HIRE VESSELS**

**Red snapper** - At its May 1999 meeting, the Council voted to request that National Marine Fisheries Service (NMFS) and the Secretary of Commerce disapprove a provision of the December 1998 "Regulatory Amendment to the Reef Fish Fishery Management Plan for Red Snapper Including Total Allowable Catch, Bag Limits, Minimum Size Limits, and Seasons". The provision that the Council requested to be disapproved was the zero-fish bag limit of red snapper for the captain and crew of for-hire vessels. The Council believed that this action is no longer necessary or appropriate. The rationale for this proposed action is that the Council explicitly linked the proposed zero-fish bag limit for captain and crew of for-hire vessels with proposals for a 14-inch total length (TL) minimum size limit and 4-fish bag limit in the regulatory amendment. Because the proposed 14-inch TL minimum

size limit proposal was previously disapproved in an emergency rule request, approval of the zero-fish bag limit for the captain and crew of for-hire vessels would be inconsistent with the original intent of the Council. The regulatory amendment intended that all of the proposed measures for red snapper (4-fish recreational bag limit, zero-fish bag limit for the captain and crew of for-hire vessels, 14-inch minimum size limit, and January-February closed season) would work together to provide a substantial extension of the recreational season. The Council has been subsequently advised by NMFS that the zero-fish bag limit would add only about 5 days to the season.

**King Mackerel** - The Council voted to request that NMFS and the Secretary of Commerce disapprove a provision of the 1998 "Framework Seasonal Adjustment of Harvest Levels and Procedures Under the Fishery Management Plan for Coastal Migratory Pelagic Resources (Mackerels) in the Gulf of Mexico and South Atlantic Region, Including Environmental Assessment, Regulatory Impact Review, and Initial Regulatory Flexibility Analysis." The action previously approved by the Council in July 1998, would eliminate the 2-fish bag limit of king mackerel for the captain and crew of for-hire vessels when the regulation amendment is implemented this July. The rationale for this action was that the recreational portion of the total allowable catch (TAC) was often exceeded in past years. The captain and crew zero-bag limit would help to lower the recreational catch and reduce or eliminate overruns. However, the Council has determined that this action is no longer necessary or appropriate because the recreational sector did not fill its quota during the last two fishing years under the 10.6 million pound TAC and because the condition of Gulf group king mackerel stock continues to improve.

## **THE COUNCIL'S ADMINISTRATIVE HANDBOOK OF POLICIES AND PROCEDURES (HANDBOOK) IS NOW AVAILABLE UPON REQUEST**

The Council has approved removing various policies and procedures dealing with internal operations from its Statement of Organization, Practices and Procedures (SOPPs). The SOPPs must be approved by NMFS's practices and procedures required under the Magnuson-Stevens Act. The Council approved incorporating these internal policies that regulate personnel and fiscal issues into a handbook. The Handbook will now be used as the basis for the Council's administrative issues. If you wish to obtain a copy of the Handbook, you can contact us via phone, fax, or through our web site, all of which are listed on the back page of the newsletter.

## **NMFS REPORTS THE RESULTS OF TIME-CRITICAL BRD EVALUATION STUDY TO THE JOINT REEF FISH/SHRIMP MANAGEMENT COMMITTEES**

National Marine Fisheries Service (NMFS) scientists Dr. James Nance, Dr. Scott Nichols, and Mr. John Watson reported on the performance, compliance, and exclusion mortality of bycatch reduction devices (BRDs) in shrimp trawls to the joint Reef Fish/Shrimp Management Committees. Two types of BRDs were examined in the study. The Jones/Davis BRD appeared to perform better than the Fisheye BRD. Bycatch reduction of age-1 red snapper was greater for the Jones-Davis BRD (69%) than the Fisheye BRD (25-47% depending on Fisheye placement). However, overall point estimates of shrimp loss were comparable between BRDs and were less than 10% for each type. Shrimp loss also appeared to decline as the captain and crew gained experience using the fishing gear. For Fisheye BRDs, there was no significant difference in bycatch reduction if the devices were placed either ahead of or behind the elephant ear. However, if the Fisheye BRD is placed under the elephant ear, BRD bycatch reduction performance was greatly reduced due to the blockage of the opening. *The elephant ear is a triangular piece of webbing near the middle of the codend of the shrimp trawl that the lazy line is attached to for retrieval of the catch.* The weighted-average estimate of reduction of red snapper was 23% for the Fisheye BRD and 54% for the Jones-Davis BRD. Unfortunately, results from this study must be used cautiously when applied to the fishery. The researchers tried to select vessels randomly from the shrimp fleet so results could be applied Gulf wide. However, because of a poor response from captains and owners, the researchers had to charter vessels to complete their study.

## **THE COUNCIL SETS TACS FOR GULF GROUP KING AND SPANISH MACKEREL**

The Mackerel Management Committee heard a summary of the Mackerel Stock Assessment Panel report from Mr. Doug Gregory and a summary of the Socioeconomic Panel report from Dr. Steve Holland at the May 1999 meeting in Austin, Texas. The Gulf group Spanish mackerel stock was not considered to be overfished or undergoing overfishing. The Gulf group king mackerel stock was considered overfished and undergoing overfishing; however, indications were that the stock was improving as long as recruitment was good. After hearing the reports, the Committee recommended and the Council approved that the total allowable catch (TAC) for the 1999/2000 fishing year for Gulf group king mackerel remain at 10.6 million pounds. The bag and size limits

remain the same, i.e. two fish and 24 inches fork length. The Committee also recommended and the Council approved that the TAC for Gulf group Spanish mackerel be increased from 7.0 to 9.1 million pounds.

## **SPANISH MACKEREL BAG LIMIT INCREASED**

The Council has voted to increase the daily recreational bag limit of Spanish mackerel to 15 fish per person no sooner than January 1, 2000. The current bag limit is the same as the respective state limits, but not to exceed 10 fish per person. State daily bag limits for Spanish mackerel are currently 10 fish in Alabama, Louisiana, and Florida, 7 fish in Texas, and 15 fish in Mississippi and Louisiana. The delay until January 1, 2000 is to give the states time to consider adopting compatible bag limits in state waters, although implementation could be further delayed depending upon the time involved for NMFS review and approval.

The 1999 Spanish mackerel stock assessment concluded that the Gulf group Spanish mackerel stock is at 42% transitional spawning potential ratio (SPR) and 53% static SPR, well above the overfishing criterion of 30% SPR. In addition, annual landings of Spanish mackerel have generally been below the TAC. As a result, the Council concluded that the bag limit could be safely increased to 15 fish without harming the stock.

## **SECRETARY DALEY CREATES OMBUDSMAN FOR MARINE FISHERIES ISSUES**

Commerce Secretary William M. Daley announced the appointment of Sebastian O'Kelly to the newly created position of Fisheries Ombudsman in the department's National Oceanic and Atmospheric Administration (NOAA). Mr. O'Kelly will act as the liaison between fishermen and conservationists and NOAA's National Marine Fisheries Service. In general, ombudsman responsibilities include actively consulting with and soliciting the views and opinions of the commercial and recreational fishing community, environmental groups, and other relevant stakeholders. This appointment is in response to requests from the fishing industry and environmental groups and will allow a more rapid response to constituent concerns and questions. Mr. O'Kelly's office will be located at the NOAA headquarters in Washington, D.C. Constituents may reach the Fisheries Ombudsman's office at **Fisheries Ombudsman, National Oceanic and Atmospheric Administration, 14th & Constitution Ave., N.W., Washington, D.C. 20203**  
**ph: (202) 482-4540, fax: (202) 482-4823**  
**e-mail: sebastian.o'kelly@hdq.noaa.gov**

**PUBLIC HEARINGS SET FOR AMENDMENTS TO THE REEF FISH AND MACKEREL FISHERY MANAGEMENT PLANS**

The Gulf of Mexico Fishery Management Council (Council) will hold public hearings to receive comments on “Draft Amendment 12 to the Fishery Management Plan for Coastal Migratory Pelagic Resources in the Gulf of Mexico and South Atlantic, Including Environmental Assessment and Regulatory Impact Review” and “Draft Amendment 17 to the Fishery Management Plan for Reef Fish Resources, Including Environmental Assessment and Regulatory Impact Review.” Both of these amendments seek to continue a moratorium on the issuance of new commercial permits.

**Reef Fish Amendment 17** is a continuance of a moratorium on the issuance of new commercial reef fish permits initiated in 1992. This initial moratorium was intended to last for 3 years and was subsequently extended twice, the second of which was in 1995 for a duration of 5 years that would terminate on December 31, 2000. Because the commercial reef fish permit moratorium is expiring, extension of the moratorium requires a plan amendment. The moratorium was first implemented under Amendment 4 to provide a stable environment in the fishery for evaluation and development of a more comprehensive controlled access system for the entire commercial reef fish fishery. While allowing the moratorium to expire (status quo) is a legitimate alternative and would negate the need for this amendment, addressing the moratorium issue logically entails consideration of the moratorium’s major purpose — evaluation of a controlled access system for the entire commercial reef fish fishery. At present, however, this evaluation would be limited by the current congressional ban on the use of individual fishing quotas (IFQs) or individual fisherman’s effort (IFE). The Sustainable Fisheries Act (SFA) precludes the submission of amendments that include individual quotas; however, this prohibition is scheduled for expiration on October 1, 2000. The Council has determined that consideration of a broader set of alternatives, including IFQs and IFEs, would provide a better basis for designing a long-term management program for the entire commercial reef fish fishery. Development of a controlled access program for the fishery is expected to span a period extending beyond the expiration date of the current moratorium primarily due to the complexity of the commercial reef fish fishery.

**Mackerel Amendment 12** addresses whether the current moratorium on the issuance of king mackerel permits should be extended beyond the current expiration date of October 15, 2000. This action would allow the Gulf and South Atlantic Councils to consider various management strategies that include limited access or limited entry, with or without individual transferable quotas (ITQ) or IFQs. Currently, the SFA precludes the submission of amendments that include individual quotas; however, this prohibition is scheduled for expiration on October 1, 2000. If the moratorium is not extended and the Councils do not take other actions to limit access, the king mackerel fisheries for both Gulf and Atlantic migratory groups will revert back to open access. The intent of the moratorium was to prevent further increases in effort and possibly reduce the number of permittees in the king mackerel fishery. For Gulf group king mackerel, this management measure was also intended to reduce overfishing and aid in the recovery of this overfished stock.

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

Monday, June 14, 1999

City Hall Auditorium  
300 Municipal Drive  
Madeira Beach, FL 33708

Tuesday, June 15, 1999

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

Wednesday, June 16, 1999

Orange Beach Community Center  
27235 Canal Road  
Orange Beach, AL 36561

Thursday, June 17, 1999

Port Aransas Library  
700 West Avenue A  
Port Aransas, TX 78373

**THREE ADVISORY PANELS TO REVIEW AMENDMENTS TO THE REEF FISH AND MACKEREL FISHERY MANAGEMENT PLANS**

The Gulf of Mexico Fishery Management Council (Council) will convene three advisory panels to review “Draft Amendment 12 to the Fishery Management Plan for Coastal Migratory Pelagic Resources in the Gulf of Mexico and South Atlantic, Including Environmental Assessment, Regulatory Impact Review, and Initial Regulatory Flexibility Analysis” and “Draft Amendment 17 to the Fishery Management Plan for Reef Fish Resources, Including Environmental Assessment and Regulatory Impact Review.”

The Reef Fish Advisory Panel (AP) will be convened at 10:00 a.m. (EDT) on Monday June 21, 1999 and will conclude by 2:00 p.m.

The Mackerel AP will be convened at 1:00 p.m. (EDT) on Monday, June 21, 1999 and will conclude by 2:00 p.m.

The Standing Scientific and Statistical Committee meeting will be convened at 10:00 a.m. (EDT) on Tuesday, June 22, 1999 and will conclude by 12:00 noon.

These meetings will be convened via conference call with the meeting times expressed as Eastern Daylight Savings Time (EDT). A listening phone will be located at each of the following locations: National Marine Fisheries Service Pascagoula Laboratory, 3209 Fredrick Street, Pascagoula, Mississippi; telephone 228-762-4591; and National Marine Fisheries Service Galveston Laboratory, 4700 Avenue U, Galveston, Texas; telephone 409-766-3500.

Persons who visit one of NMFS’ laboratories to listen to the AP and/or SSC sessions will be allowed to testify on

the moratorium issue, when recognized by the meeting Chairman. A copy of the agenda and review material can be obtained by calling 813-228-2815.

**COUNCIL SEEKS MEMBERS TO SERVE ON A SPECIAL BYCATCH REDUCTION DEVICE (BRD) ADVISORY PANEL**

In July, the Council will appoint members to a Special BRD Advisory Panel (SBAP) made up of scientists, engineers, fishermen, environmentalists, or others with knowledge of BRDs and their ability to reduce bycatch of juvenile red snapper. The SBAP will advise the Council regarding the need for and recommendations regarding modifications to the bycatch criterion for under the provisions of Amendment 9 to the Shrimp Fishery Management Plan.

Persons interested in serving on the SBAP should send a letter to the Council office identifying their interest and include a short resume describing their background with BRDs. Persons who have fishery resource violations within the last five years are ineligible to serve.

**NEW FISHERY BIOLOGIST JOINS COUNCIL STAFF**

Mr. Peter Hood has joined the Council staff as its new fishery biologist. This is a new staff position. Mr. Hood comes to the Council staff from the Florida Department of Environmental Protection’s Marine Research Institute where he has worked as a fish biologist. Mr. Hood has studied life history patterns of a variety of species important to Gulf of Mexico fisheries including red drum, Florida pompano, permit, tripletail, gag grouper, vermilion snapper, and red porgy. Mr. Hood also has experience evaluating fish use of coastal and estuarine habitats.

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Tampa, Florida 33619-2266

*ON THE HORIZON - Look for an updates on these workshops in the next newsletter*

**Bycatch Reduction Workshop:** The Council and National Marine Fishery Service (NMFS) have asked the state of Florida to join them in sponsoring a workshop to address bycatch on the west coast of Florida. The workshop will examine the direct impacts of bycatch on managed species and on ecological/habitat relationships. The workshop would include representatives of the Florida Department of Environmental Protection, Florida Marine Fisheries Commission, NMFS, Council Staff, industry, university scientists, and others. This workshop has not been scheduled yet, but will probably occur in September 1999.

**Marine Reserve Scoping Workshops:** The Council has requested that a series of scoping workshops be held to present the concept of marine reserves to the public and get feedback from the public on their potential use for fishery management. These workshops may use a facilitator to be named at the July 1999 Council meeting. Tentative locations for these workshops include Brownsville TX, Port Aransas TX, Galveston TX, New Orleans LA, Biloxi MS, Orange Beach AL, Panama City FL, Steinhatchee FL, Tampa FL, and Key West FL. The workshops will probably occur in August 1999; however, specific dates and locations have not been set. .

### *GULF FISHERY NEWS WANTS YOUR NEWS AND VIEWS . . . .*

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

*The Gulf of Mexico Fishery Management Council is one of eight regional fishery management councils that were established by the Magnuson-Stevens Fishery Conservation and Management Act in 1976. The Council is responsible for the development and modification of fishery management plans (FMPs) that are designed to manage fishery resources in the exclusive economic zone (EEZ) of the Gulf of Mexico from state boundaries to the 200-mile limit. This is a publication of the Gulf of Mexico Fishery Management Council and financial assistance for this news release was provided by grant funds pursuant to National Oceanic and Atmospheric Administration Award No. NA97FC0010.*

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