

# GULF FISHERY NEWS

VOLUME 23, NO. 5

SEPTEMBER-DECEMBER 2001

*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.*

**IN THIS ISSUE:**

- ROY WILLIAMS AND JIM FENSOM ELECTED COUNCIL CHAIRMAN AND VICE-CHAIRMAN FOR 2001/2002
- RED GROUPER REGULATORY AMENDMENT INITIATED
- \$500 PRIZE FOR COUNCIL LOGO CONTEST
- GULF-WIDE PHONE NUMBER TO REPORT FISHERY LAW VIOLATORS (866 WE ENFORCE)
- COUNCIL APPROVES 2002 OPERATIONS PLAN OF LAW ENFORCEMENT AP
- PROULX RECEIVES MERITORIOUS PUBLIC SERVICE AWARD FROM USCG
- NEW FACES AT NMFS/NOAA
- NMFS ANNOUNCES COMMERCIAL ATLANTIC SHARK FISHERIES FIRST 2002 SEMIANNUAL FISHING SEASON
- MFS AND LDNR DEDICATE BLACK BAYOU RESTORATION PROJECT
- NOAA PROVIDES \$250,000 TO THE GULF OF MEXICO FOUNDATION
- ENFORCEMENT REPORTS
  - NOVA Report
  - Settlement Report
- TENTATIVE AGENDA FOR THE JANUARY GULF COUNCIL MEETING



## **ROY WILLIAMS AND JIM FENSOM ELECTED COUNCIL CHAIRMAN AND VICE-CHAIRMAN FOR 2001/2002**

Mr. Roy Williams and Mr. Jim Fensom were elected by the Gulf Council to be this year's Chairman and Vice-Chairman, respectively, at the September 2001 Council meeting. Because of the terrorist attacks, the September meeting was adjourned early. The only actions taken at the meeting were the approval of the budget and the election of the Chairman and Vice-Chairman.

Mr. Williams has worked with marine fisheries for the state of Florida for over thirty years and is currently the Assistant Division Director, Division of Marine Fisheries for the Florida Fish and Wildlife Conservation Commission (FWC). In 1987, he started working for the Florida Marine Fisheries Commission (MFC) which later became part of the FWC after a merger of state agencies. Mr. Williams has been the voting Florida designee to both the Gulf Council and the South Atlantic Fisheries Management

Council (SAFMC). He has served on the Gulf Council in 1987 and from 1994 to the present.

Mr. Fensom is an attorney from Panama City, Florida who has served on the Council since 1999. He was born and raised in Port St. Joe, Florida where commercial fishing was the second most important industry following paper production. He is an avid fisherman who enjoys fishing inshore for red drum and trout, and offshore for reef fish and king mackerel. Because he has grown up on the west Florida coast, Mr. Fensom is sensitive to changes that have occurred in coastal communities as populations have expanded over time.

### **NEXT COUNCIL MEETING**

**January 21-24, 2002**  
**Holiday Inn - Fort Brown**  
**1900 East Elizabeth Street**  
**Brownsville, Texas 78520**

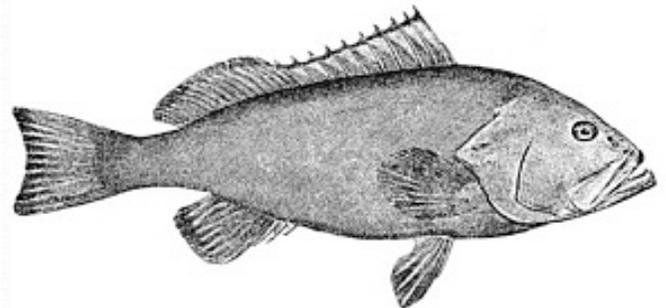


## RED GROUPER REGULATORY AMENDMENT INITIATED

At its December 2001 meeting, the Gulf Council approved a motion to remove sections of Amendment 18 to the Reef Fish Fishery Management Plan (FMP) that deal with rebuilding the Gulf of Mexico (GOM) red grouper stock and proceed with those sections as a separate regulatory amendment. This course of action was taken because Amendment 18, which includes other reef fish and essential fish habitat issues, also required a supplemental environmental impact statement (SEIS) that would require the Council to address all fishing impacts to reef fish essential fish habitat (EFH). This task is scheduled for completion under the environmental impact statement (EIS) for the Council's generic EFH amendment that is expected to take up to two years to complete. To continue to develop the red grouper rebuilding plan as part of the amendment would threaten the likelihood of submitting a rebuilding plan to NMFS in a timely basis. The National Marine Fisheries Service (NMFS) declared the GOM red grouper stock to be overfished and subject to overfishing (i.e.,  $F > F_{MSY}$ ) in November 2000. Based on the Sustainable Fisheries Act of 1996 guidelines that require that stocks be capable of supporting maximum sustainable yield (MSY) on a continuing basis, the Gulf Council was required to submit a plan to end overfishing and rebuild the red grouper stock within one year. Although that initial Council deadline has passed (due partly to a reexamination of the data that was used in the NMFS stock assessment), NMFS still has nine months to submit a rebuilding plan under the Magnuson-Stevens Act. This rebuilding plan will be developed by the Council through a regulatory amendment.

During the summer of 2001, the Council held a series of public hearings on Amendment 18 with the intent to take final action at its July 2001 meeting. However, final action was deferred from the July 2001 meeting because of necessary recalculations of landings data, percent reduction needed to rebuild the red grouper stock, and the fact that only an unfinished draft SEIS was available to the public for comment. A revised Amendment/DSEIS and dates for a new series of public hearings were prepared for review at the September Council meeting. Unfortunately, the tragic events of September 11, 2001 cut short that

meeting, and the review was rescheduled for the December meeting. In the interim, NMFS produced new more extensive guidelines for plan amendments to adhere to before being approved by the Secretary of Commerce. Therefore, the Gulf Council determined that the most expedient method to address rebuilding red grouper stocks was to proceed with a regulatory amendment. The Council moved specifically that the regulatory amendment include those sections that address longlines and buoy gear (boundary line restrictions, gear phase-out, drift style and bottom style buoy gear), bandit and vertical hook-and-line gear boundaries, alternating longline/buoy gear and bandit/vertical hook-and-line gear fishing months, red grouper rebuilding parameters [e.g., minimum stock size threshold (MSST), maximum fishing mortality threshold (MFMT), optimum yield (OY), and maximum sustainable yield (MSY)], commercial and recreational closed seasons, recreational harvest on a commercial reef fish vessel, commercial trip limits, recreational bag limits, and closed areas. In addition, some specific scenarios (combinations of management measures) will be



proposed in the regulatory amendment.

The Council's preferred alternative for a red grouper rebuilding strategy is to adopt a plan that is intermediate between a "constant catch" rebuilding plan and a "constant fishing mortality" (or "constant F") plan. Under a "constant catch" rebuilding program, the red grouper acceptable biological catch (ABC) would be set at 4.3 to 5.2 million pounds, with the requirement that catches be held at this level for the next 10 years as the stock rebuilds. Under a "constant fishing mortality" (or "constant F") rebuilding program, the ABC would initially be set at 3.0 to 4.2 million pounds, but catches would be allowed to increase as the stock rebuilds and would surpass the constant catch levels about halfway into

the rebuilding program. The Council's preferred alternative is a combination of the constant catch and constant F strategies where landings are held constant for 3-year intervals within the rebuilding period. Under this strategy, the ABC for first 3-year period would be set at 3.14 to 4.29 million pounds, requiring a 36% to 53% harvest reduction from 1990-2000 average (mid-point of range = 45%) for both commercial and recreational sectors. The ABC for subsequent years would be determined from a future stock assessment. Regardless of the strategy used, after 10 years the stock would be rebuilt and catches could be increased to the OY level. The Council's preferred alternative for OY is 94 percent of the long term MSY levels, or about 6.3 to 6.6 million pounds. For comparison, annual red grouper harvests since the current red grouper regulations were implemented in 1990 have ranged from 4.9 to 8.7 million pounds.

It is also possible that the Council may recommend the use of a lower threshold for determining the overfished status. The red grouper stock assessment found that the current spawning stock biomass is at between 56% to 70% of the biomass level needed to sustain MSY. NMFS declared the red grouper stock overfished based on the stock being below a threshold of 80% of the MSY biomass level. This threshold was calculated from a formula derived by NMFS' precautionary approach in determining an overfished status, but which has not yet been endorsed by the Council. In other regions of the country, NMFS and the Regional Fishery Management Councils have adopted 50% of the MSY biomass level as the overfished threshold. If this threshold were used for red grouper, the stock would no longer be considered to be in an overfished state. However, overfishing would still be occurring. The Council would still be obligated to stop overfishing and to rebuild the stock back to its MSY, and ultimately OY, level. The consequences of rebuilding a stock that is overfished vs. ending overfishing in a stock that is not overfished but is undergoing overfishing will be evaluated by the Council as it proceeds to develop the regulatory amendment.

Normally, a regulatory amendment does not need to have public hearings other than at the Council meeting where final action is taken. However, because the January Council meeting is in

Brownsville, Texas, outside the area where the red grouper fishery occurs, tentative plans call for a series of public hearings to be held in late February, with final action to be taken at the March 11-15, 2002 meeting in Mobile, Alabama.

### **\$500 PRIZE FOR COUNCIL LOGO CONTEST**

Over the past year, the Council has been seeking suggestions from the public for a logo. To help increase the public's interest in designing a logo, the Basco Construction Company has graciously offered a \$500 prize to the person who submits the logo that is selected as the best by the Council. This logo should capture the mission of the Council, which is developing and monitoring fishery management plans (FMP) to provide for the best use of the fishery resources in the Gulf of Mexico (Florida to Texas). Fisheries that the Council manages include shrimp; coastal migratory pelagics (king and Spanish mackerels, cero, dolphin, cobia, and little tunny); reef fish (snapper, groupers, tilefishes, amberjacks, and triggerfishes.); corals and coral reefs; stone crab; red drum; and spiny lobster.

The following should be considered in designing a logo: A logo is an early introduction or an important distinctive identity for an organization. A well designed logo should signal the existence of the organization, its strength, and services and products offered. It should be timeless and not become dated. It should be simple enough to be recognizable whether displayed as a full-page graphic or reduced to a size small enough to fit on letterhead. Finally, it needs to have a color scheme that holds up well in black and white because it will be copied and faxed.

This contest is open to everyone. Entries to the contest should be sent to the Gulf Council office (see page 12 for addresses) and the deadline for the contest is **June 15, 2002**. Entrants can submit more than one logo. Any logos in electronic format should be sent as GIF or JPEG files. Submissions become the property of the Gulf of Mexico Fishery Management Council.



### **GULF-WIDE PHONE NUMBER TO REPORT FISHERY LAW VIOLATORS (866-WE-ENFORCE)**

A program sponsored by the Coastal Conservation Association (CCA) in partnership with state and federal agencies allows citizens around the Gulf Coast to immediately report game and fish law violations to the appropriate state agencies using a single, toll-free number. The universal, toll-free telephone number is (866) WE ENFORCE (933-6367). This hot line is an expansion of the existing Coast Watchers program that focuses on enforcement of game laws and was developed as a joint project of the Gulf States Marine Fisheries Commission Law Enforcement Committee, state chapters of CCA, and the Texas, Louisiana, Mississippi, Alabama, and Florida fish and game enforcement agencies.

Citizens who observe a game law violation can call the toll-free number directly from their boats using a cell phone, or onshore using a wired or mobile phone. The hot line is set up so that calls will be immediately forwarded to the respective state agency closest to where the call originates. For example, if someone calls from Louisiana, that call will be forwarded to the Louisiana Department of Wildlife and Fisheries. The respective CCA chapters from which the calls originate will pay the toll charges for calls.

The 866 WE ENFORCE project was coordinated by Capt. Jeff Mayne of the Louisiana Department of Wildlife and Fisheries. Mayne serves as chairman of the Law Enforcement Committee of the Gulf States Marine Fisheries Commission.

### **COUNCIL APPROVES 2002 OPERATIONS PLAN OF THE LAW ENFORCEMENT AP**

At its January meeting, the Gulf Council approved the 2002 Cooperative Gulf of Mexico Law Enforcement

Operations Plan. This plan has been developed by the Gulf Council's Law Enforcement Advisory Panel (AP) and the Gulf States Marine Fisheries Commission (GSMFC) Law Enforcement Committee. It is part of the umbrella strategic plan that is the first comprehensive regional law enforcement plan for the Gulf of Mexico. The purpose of the plan is to address the need for new law enforcement strategies that are necessary to address the ever increasing responsibilities that are being placed on Gulf of Mexico marine resource enforcement entities.

The plan notes that the role of law enforcement in the fishery management process is to ensure compliance with adopted regulations. Compliance, which enhances the success of management plans, is achieved with an effective enforcement program. State and federal marine resource regulations mandate a comprehensive and coordinated compliance program. A gulf-wide cooperative law enforcement strategic plan maximizes the effectiveness of law enforcement efforts by defining gulf-wide priorities; supporting comprehensive, cooperative planning efforts; and enabling interjurisdictional fisheries enforcement operations. This plan has taken on new importance as law enforcement resources are being stretched further by anti-terrorism missions.

Goals of the plan are to provide professional law enforcement expertise throughout rule-making processes, promote law enforcement partnerships among the states and between state and federal agencies, develop and implement effective educational programs, and obtain funds to aid state and federal law enforcement agencies.

For a copy of the 2002 plan, contact the Gulf States Marine Fisheries Commission, P.O. Box 726, Ocean Springs, Mississippi 39566-0726, Phone: (228) 875-5912.

### **PROULX RECEIVES MERITORIOUS PUBLIC SERVICE AWARD FROM USCG**

Mr. Eugene Proulx was presented with the Meritorious Public Service Award by the United States Coast Guard at the Council's December 2001 meeting. Mr. Proulx, who has just retired, was the Special Agent in Charge of the National Oceanic and Atmospheric Administration's (NOAA) Office of Law

Enforcement for the Southeast Region. He has been a steadfast advocate of developing strong partnerships between the Coast Guard, State and International Law Enforcement agencies, the commercial and recreational fishing sectors, environmental organizations and the Fishery Management Councils. As the senior NOAA Law Enforcement agent in the Southeast Region, Mr. Proulx routinely helped train Coast Guard law enforcement personnel during Coast Guard fishery boarding officer classes and Coast Guard Group Operations Officers conferences. Additionally, he worked closely with the Gulf Regional Fishery Training Center to develop a comprehensive job aid that provided Coast Guard field units with a valuable reference guide for documenting fishery violations. Mr. Proulx coordinated and facilitated annual meetings between the Coast Guard and Texas Parks and Wildlife officials to plan and execute dedicated annual Turtle Excluder Device enforcement campaigns to help reduce the number of endangered turtle strandings following the opening of Texas waters for shrimping. In the international arena, Mr. Proulx was a key contributor in developing a cooperative fishery enforcement partnership among the Coast Guard, NOAA and the Mexican governmental agencies PROFEPA and SAGARPA. Particularly noteworthy was his role in the development of an informal Memorandum of Understanding that afforded the opportunity for the Coast Guard to transfer custody of seized Mexican fishing vessels to Mexican law enforcement authorities for prosecution and adjudication. This agreement had a tremendous positive impact on the Coast Guard's relationship with Mexico in many mission areas and also provided a conduit for an effective exchange of ideas on issues of mutual concern along the U.S. and Mexico maritime border.

#### **NEW FACES AT NMFS/NOAA**

Retired Navy Vice Adm. Conrad C. Lautenbacher Jr. became the new Under Secretary of Commerce for Oceans and Atmosphere. In this capacity, he will serve as administrator of the National Oceanic and Atmospheric Administration (NOAA), the nation's top science agency for oceans and the atmosphere. Lautenbacher becomes the eighth administrator of

NOAA. Lautenbacher has served in a broad range of command, operational, and staff billets. He served as deputy chief of Naval Operations in charge of resource allocation and requirements development for the Navy, commander of the U.S. Third Fleet and director of the Office of Program Appraisal. As a director on the Joint Staff, he reported to the chairman of the Joint Chiefs of Staff as principal strategic planning and resource allocation executive, making key recommendations affecting the size and composition of the U.S. Armed Forces. His background also includes operational tours in Vietnam and the Persian Gulf, as well as assignments as systems analyst with the Office of the Assistant Secretary of Defense.

Dr. William T. Hogarth was named the Assistant Administrator for the National Marine Fisheries Service (NMFS). Dr. Hogarth has been Acting Assistant Administrator since being reassigned from his position as Deputy Assistant Administrator in January 2001. Beginning in 1994, he held several positions within NMFS Headquarters, including Chief of the Highly Migratory Species Division. He was the Southwest Regional Administrator in Long Beach, California, from April 1997 through April 1999, and served as the Southeast Regional Administrator in St. Petersburg, Florida, from May 1999 to July 2000. Dr. Hogarth returned to NMFS Headquarters when he was appointed as the Deputy Assistant Administrator for Fisheries in July 2000. Prior to joining NMFS, he was the Director of the North Carolina Division of Marine Fisheries from 1986 to 1994.

Within NMFS, there have been several staff appointments made at higher administrative levels. Jack Dunnigan left the Atlantic States Marine Fisheries Commission where he was the Executive Director and is the new Director for the Office of Sustainable Fisheries in NMFS. Rebecca Lent has been promoted from the Southwest Regional Administrator to Deputy Assistant Administrator for Regulatory Programs in NMFS. Chris Rogers has been appointed as the Chief of NOAA Fisheries Highly Migratory Species Division. David Cottingham has left the U.S. Fish and Wildlife Service to join NMFS as the Deputy Director for the Office of Protected Resources.

## **NMFS ANNOUNCES COMMERCIAL ATLANTIC SHARK FISHERIES FIRST 2002 SEMIANNUAL FISHING SEASON**

The first semiannual fishing season of the 2002 fishing year for the commercial fisheries for large coastal sharks (LCS) and small coastal sharks (SCS) in the western north Atlantic Ocean, including the Gulf of Mexico and the Caribbean Sea, opened January 1, 2002. No closure dates are specified at this time. The National Marine Fisheries Service (NMFS) is preparing an emergency rule to implement commercial quotas and management measures consistent with the results of the independent peer reviews of the 1998 stock assessment and a court-approved settlement agreement. An announcement of the LCS commercial fishery closure will be made at that time; a closure date for the SCS fisheries will be determined at a later date, as necessary.

The first semiannual fishing season of the 2002 fishing year for the commercial fisheries for pelagic sharks, blue sharks, and porbeagle sharks in the western north Atlantic Ocean, including the Gulf of Mexico and the Caribbean Sea, will open January 1, 2002. These semiannual quotas are 244, 136.5, and 46 metric tons dressed weight, respectively. Closure dates for these fisheries will be determined at a later date, as necessary.

*NOTE: Possession of the following sharks is prohibited in commercial and recreational fisheries: white, dusky, sand tiger, bigeye sand tiger, whale, basking, bignose, Galapagos, Night, Caribbean reef, narrowtooth, Caribbean sharpnose, smalltail, Atlantic angel, longfin mako, bigeye thresher, sevengill, sixgill, and bigeye sixgill.*

## **NMFS AND LDNR DEDICATE BLACK BAYOU RESTORATION PROJECT**

In December 2001, the National Marine Fisheries Service (NMFS) and the Louisiana Department of Natural Resources (LDNR) dedicated the Black Bayou Hydrologic Restoration Project, a 25,530-acre wetland located in Cameron and Calcasieu parishes to benefit the largest area of coastal wetlands constructed by the Coastal Wetlands Planning, Protection and Restoration Act to date.

The restoration of Louisiana's marshes is funded through the Breaux Act, a 10-year-old campaign to protect and restore coastal natural resources. Project directors dedicated a total of eight projects that have been completed during the past year to protect and restore ecologically valuable areas of coastal habitat.

The \$6.4 million Black Bayou project was designed to restore coastal marsh habitat and slow the loss of wetlands that are gradually turning into shallow open water within the project area. Construction included restoring 22,800 linear feet of the southern bank of the Gulf Intracoastal Waterway, installing three rock weirs to reduce the size of manmade canals in the project area, and installing a state-of-the-art self-regulating tide gate.

The self-regulating tide gate, built in California, has never before been used as a restoration technique in Louisiana. The NMFS believes it will achieve dual objectives of protecting thousands of wetland acres while maintaining fisheries access to these very wetlands. If proven successful, the self-regulating tide gate could become widely used to preserve coastal Louisiana habitat.

The Black Bayou hydrological restoration project was jointly managed by NMFS and the LDNR. Over the next two years, NMFS plans to spend a portion of the total funds planting 55,000 wetland plants in the area. Over the 20-year life of the project, experts expect an additional 1,800 acres of open water to convert back into marsh across the project area.

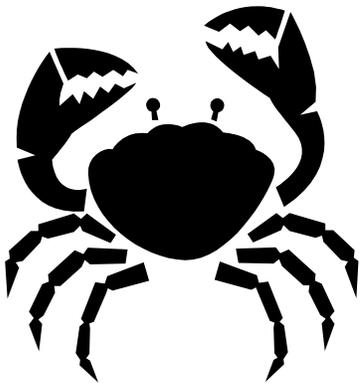
Projects are selected and managed by the Coastal Wetlands Planning Protection and Restoration Act Task Force. The Task Force is a partnership among the U.S. Army Corps of Engineers, the U.S. Department of Commerce's NMFS, the U.S. Environmental Protection Agency, the USDA-Natural Resources Conservation Service, the Department of the Interior's U.S. Fish and Wildlife Service and the Louisiana Governor's Office.



## **NOAA PROVIDES \$250,000 TO THE GULF OF MEXICO FOUNDATION**

The National Oceanic and Atmospheric Administration (NOAA) and the Environmental Protection Agency's (EPA) Gulf of Mexico Program recently awarded \$250,000 and \$90,000 respectively to the Gulf of Mexico Foundation for habitat restoration in the five states bordering the Gulf of Mexico.

These funds will be used to support grass-roots efforts to restore critical fisheries habitats in Texas, Louisiana, Mississippi, Alabama, and Florida in areas known as Gulf Ecological Management Sites (GEMS), designated as critical to the sustainability of the Gulf's living marine resources.



These awards launch a major effort to reclaim essential fish habitats of the Gulf of Mexico by implementing "in-the-field" efforts to restore and improve marine and coastal habitats that have been degraded or lost. The GEMS Program has evolved since its inception in 1991, when it began with the Gulf of Mexico Program and the Texas Parks and Wildlife Department. The funding from NOAA marks the continued evolution of this program as the first step in a new three-year partnership. With matching grant awards, the total value of the effort could exceed \$5 million over the term of the partnership.

NMFS provides federal support for the partnership through its Community-Based Restoration Program, which works with community organizations to support locally-driven habitat restoration projects in marine, estuarine and riparian areas since 1996. NOAA-funded projects provide strong on-the-ground habitat-restoration components that offer educational and social benefits for people and their communities

in addition to long-term ecological benefits for fishery resources.

"We at the Gulf of Mexico Foundation are thrilled to have the opportunity to work with NOAA, the Gulf of Mexico Program, and the Gulf states to implement this major effort to reclaim lost habitat," said Dr. Quenton Dokken, executive director of the Gulf of Mexico Foundation. "Fish, shrimp, oysters, and other living resources of the Gulf of Mexico are the foundation for several billions of dollars of commerce each year. They are an integral part of the historical and future socioeconomic structure of the Gulf Coast."

Seagrass habitats, oyster reefs, marsh and wetland habitats and many more unique and essential fish habitats will be targeted. The purpose is to ensure that those habitats essential to the successful life cycles of the living marine resources of the Gulf of Mexico continue to exist and become more healthy and productive over time. The Gulf of Mexico Foundation, a regional non-profit marine conservation organization, will coordinate habitat restoration and education outreach efforts across the Gulf states.

To develop a sense of stewardship within the affected communities, a comprehensive educational outreach program will be a cornerstone of the effort. Outreach programs will be incorporated into the efforts, such as the Cyberways and Waterways Program, with its interactive website, and the Adopt-A-Wetland Program with extensive teacher education programs. Local school groups and civic organizations will be involved, and these groups will ultimately ensure the continuation of the program beyond the grant period.

"The Gulf of Mexico Program is excited about being a partner in protecting our Gulf GEMS", said Jim Giattina, Gulf of Mexico Program director. "By all of the agencies and individuals in the five Gulf Coast states pulling together like this, we are able to protect our GEMS as one Gulf community." The Gulf of Mexico Program was formed in 1988 to develop and implement voluntary, incentive-based management strategies to protect, restore, and maintain the health and productivity of the Gulf ecosystem.

More information on the program can be viewed at: <http://pelican.gmpo.gov>.

## NOVA REPORT

CASE NUMBER	RESPONDENT NAME	AREA	LE UNIT	CASE DESCRIPTION	NOVA AMOUNT	NOFP* AMOUNT	PROPOSED NOPS** DURATION
SE980981MS	Oscar Carballeira	FKNMS	FWCC	fish in sanctuary preservation area	\$ 500		
SE990261FM	Dinh Van Giac & Danny Duc Tran	GOM	USCG	fish during Texas shrimp closure	\$ 4,000		
SE990263ES	Frank F. Schwartz	GOM	USCG	TED violation	\$ 2,000		
SE990484ES	Tommy Nguyen Thanh Dinh Nguyen	GOM	TP&W	TED violation	\$ 4,000		
SE990916MS	John Joseph Melotik	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 1,500		
SE991149MS	Bryant Joseph Mesa	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 500		
SE991423MS	Travis Caton Knapp	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 500		
SE991424MS	Michael S. Greenwald	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 500		
SE000238MS	James D. Walker	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 500		
SE000308ES/FM	Michael F. Lagasse Jose Louis Martinez	GOM	USCG	1) TED violation 2) BRD violation	\$ 8,000 \$ 6,000		
SE000391MS	Luis E. Alberto	FKNMS	FWCC	fish in sanctuary preservation area	\$ 500		
SE000849MS	Maldiel Garcian	FKNMS	FWCC	fish in sanctuary preservation area	\$ 500		
SE000908FM	Star Chief Inc. Ronnie Avery	GOM	NMFS	1) exceed commercial retention limit for shark 2) falsify or fail to record, report information	\$10,000 \$ 5,000		30 days
SE000909FM	Save on Seafood Co.	GOM	NMFS	1) possess, have custody or control of, or purchase shark taken or retained in violation of Magnuson-Stevens Act regulations 2) falsify or fail to record, report information	\$ 5,000		30 days
SE001071MS	Donald G. Paskins	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 1,250		
SE001119MS	Julio C. Cordero	FKNMS	FWCC	fish in sanctuary preservation area	\$ 500		
SE001183FM	Mark A. Stuart	GOM	NMFS	2 engaged in an activity for which a permit is required without a permit, 1 false statement to an authorized law enforcement officer	\$ 6,000		
SE001215MS	Alberto Perez-Jacome	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 1,500		
SE001216MS	Henry Peter Noriega	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 500		
SE001224MS	Michael Alan Fraga	FKNMS	FWCC	fish in sanctuary preservation area	\$ 500		
SE001225MS	Steven Avila	FKNMS	FWCC	fish in sanctuary preservation area	\$ 500		
SE001228MS	Carlton Henry Smith	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 500		
SE001245ES	John H. Williams Linda Tippit	GOM	NMFS	TED violation	\$ 3,000		
SE001262ES	Thomas Sevel Raymond Walker	GOM	NMFS	1) TED violation 2) take endangered species sea turtle (Kemps ridley turtle)	\$ 500 \$ 3,000		
SE001298MS	Jahziel Pineiro	FKNMS	FWCC	fish in sanctuary preservation area	\$ 500		
SE001299MS	Tom Brkic	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 750		
SE001301MS	Stan A. Miles	FKNMS	FWCC	fish with, carry or possess speargun in existing management area	\$ 500		
SE001350FM	Ocean Ventures, Inc. Michael Paprocki	GOM	FWCC	unlawfully possess or land fish (red snapper) in excess of commercial trip limits	\$ 1,500		15 - days
SE001355ES	Dudley Scott Williams Lance Marshall	SA	NMFS/USCG	Summer Flounder TED violation	\$ 8,000		
SE001414MS	John Michael Meyers	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 500		
SE001422MS	John A. Heim	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 500		
SE001430MS	Captain Pulles Nordstrand Maritime & Trading Co.	FKNMS	FWCC	ATBA	\$10,000		
SE010431MM	Phillip M. Money	GOM	FWCC	dolphin harassment/attempt by operating a vessel from which	\$ 600		

SE001435MS	Filiberto Torres	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 500	
SE001436MS	Jon Samuel Cerrito	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 500	
SE001445MS	Donald G. LeBlanc	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 1,200	
SE001446MS	James R. Quist	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 1,400	
SE001447MS	Christian John Wernlund, II	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 4,000	
SE010338ES	Roy Campo, Jr. & Roy Campo, Sr.	GOM	USCG	TED violation	\$ 8,000	\$ 3,460.50
SE010346ES	Ky Cong Vu & Tu Viet Vu	GOM	USCG	TED violation	\$ 3,000	
SE010397ES	Gerald A. Turan	GOM	USCG	TED violation	\$ 4,000	\$ 2,868
SE010431MM	Phillip M. Money	GOM	FWCC	dolphin harassment/attempt by operating a vessel from which feeding/attempt conducted	\$ 600	
SE010458ES	Chin Ngo	GOM	AL	1) TED violation 2) illegal turtle take	\$ 1,000 \$ 3,000	
SE010480ES/FM	Guadalupe J. Hurtado, Thomas G. Flores, Craig Wallis, Keith Wallis	GOM	USCG	1) TED violation 2) BRD violation	\$ 4,000 \$ 6,000	\$ 6,884.85
SE015031MS	Capt. P. Lourdes Eugene Daskalopoulos	FKNMS	FWCC	ATBA	\$ 5,000	
SE015032MS	Rybo 55 Inc. Douglas Paul Jossim	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 1,000	
SE015033MS	Peter Leslie Martin	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 1,500	
SE015034MS	Emmanuel Alsina Arnaldo Gonzalez	FKNMS	FWCC	no diver down flag displayed fish with, carry or possess speargun in existing management area, and interference with law enforcement investigation	\$ 25 \$ 500 \$ 2,000	
SE015035MS	Mark R. Mumane	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 2,250	
SE015053MS	Wayne Thomas Miller	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 500	
SE015063MS	Mark W. Munson	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 1,800	
SE015074MS	Hector Garcia	FKNMS	FWCC	fish in sanctuary preservation area	\$ 500	
SE015109MS	David L. Lewis	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 500	
SE015136MS	Neil R. Moritt	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 500	
SE015168MS	Alex R. Canalejo	FKNMS	FWCC	place unauthorized materials on seabed of sanctuary	\$75,000	One Garmin GPS, One Kodax Max camera, One Record Book, 28 cement pipe secs. & 4 secs. of wonderboard
SE015174MS	Steve Richarte	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 1,500	
SE015176MS	Pan Ocean Shipping Capt. I. Hong Beom	FKNMS	FWCC	ATBA	\$10,000	
SE015177MS	Oliver P. Poetsch	FKNMS	FWCC	taking tropical fish from an existing management area	\$ 1,500	
SE015178MS	Vidal Victor Wazo	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 3,000	
SE015186MS	Lionel G. Morrisseau, Jr.	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral, seagrass or any other immobile organism	\$ 500	
SE015188MS	Ercio William Rodriguez	FKNMS	FWCC	fish in sanctuary preservation area	\$ 500	
SE015210FM	Robert Wells Chance Enterprise	GOM	FWCC	failure to maintain fish (red grouper) through offloading	\$ 3,000	15 - days
SE015211FM	Ernest Davis Gail Davis	GOM	FWCC	failure to maintain fish (shark) intact	\$ 4,000	45 - days
SE015264MS	Arthur R. Windram	FKNMS	FWCC	operate vessel in such a manner as to strike or otherwise injure coral,	\$ 7,500	



**TENTATIVE AGENDA FOR THE JANUARY GULF  
COUNCIL MEETING**

**COMMITTEE SCHEDULE**

**Monday, January 21, 2002**

Mackerel Management Committee

- Mackerel and Cobia Status Determination Criteria
  - MSAP Report
  - SEP Report
  - AP Recommendations
  - SSC Recommendations
  - Committee Recommendations

Shrimp Management Committee

- Texas Closure Analyses
  - NMFS Report
  - AP Recommendations
  - Committee Recommendations

Reef Fish Management Committee

- Review of Draft Regulatory Amendment for Red Grouper
  - Rebuilding Alternatives and Analyses
  - Other Analyses
  - Public Hearing Schedule
- Development of Red Snapper Profile
  - Staff Recommendations
  - Committee Recommendations
- TAC Recommendations for Gag<sup>1</sup>, Vermilion Snapper, and Gray Triggerfish<sup>2</sup>
  - RFSAP Report
  - SEP Report
  - AP Recommendations
  - SSC Recommendations
  - Committee Recommendations

Budget Committee

- Reef Fish SEIS Contract

**Tuesday, January 22, 2002**

Reef Fish Management Committee (Continued)

Deep -Water Crab Management Committee

- Options Paper
  - AP Recommendations
  - Committee Recommendations

Administrative Policy Committee

- HR 2570 Fishery Recovery Act
  - Staff Presentation
  - Committee Recommendations
- S 1314 Freedom to Fish Act
  - Staff Presentation
  - Committee Recommendations
- Policy on Public Comment by E-mail

Advisory Panel Selection Committee

---

<sup>1</sup>Final Action on gag will be scheduled at the March or May 2002 Council meetings, held in Mobile, Alabama or Destin, Florida, respectively.

<sup>2</sup>Final action on gray triggerfish will be held at the March 2002 Council meeting in Mobile, Alabama.

- Ad Hoc EFH/EIS Review Panels
  - Review of Resumes
  - Committee Recommendations

Personnel Committee

- Sick Leave Benefit
  - Staff Analyses
  - Committee Recommendations

**COUNCIL SCHEDULE**

**Wednesday, January 23, 2002**

- I. Call to Order and Introductions
- II. Adoption of Agenda
- III. Approval of Minutes
- IV. Public Testimony
  - a. Texas Closure
  - b. Overfishing and Overfished Criteria for Mackerel and Cobia
  - c. TAC Recommendations for Gag, Vermilion Snapper, and Gray Triggerfish
- V. Committee Reports
  - a. Reef Fish Management
  - b. AP Selection Committee (CLOSED SESSION)
  - c. Personnel Committee (CLOSED SESSION)

**Thursday, January 24, 2002**

- VI. Committee Reports - Continued
  - b. AP Selection Committee
  - d. Mackerel Management
  - e. Shrimp Management
  - f. Deep-Water Crab Management
  - g. Administrative Policy
  - h. Budget
- VII. Status Report on Contract for Preparation of SEIS for EFH Amendment
- VIII. Coral Reef Task Team Meeting Report
- IX. G&SAFF TED Workshop Report - Aparicio
- X. Enforcement Reports
- XI. Regional Administrator's Report
- XII. Directors' Reports
- XIII. Other Business - R. Williams

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 . . . .

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

The Gulf of Mexico Fishery Management Council is one of eight regional fishery management councils that were established by the Magnuson-Stevens Fishery Conservation and Management Act in 1976. The Council is responsible for the development and modification of fishery management plans (FMPs) that are designed to manage fishery resources in the exclusive economic zone (EEZ) of the Gulf of Mexico from state boundaries to the 200-mile limit. This is a publication of the Gulf of Mexico Fishery Management Council and financial assistance for this newsletter was provided by grant funds pursuant to National Oceanic and Atmospheric Administration Award No. NA17FC1052.

**January Meeting:**

January 21-24, 2002  
Holiday Inn - Fort Brown  
1900 East Elizabeth Street  
Brownsville, Texas 78520

**March Meeting:**

March 11-15, 2002  
Adam's Mark Hotel  
64 South Water Street  
Mobile, Alabama 36602

---

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

3018 U.S. Highway 301 N.  
Suite 1000  
Tampa, Florida 33619-2266

---

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE, \$300

AN EQUAL OPPORTUNITY EMPLOYER