

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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JIM FENSOM ELECTED COUNCIL CHAIRMAN, VICE-CHAIRMAN ELECTION DEFERRED UNTIL NOVEMBER

The Gulf Council usually elects a new chairman and vice-chairman every September. At the September 9-12, 2002 Council meeting in Metairie, Louisiana, Jim Fensom (Florida) was elected to serve as the chairman for 2002/2003. Mr. Fensom is an attorney from Panama City, Florida and was born and raised in Port St. Joe, Florida. He is an avid fisherman who enjoys fishing inshore for red drum and trout, and offshore for reef fish and king mackerel.

Unfortunately, the Council was not able to elect a vice-chairman. This was because one Council member was absent from the September meeting, and this election ended in an 8-8 tie vote. The Council decided to defer the election of a vice-chairman until the November meeting when all 17 voting members are expected to be present. Mr. Fensom had been the vice-chairman for 2001/2002, so the vice-chairman position will remain vacant in the interim.

COUNCIL HEARS MACKEREL STOCK ASSESSMENT REPORT

Dr. Will Patterson presented the Mackerel Stock Assessment Panel (MSAP) report that concluded that king mackerel and little tunny were not overfished and overfishing was not occurring. The report included a review of a full assessment for Gulf group king mackerel, an assessment of little tunny, and preliminary assessments for cero and Gulf bluefish. He indicated the MSAP also reviewed otolith and length-at-age data as well as landings data for Atlantic and Gulf group Spanish mackerel and Atlantic group king mackerel with landings data updated through 2000-01.

NEXT COUNCIL MEETING

November 12-15, 2002
Westin Beach Resort
97000 south Overseas Hwy
Key Largo, Florida



For Atlantic king mackerel, Dr. Patterson reported that National Marine Fisheries Service (NMFS) used an age-length key developed from sampled otoliths that is separated by migratory group, sex, and calendar year. He noted that when NMFS revised the age-length key with an additional 289 otoliths, the assessment shifted in the catch at age matrix to younger fish. This in turn resulted in an estimated increase in fishing mortality (F) and a decrease in spawning stock biomass (B). Because the MSAP was not able to determine the cause of this change within the scope of its meeting, they decided to use the base recommendations for the model runs. He noted some problems the MSAP had in evaluating the assessment were the small annual sample size (approximately 0.1% of the catch per year were aged) and the fact that no otoliths have been taken from the western Gulf in recent years. This was especially troubling since 68% of the allowable catch comes from the recreational sector and the majority of recreational landings come from the western Gulf.



Dr. Patterson then reviewed the commercial and recreational catches noting that in the past 3 years the recreational sector has not caught its share of the total allowable catch (TAC). He also reviewed catch by state noting that the commercial catch was highest for the Florida east coast followed by Louisiana and the west coast of Florida. Recreational catches were highest off Texas followed by Florida. He reported that recruitment had generally increased since the mid 1980s but had flattened out in the last few years. Spawning stock biomass generally increased since 1995.

Dr. Patterson stated that there was only a 50% chance that the fishing mortality (F) for 2000/01 was greater than the F needed to achieve maximum sustainable yield (MSY), so consequently the Gulf group king mackerel stock was not undergoing overfishing. He further reported that there was only a 24% chance that the biomass of the stock in 2002 was less than the biomass

needed to harvest MSY, so consequently the stock was not overfished.

For Gulf group Spanish mackerel, Dr. Patterson stated that the last full assessment was done in 1999 based on data from 1996/97, thus most of the assessed fish had been caught or died of natural mortality. He noted that TAC was set at 9.1 million pounds (MP) and was above MSY; however, 2001/02 landings were only 5.1 MP. The MSAP recommended no change in TAC, but that a full assessment be conducted in 2003.

For little tunny, Dr. Patterson noted that the stock structure was unknown; however, the assessment only used the U.S. Gulf. He reported that landings were up in the 1990s (primarily commercial catches) and peaked in 1992 at 3.5 MP. He stated that based on the assessment runs, the biomass was up and F was down in the 1980s. During the 1990s, F was up and biomass declined. Biomass has been increasing since 1995 and is currently just below the biomass needed to harvest MSY. The assessment estimated that there was only a 24% chance that the F for 2000/01 was greater than F needed to harvest MSY, consequently the little tunny in the Gulf were not undergoing overfishing. He further reported that there was a 78% chance that the stock was not overfished. The MSAP recommended that the catch not exceed 1.55 MP.

For bluefish, Dr. Patterson stated that the MSAP considered only the U.S. Gulf stock. He reported that the preliminary assessment using recreational information for catch-per-unit-effort (CPUE) provided inconsistent results. Consequently, the MSAP could not make any inferences of stock status or management benchmarks [e.g., MSY and optimum yield (OY)]. He noted that the trends in CPUE were relatively high in the mid-1980s with a declining trend thereafter.

With regard to cero, Dr. Patterson noted that only a preliminary analysis of landings was attempted. He noted that U.S. catches were only from south Florida and were eclipsed by catches from the Caribbean. He further stated that the U.S. waters may be at the northern extent of the cero's range and that environmental factors may

influence annual abundance as much or more than stock size.

Based on the MSAP report, the Gulf Council moved to select the following as preferred alternatives for little tunny status criteria:

- Set MSY for the little tunny stock in the Gulf of Mexico as the yield associated with F_{MSY} (currently estimated at 1.55 million pounds) when the stock is at equilibrium.
- Set the maximum fishing mortality threshold (MFMT) = $F_{30\%SPR} = F_{MSY}$. The little tunny stock in the Gulf of Mexico would be considered undergoing overfishing if the probability that $F_{current}$ is larger than F_{MSY} is greater than 50 percent.
- Set the minimum stock size threshold (MSST) at $(1-M)*B_{MSY}$ or 80% of B_{MSY} . The little tunny stock in the Gulf of Mexico will be considered overfished if the probability that $B_{current}$ is less than MSST is greater than 50 percent.

Because economic information was not available, the Gulf Council delayed action on setting a preferred alternative of OY until the November meeting.

For Gulf group king mackerel, the Gulf Council recommended that TAC be maintained at 10.2 MP which is also the mid-point of the acceptable biological catch (ABC) range under the $F_{30\%SPR}$ level of the preferred MSAP assessment model.

COUNCIL GETS UPDATE ON VMS

The Council's Vessel Monitoring System (VMS) Committee heard a presentation on VMS by Mr. Otha Easley, acting VMS Program Manager of the National Marine Fisheries Service (NMFS) and Mr. Fred Kyle of the NMFS Office for Law Enforcement. VMS is a system that can monitor a vessel's location either by satellite, cellular phone, or data logger.

Mr. Easley explained that NMFS has been using VMS for 14 years beginning with monitoring foreign high-seas drift-net vessels. VMS is a cost effective tool for fisheries

enforcement, particularly when used for monitoring vessel activities around closed areas or during closed seasons. Additionally, VMS can be used to verify log book data, be integrated with other communication uses, and allow for transmission of catch and effort data. While no system is completely tamper proof, Mr. Kyle and Mr. Easley indicated that with satellite based systems, should a signal be lost, the time and location of where the signal loss began and ended are recorded which helps to determine the cause of the signal loss.

VMS cannot be used at this time as replacements for EPIRBS, but can be of assistance during an emergency. Some systems have distress buttons and allow for two-way communications. All the systems can show where a vessel is located. However, they become ineffective should power be lost or a vessel sink. EPIRBS have their own power source and are designed to release from the vessel should it go down.

Data security is an important issue. Lt. Commander John Sherlock of the United States Coast Guard (USCG) indicated that there were strict confidentiality requirements about how VMS data may be used. While releasing data to vessel owners is something that can be worked out, how that information is used by owners and their vessel operators is a business decision.

Mr. Kyle highlighted the various VMS equipment, their cost, and their abilities. The lifespan for these devices is 3-5 years and cost between \$2,000 and \$6,000. Which systems are selected depends on such issues as the fisheries involved in VMS, coverage needed, and how VMS will be used as an enforcement tool. These needs would be identified by a NMFS questionnaire and a list of approved VMS equipment would be supplied to fishermen. In the discussion, the reef fish trap and longline fisheries, the Tortugas shrimp fishery, and the shrimp fishery affected by the Texas closure were identified as current Gulf fisheries where VMS may be a useful tool. The Gulf Council is considering VMS as a management tool in draft Amendment 18 to the Reef Fish Fishery Management Plan (FMP) and draft Amendment 13 of the Shrimp FMP.

NMFS DETERMINES ATLANTIC WHITE MARLIN DOES NOT WARRANT LISTING UNDER THE ENDANGERED SPECIES ACT

The National Marine Fisheries Service (NMFS) announced that the Atlantic white marlin (*Tetrapturus albidus*), a billfish that lives in the tropical and temperate waters of the Atlantic Ocean, does not warrant listing as threatened or endangered under the Endangered Species Act (ESA).

In September 2001, the Biodiversity Legal Foundation and James R. Chambers petitioned NMFS to list the white marlin as endangered or threatened throughout its range, and to designate critical habitat under the ESA. The ESA defines an endangered species “as any species which is in danger of extinction throughout all or a significant portion of its range.” A “threatened species” is defined as “any species which is likely to become endangered within the foreseeable future throughout all or a significant portion of its range.”

In December 2001, NMFS found the petition to list the white marlin contained substantial information that warranted further examination and initiated a comprehensive review of the status of the species. NMFS also conducted a number of public meetings to solicit information from the public about the status of white marlin during the status review process.

“We put together a status review team that looked at this species very carefully,” Dr. Bill Hogarth, NMFS assistant administrator said. “They wrote a thorough report, containing the best available scientific and commercial information. Based on the review, we determined that, although the species has declined greatly from historical levels, it is not currently at a level that warrants listing under the ESA.

The U.S. fishery accounts for approximately five percent of the total mortality of white marlin, which is mostly caught as bycatch in international longline fisheries. The International Commission for the Conservation of Atlantic Tunas (ICCAT) is responsible for the international management of white marlin. By consensus of participating nations, ICCAT adopts binding recommendations to manage for maximum sustainable catch of fish stocks.

The U.S. participates in ICCAT-supported stock assessments of white marlin based on data from ICCAT member fishing nations. ICCAT implemented binding measures in 2000 to reduce mortality of white marlin, but these measures have not been in place long enough to fully evaluate their effectiveness. Current U.S. measures include time/area closures, gear and bait restrictions, and a ban on possession of Atlantic white marlins on board commercial vessels. Total reported landings of white marlin peaked in 1965 at almost 5,000 metric tons. Scientists estimate the current stock size of Atlantic white marlin at approximately 5 to 15 percent of carrying capacity, and declining. In recent years, the stock has declined by an average of six percent a year. The latest preliminary stock status evaluations from ICCAT, while uncertain, indicate that international conservation measures have a potential for stabilizing the white marlin stock near current levels.

White marlin are found in offshore waters throughout the tropical and temperate Atlantic Ocean and adjacent seas. Unlike blue marlin and sailfish, white marlin occur only in the Atlantic Ocean. Although generally considered to be a rare and solitary species relative to other similar fish, white marlin occur in small groups consisting of several individuals.

STATE OF FLORIDA SWORDFISH RULES MATCH FEDERAL RULES

Effective October 1, 2002, fishermen wishing to sell swordfish that were caught in Florida waters are required to obtain a federal permit. The new rules also impose the federal swordfish minimum size limit to fish harvested from Florida state waters. Florida’s Fish and Wildlife Conservation Commission approved this action last November to ensure that management measures aimed at helping the recovery of swordfish stocks are uniformly applied in state and federal waters in order to achieve the maximum benefit to the fishery. The new rules are intended to clarify regulations for fishermen and further protect swordfish. For more information, contact the Florida Fish and Wildlife Conservation Commission, Division of Marine Fisheries (850) 487-0554.

GULF SHRIMP VESSEL PERMITS: A REMINDER AND A CORRECTION

The National Marine Fisheries Service (NMFS) reminds all shrimp vessel owners and operators who intend to fish for shrimp in Federal waters of the Gulf of Mexico that they must obtain a commercial vessel permit by **December 5, 2002**. The rule requiring shrimp vessel permits became effective on **September 6, 2002**. A previous bulletin provided incorrect dates for the effective date of the rule and the date by which all vessel owners or operators must have a shrimp vessel permit in order to continue shrimping in the Federal waters of the Gulf of Mexico. The dates listed in this bulletin are the correct dates.

Owners and operators of shrimp vessels that intend to harvest shrimp from Federal waters in the Gulf of Mexico will need to comply with the new permit requirement by **December 5, 2002**. To apply for a permit, the owner or operator of a shrimp vessel should contact:

Permits Office
NMFS Southeast Region
9721 Executive Center Drive N.
St. Petersburg, FL 33702
Phone: **727-570-5326**

The NMFS has also provided copies of permit applications to local Sea Grant offices and NMFS port agents. Completed permit applications need to be submitted at least 30 days prior to the date on which the applicant desires to have the permit made effective. Any delay in submitting a completed application could delay an applicant's receipt of the permit, and thus, preclude legal fishing for Gulf shrimp until the permit could be issued. All vessel permits will be mailed to owners, whether the applicant is an owner or an operator. An application fee of \$50 will be charged to obtain an initial Federal Gulf of Mexico shrimp fishery permit. For complete details regarding permits and applications, please contact the Permits office at the address and phone number above.

The non-transferrable permit will be valid for one year from which it is issued unless it is revoked, suspended, or

modified, or if the vessel is sold. Although a permit will be issued on an annual basis, an application for its renewal will only be required every 2 years. In the interim years, renewal will be automatic for a vessel owner who has met the specific requirements for the permit.

COMMERCIAL RED SNAPPER FALL SEASON TO OPEN OCTOBER 1 ON AN ADJUSTED QUOTA

The NMFS announced that the commercial fishery for red snapper in Gulf of Mexico Federal waters opened at noon, local time, on October 1, 2002, and will close at noon, local time, on October 10, 2002. The 2002 Gulf of Mexico commercial red snapper quota is 4.65-million pounds. The commercial fishing season is divided into spring and fall seasons. The spring season began at noon, local time, on February 1, under a 3.10 million pound sub-quota, and the fall season begins at noon, local time, on October 1, with the remainder of the annual quota (1.55 million pounds), adjusted by any over or under harvest of the spring sub-quota. During the spring and fall seasons fishing will be allowed from noon on the 1st until noon on the 10th of each month until the quota is caught. Preliminary landings for the 2002 spring season indicated that 3,240,274 pounds of red snapper were landed, which was 140,274 pounds above the spring sub-quota. Therefore, the 2002 fall sub-quota has been adjusted to 1,409,726 pounds.

The operator of a vessel with a valid reef fish permit and a Class 1 or Class 2 red snapper license having red snapper aboard must have landed and sold his catch of red snapper before noon, local time, on October 10, 2002. The minimum size limit for the commercial fishery is 15-inches total length. Vessels without either a Class 1 or Class 2 red snapper permit are restricted to the recreational bag limit (4 fish per person) and minimum size limit (16-inches total length), and are not allowed to sell their red snapper catch. The recreational season will close 12:01 A.M. on November 1, 2002

COUNCIL LOGO CONTEST EXTENDED AGAIN, UNTIL DECEMBER 30, 2002

The Gulf Council is running a contest to select a logo. The Basco Construction Company (run by Texas Council member Irby Basco) has graciously offered a \$500 prize to the person who submits the logo that is selected as the best by the Council. This contest is open to everyone.

The Council had been scheduled to review submissions at its September 9-12, 2002 meeting in Metairie, Louisiana. However, due to a very full agenda, the Council was unable to review the logo submissions, and deferred the decision until the January 13-17, 2003 meeting in San Antonio, Texas. As a result of this change, the Council will continue to accept logo submissions until the mail-out date for the Council's January meeting briefing books, December 30, 2002.

The following should be considered in designing a logo: It 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. 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.

Entries to the contest can be sent or e-mailed to the Gulf Council office (see page 8 for details) Any logos in electronic format should be sent as GIF or JPEG files. Entrants can submit more than one logo. Submissions become the property of the Gulf of Mexico Fishery Management Council. The new deadline for the contest is **December 30, 2002**.

CALENDAR

The following are meetings hosted by the Gulf Council. The dates and locations for these meetings have been tentatively set. For copies of the meeting agendas and specific meeting site information, contact the Gulf Council office (see below or use address information on page 8).

Law Enforcement Advisory Panel

October 16, Duck Key, Florida

Joint Habitat Protection Advisory Panels

October 30-November 1, Tampa, Florida

EFH EIS Technical Review Panel

October 30-November 1, Tampa, Florida

EFH EIS User Review Panel

October 30-November 1, Tampa, Florida

Standing SSC

October 30-November 1, Tampa, Florida

Gulf Council November Meeting

November 12 - 15, Key Largo, Florida

Copies of agendas, press releases, or other documents for these meetings can be obtained by calling the Council office at 813-228-2815 (toll-free 888-833-1844), or can be downloaded from the Council website (<http://www.gulfcouncil.org>).

These meetings are open to the public and are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office at least one week prior to the meeting.

Council news releases pertaining to these meeting can be viewed at the Council's web site at <http://www.gulfcouncil.org>. In addition, Council press releases may be received via e-mail by sending a blank e-mail message to pressreleases@gulfcouncil.org with **SUBSCRIBE** as the subject.

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

COMMITTEE SCHEDULE

Tuesday, November 12, 2002

Habitat Protection Committee

- DSEIS for EFH Amendment
 - Technical Review Panel Comments
 - User Review Panel Comments
 - Joint Habitat Protection APs Comments
 - Standing SSC Comments
 - Committee Recommendations

Reef Fish Management Committee

- Assessment information on Red and Yellowedge Groupers
 - RFSAP Report
 - Committee Recommendations
- Final Secretarial Reef Fish Amendment 2 (Greater Amberjack)
 - Staff Presentation
 - Committee Recommendations
- Draft Reef Fish Amendment 21 (Options Paper)
 - Comments from Scoping Sessions
 - Staff Presentation
 - Committee Recommendations
- Draft Red Snapper IFQ Profile
 - Staff Summary of Profile
 - Committee Approval for Referendum
- Violation of Western Longline Prohibited Zone

Wednesday, November 13, 2002

Joint Reef Fish Management and Artificial Reef Committees

- Discussion of Special Management Zones

Shrimp Management Committee

- Draft Amendment 13 (Options Paper)
 - Comments from EIS Scoping Session
 - Staff Presentations
 - Committee Actions

U.S. Coast Guard Training/Orientation Session/Workshop (Miami Base)

COUNCIL AGENDA

Thursday, November 14, 2002

- I. Call to Order and Introductions
- II. Adoption of Agenda
- III. Approval of Minutes
- IV. Appointment of Committee Members
- V. Election of Vice-Chairman
- VI. Public Testimony¹ - Fensom
 - a. Secretarial Reef Fish Amendment 2
- VII. Committee Reports
 - a. Habitat Protection
 - b. Shrimp

Friday, November 15, 2002

- VII. Committee Reports (continued)
 - c. Reef Fish Management
 - d. Joint Reef Fish and Artificial Reef
- VIII. ICCAT Meetings Reports
- IX. Enforcement Reports
- X. Regional Administrator's Report
- XI. Directors' Reports
- XII. Other Business

Please note: 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.

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

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 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. NA17FC2203.

January Meeting:

January 13-16, 2003
Holiday Inn Riverwalk
217 North St. Mary's
San Antonio, Texas 78205

March Meeting:

March 10-13, 2003
Adam's Mark Hotel
64 South Water Street
Mobile, Alabama 36602

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

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