

Gulf Fishery News

Gulf of Mexico Fishery Management Council

April-May, 2010



Volume 32, Issue 2

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NOAA Modifies Fishing Closure Area in Gulf of Mexico

More than 75 Percent of Gulf Remains Open for Fishing

NOTE: This notice published May 28, 2010. Updates occur daily, Please visit http://sero.nmfs. noaa.gov/deepwater horizon oil spill.htm for the most up to date information on the closure.

NOAA has modified the closed fishing area in the Gulf of Mexico as a precautionary measure to ensure that seafood from the Gulf will remain safe for consumers.

Current revisions to the closure, described below, will be effective May 28, 2010 at 6 p.m. eastern time. All commercial and recreational fishing, including catch and release, is prohibited in the closed area; however, transit through the area is allowed.

The closed area now represents 60,683 square miles, which is about 25 percent of Gulf of Mexico federal waters. The majority of federal waters in the Gulf of Mexico are open to commercial and recreational fishing.

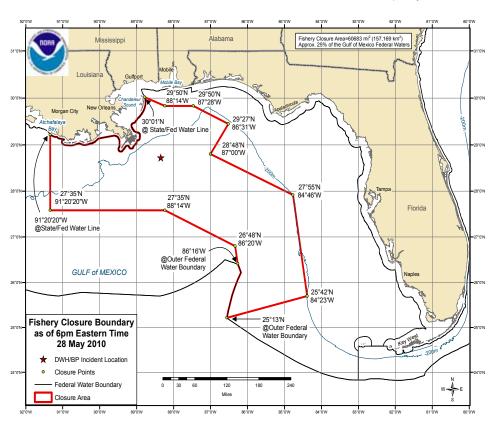
See "Temporary Closure" Next Page

Dr. Bortone Testifies before Congressional Committee

Gulf Council Executive Director, Steve Bortone, was invited to testify before the Senate Committee on Environment and Natural Resources.

The purpose of the Committee hearing was to review current issues related to offshore oil and gas development, including the accident involving the offshore oil rig Deepwater Horizon.

Dr. Bortone gave his testimony May 10, 2010. To read the full text of his testimony, visit the Oil Spill Resources Page of our web site at www.gulfcouncil.org.



Temporary Closure continued

The federal and state governments have systems in place to test and monitor seafood safety, prohibit harvesting from affected areas, and keep oiled products out of the marketplace. NOAA continues to work closely with the U.S. Food and Drug Administration and the states to ensure seafood safety, by closing fishing areas where tainted seafood could potentially be caught, and assessing whether seafood is tainted or contaminated to levels that pose a risk to human health. NOAA and FDA are working to implement a broad-scaled seafood sampling plan. The plan includes sampling seafood from inside and outside the closure area, as well as dockside and market-based sampling.

According to NOAA, there are approximately 5.7 million recreational fishermen in the Gulf of Mexico region who took 25 million fishing trips in 2008. Commercial fishermen in the Gulf harvested more than one billion pounds of fish and shellfish in 2008. Fishermen who wish to contact BP about a claim should call 800-440-0858.

NOAA will continue to evaluate the need for fisheries closures based on the evolving nature of the spill and will re-open closed areas as appropriate. NOAA will also re-evaluate the closure areas as new information that would change the boundaries of these closed areas becomes available.

To obtain information or to be notified of changes to the closed area:

- Sign up to receive Southeast Fishery Bulletins by e-mail at SERO.Communications.Comments@noaa.gov
- Call 1-800-627-NOAA (1-800-627-6622) to hear a recording of the current coordinates.
- Listen to NOAA Weather Radio for messages about the closure.
- Receive text messages on your cell phone about changes to the closed area by texting fishing@gulf to 84469 (visit http://www.deepwaterhorizonresponse.com/ go/doc/2931/558107 for more information).
- Follow us on Twitter: usnoaagov to get a tweet when the closed area changes.



Dr. Bob Shipp, Council Chair

From the Deck of the Shipp

The BP oil spill crisis - the impacts of which will be far-reaching and long-term - is arguably a prevailing concern among us all. Some day this crisis will be over, but he task of addressing the issues facing our fisheries remains constant.

A Tale of Two Systems

Gulf of Mexico red snapper has been under a rebuilding plan for the

past 20 years. And while the total allowable catch has been adjusted throughout the plan (although in my opinion far too conservatively), the allocation between the commercial and recreational sectors has remained 51% commercial and 49% recreational. At the same time, revisions to the management systems for both sectors have been ongoing.

For years the commercial sector endured monthly tenday seasons, creating a derby fishery, at times resulting in unsafe fishing conditions and market gluts. Operating under an Individual Fishing Quota (IFQ) system – a type of catch share program - since 2007, the commercial red snapper industry is thriving.

The recreational sector, on the other hand, managed under a system of seasonal closures, size limits, and bag limits, continues to suffer. Even with a 40% increase in quota for 2010, the recreational season has been shortened yet again.

With one sector flourishing and the other deteriorating, perhaps it is time for a philosophical change in the management regime.

With the advent of "catch shares" comes a plethora of possibilities to better manage the resource. The key,

however, is transferability between sectors. Transferability would create a free market system whereby the true worth of shares is realized. For example, a charter boat association could purchase a portion of the quota to allow for an October tournament. Similar scenarios could play out throughout the Gulf for other entities, such as states, fishing clubs, coastal communities, and so on.

A provision of the IFQ system that limits the transferability of IFQ allocation to individuals with a valid commercial reef fish permit will expire in two years. Now is the time to begin exploring the benefits of an all encompassing catch share system, particularly since the current system is not working.

The Council has assembled an Advisory Panel to assist us in designing and evaluating management measures that would consider all issues related to the adoption of a reef fish limited access program for the commercial and recreational sectors, with consideration placed on the trading of catch shares between sectors.

Certainly there are issues and concerns surrounding catch share programs that warrant discussion, and those issues will be discussed. But since the commercial red snapper fishery is already managed under a catch share system, we should explore ways to work within its confines and create a more efficient system for all.

New Definition for Buoy Gear Adopted

During its April meeting in Galveston, Texas, the Gulf Council modified its definition of buoy gear. The current definition is vague and could potentially allow gear that has hundreds of hooks and miles of line.

After considerable discussion and input from the public, the Council adopted the following revised definition for buoy gear:

"Buoy gear means fishing gear intended to fish vertically in the water column that consists of a single drop line suspended from a float, with a terminal weight that is no more than 10 pounds. The drop line can be rope (hemp, nylon, polypropylene, spectra or other synthetic material) or monofilament. The gear is free-floating and not connected to other gear or the vessel. The drop line must be no greater than 2 times the depth of the water being fished. No more than 10 hooks can be connected to the drop line between the buoy and the weighted terminal end. All hooks must be attached to the drop line no more than 30 feet from the weighted terminal end. These hooks may be attached directly to the drop line, attached as snoods (defined as an offshoot line that is directly spliced, tied or otherwise connected to the drop line), where each snood has a single terminal hook, or as gangions (defined as an offshoot line connected to the drop line with some type of detachable clip), where each gangion has a single terminal hook."

The Council is also recommending that buoy fishing gear be marked with the vessel registration number.

NOAA Fisheries Service will publish a proposed rule for the new definition before implementing a final rule.





Reminder: Endorsement Required for Commercial Reef Fish Permit Holders Using Bottom Longlines in the Eastern Gulf of Mexico

Beginning May 26, 2010, an endorsement is required to accompany a commercial reef fish vessel permit about vessels using bottom longlines to fish for reef fish in the eastern Gulf of Mexico (east of 85° 30' W. long.). Only federally-permitted vessels with demonstrated average annual landings of 40,000 pounds of reef fish taken by fish traps or longlines during 1999-2007 qualified for an endorsement.

An eligible permittee who does not receive an endorsement from the Regional Administrator (RA) must contact the RA no later than June 25, 2010, to clarify his/her endorsement status.

A commercial reef fish vessel permit holder who believes he/she should qualify for an endorsement but did not receive one may appeal their eligibility to the RA. The only items subject to appeal are initial eligibility for the reef fish bottom longline endorsement based on ownership of a qualifying reef fish permit, the accuracy of the amount of landings, and correct assignment of landings to the permitee. Appeals based on hardship factors will not be considered. Appeals must be submitted to the RA postmarked no later than August 25, 2010, and must contain documentation supporting the basis for the appeal. The RA will review all appeals, render final decisions on the appeals, and advise the appellant of the final decision.

Data Collection Update

The Gulf Council has expressed the need for more and better data, particularly from the for-hire sector. Consequently, the Council has made several requests of NOAA Fisheries Service with regard to data collection. The Council requested that NOAA Fisheries:

- •in consultation with the Gulf States Marine Fisheries Commission, define data standards and operating requirements for an integrated, mandatory electronic reporting system for the federally permitted Gulf of Mexico for-hire sector by June 2010;
- •implement a trial electronic reporting system for the federally permitted Gulf of Mexico for-hire sector, using existing authority under 50 CFR 622, by August 2010;
- •work with the Gulf States Marine Fisheries Commission to begin an education system for a mandatory electronic reporting system for the federally permitted Gulf of Mexico for-hire sector by June 2010;
- develop a system for at-sea and shore-side validation of fishing effort, landings, and discards by January 2011;
- •implement, using existing authority under 50 CFR 622, a mandatory, enforceable, and validatable electronic reporting system for the federally permitted Gulf of Mexico for-hire sector by January 2011; and
- •implement a mandatory electronic reporting system for federally permitted dealers by January 2011.

The Council also agreed to send a request to the Southeast Fisheries Science Center to make fishery independent data collection for the red snapper and other reef fish species in the Gulf of Mexico the highest priority.

"This is a positive step in the right direction by the recreational sector to be responsible for the fishery by participating in the data collection process," said Council member Harlon Pearce.

"The recreational sector is asking us to enforce electronic logbooks in the for-hire sector immediately. Collecting data electronically expedites the process and will help eliminate the notion that the fisheries data used to assess our stocks is no good," Pearce added.

The Council will convene its Ad Hoc Data Collection Advisory Panel again to begin discussions on how to better collect data for the private recreational sector. Meeting date and location will be announced in the near future.

Please visit our web site at www.gulfcouncil.org for updated scheduling information.

Gulf of Mexico Fishery Closures Oil Spill Area Closure:

Check NOAA.gov for daily updates. Closed from the point where 30°01' N. lat. intersects with the state/federal line; proceeding southeasterly to the point 29°50' N. lat. and 88°14' W. long.; thence, easterly to the point 29°50' N. lat. and 87°28' W. long.; thence, southeasterly to the point 29°27' N. lat. and 86°31' W. long.; thence southwesterly to the point 28°48' N. lat. and 87°0' W. long.; thence, southeasterly to the point 27°55' N. lat. and 84°46' W. long.; thence, southerly to the point 25°42' N. lat. and 84° 23' W. long.; thence, southwesterly to where the point 25°13' N. lat. intersects with the outer Federal water boundary; thence northerly along the boundary to where the point 86°16' W. long, intersects the outer Federal water boundary; thence northerly to 26°48' N and 86°20' W; thence northwesterly to 27°35' N and 88°14' W; thence westerly to 27°35' N and 91°20'20" W; thence northerly to the point where 91°20'20" W. long. intersects with the state/federal line. Follow the state/federal water line easterly to beginning point.

Recreational Closures:

Red Snapper

Recreational red snapper season reopens June 1, 2010, and will close at 12:01 a.m. July 24, 2010.

Commercial Closures/Shifts:

King Mackerel

The boundary between the Atlantic and Gulf groups of king mackerel off Florida shifts, beginning April 1, 2010. This change also affects daily commercial trip limits.

The area west of the Florida/Alabama state line is considered the Western zone for the Gulf group king mackerel year-round. This zone closed September 4, 2009, and will reopen July 1, 2010, with a trip limit of 3,000 pounds.

The commercial fishery for Gulf group king mackerel in the southern Florida west coast subzone is closed effective 12:01 a.m., local time, February 15, 2010, for commercial hook-and-line vessels. The closure will remain in effect through the end of the fishing year, June 30, 2010. The daily trip limit is reduced to 500 pounds beginning 12:01 a.m., local time, February 7, 2010, for commercial hook-and-line vessels fishing in the southern Florida west coast subzone.

The commercial fishery for Gulf group king mackerel in the northern Florida west coast subzone closed October 24, 2009 and will reopen July 30, 2010.

June Council Meeting Reminder

The Council will be meeting the week of June 14 - 17, 2010 at the Courtyard Marriott in Gulfport, Mississippi. Please make your reservation under the GMFMC room block to receive the special discounted room rate.

When the Council travels, the deadline for comments is moved up a day to accommodate packing and shipping of materials to our meeting location.

Submission of written comments and materials to be included as part of the briefing book materials for this meeting MUST BE RECEIVED by 5:00 p.m. EDT June 7, 2010.

If you miss the deadline and bring your own copies to the meeting, please bring at least 30 copies for the Council. If you wish your materials to be made available to the public, please bring additional copies.

A draft agenda can be found on page 6.



Reminder: Gulf Council Seeks Applicants for Advisory Panels

The Gulf Council is currently recruiting applicants for three of its Advisory Panels - the Stone Crab Advisory Panel, the Ad Hoc Reef Fish Limited Access Privilege Program Advisory Panel, and the Ad Hoc Mackerel Limited Access Privilege Program Advisory Panel. Appointments will be made during the June 14 - 17, 2010 Council meeting in Gulfport, Mississippi.

Membership provides individuals with an opportunity to become more directly involved in the management decision-making process. Anyone interested in serving should submit a letter of interest to the Council office indicating the committee and/or panel of interest. Please include a current résumé or description of qualifications. Applicants may apply to more than one panel or committee. However, appointments to advisory panels are limited to a maximum of two standing advisory panels.

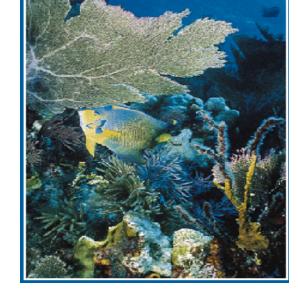
Letters should be mailed to the Gulf of Mexico Fishery Management Council, 2203 N. Lois Avenue, Tampa, Florida 33607; faxed: 813-348-1711; or e-mailed: phyllis.miranda@gulfcouncil.org by June 7, 2010.

While travel expenses are reimbursed, positions are unpaid, depending upon the level of activity for a given fishery management plan, each panel or committee may meet from zero to 3 or 4 times per year. For more information, please call the Gulf Council at 888-833-1844.

Send us Your Fishing Photos

We want to see your favorite fishing and fishery related photos! Whether they are from a spear fishing adventure, a charter trip, or a commercial effort, we'd like to see your photos and possibly use them on our web site or in our newsletter.

Send us your photos and help us build a photo library! To submit your photos, please send an e-mail with "Photo Library" in the subject line to gulfcouncil@gulfcouncil.org. Be sure to include your name, address, phone number, along with a description and proper photo credit, then simply attached the image and send. Photo descriptions may be edited for grammar, clarity, and/or length. Photos must be in jpeg format and should not exceed 1.5 MB (no more than 200 ppi).



NOTE: By submitting photos,

you understand that if we decide to use your photo, it can be used anywhere on the web site, in our newsletter or other publications. We will display a brief description of the photo and your name, unless requested otherwise.

Committee Agenda Gulf of Mexico Fishery Management Council

The Courtyard Marriott Coastal Ballroom Gulfport, Mississippi June 14 - 17, 2010

Monday June 14, 2010

9:00 a.m. - 9:45 a.m.

AP Selection Committee - Full Council - Closed Session

- * Fill one vacancy on:
 - Ad Hoc Mackerel Limited Access Privilege Plan Advisory Panel
 - Ad Hoc Reef Fish Limited Access Privilege Plan Advisory Panel
 - Stone Crab Advisory Panel
- * Fill two seats and one alternate for SAFMC Representatives on the Ad Hoc Mackerel Limited Access Privilege Plan Advisory Panel

9:45 a.m. - 10:00 a.m.

SEDAR Selection Committee - Full Council - Closed Session

* Appointments to the SEDAR 23 Goliath Grouper Review Workshop

10:00 a.m. - Noon

Administrative Policy Committee

* Modifications to Statement of Organization Practice and Procedures and Handbook Development

1:30 p.m. -2:30 p.m.

Update on Oil Spill in the Gulf

2:30 p.m. - 5:30 p.m.

Reef Fish Management Committee

- * Presentation on Gag Abundance and the Effects of Fishing on Male Gag Population
- * Report of the Standing and Special Reef Fish Scientific & Statistical Committee
- * Considerations of a Request for an Interim Rule for Gag
- * Draft Framework Amendment to Adjust Red Grouper Total Allowable Catch
- * Options Paper for Amendment 32 Gag/Red Grouper
- * Final Action Framework Action for Greater Amberjack
- * Reef Fish Permit Income Requirement
- * Crew Size Limit on For-Hire Vessels When Fishing Commercially

Tuesday June 5, 2010

8:30 a.m. - Noon & 1:30 p.m. - 4:00 p.m.

Reef Fish Management Committee (Continued)

4:00 p.m. - 4:30 p.m.

Data Collection Committee

- * Update from the SEFSC on Status of the Implementation of Electronic Data Reporting
- * Develop a Charge for the Vessel Monitoring System Advisory Panel

4:30 p.m. - 5:00 p.m.

Habitat Protection Committee

- * Report on the Uncertainty Workshop
- * Status Report on Essential Fish Habitat Amendment Update

Immediately Following Committee Recess will be an informal Question & Answer Session on Gulf of Mexico Fishery Management Issues

Wednesday June 16, 2010

8:30 a.m. - Noon

Sustainable Fisheries/Ecosystem Management Committee

* Options Paper for the Generic Annual Catch Limit/Accountability Measures Amendment

Council Agenda Gulf of Mexico Fishery Management Council

The Courtyard Marriott Coastal Ballroom Gulfport, Mississippi June 14 - 17, 2010

Wednesday June 16, 2010

- I. Call to Order and Introductions Shipp
- II. Adoption of Agenda¹- Shipp
- III. Approval of Minutes Shipp (1:30 p.m. 1:45 p.m.)
- IV. Briefing on Oil Spill Shipp/Crabtree (1:45 p.m. 2:15 p.m.)
- V. Public Testimony 2,3,4,5 Shipp
 - a. Exempted Fishing Permits (EFP) (if any)
 - b. Final Framework Action for Greater Amberjack
 - c. Final Regulatory Amendment for Red Grouper Annual Catch Limit
 - d. Open Public Comment Period ^{2,6}

(2:15 p.m. -6:30 p.m.)

Thursday June 17, 2010

- VI. Fisheries 101 Bortone (8:30 a.m. 8:45 a.m.)
- VII. Committee Reports
 - a. Reef Fish Management Committee Minton
 - b. AP Selection Committee Perret
 - c. SEDAR Selection Perret
 - d. Coastal Migratory Pelagics (Mackerel) Fischer
 - e. Spiny Lobster/Stone Crab Teehan
 - f. Administrative Policy Morris
 - g. Data Collection Riechers
 - h. Habitat Hendrix
 - i. Sustainable Fisheries/Ecosystem -Morris

VIII. Other Business - Shipp

- a. Report from the Recreational Fisheries Working Group Meeting Sapp
- b. Report from the Council Coordinating Committee Meeting Shipp/Bortone
- c. Report from the ICCAT/HMS Advisory Panel Meeting Sapp (5:00 p.m. -5:30 p.m.)

1The established times for addressing items on the Council and committee agendas, except for those setting times for public testimony or open public comment, may be adjusted as necessary to accommodate the timely completion of discussion relevant to the agenda items. Such adjustments may result in the meeting being extended from, or completed prior to the date established by these agendas.

²Persons wishing to testify for either public testimony or open public comment must submit a registration card before the beginning of public testimony; otherwise persons wishing to testify may be denied. One card must be completed for each issue on which persons wish to testify.

³Persons wishing Council members to have copies of written testimony or information should provide 30 copies to staff for distribution. All written information shall include a statement of the source and date of such information. Any oral or written statement shall include a brief description of the background and interests of the person testifying.

⁴Oral or written communications provided to the Council, its members or its staff that relate to matters within the Council's purview are public in nature. These communications will be made available to the public in their entirety and maintained by the Council as part of its permanent record. Further, knowingly and willfully submitting false information to the Council is a violation of Federal law.

⁵Anyone wishing to use electronic visual aids during public testimony must provide staff with a copy of the material at least one hour before testimony begins to allow for a virus scan of said material.

⁶The Council has set aside this time for open public comment regarding any fishery issue or concern. People wishing to speak before the Council should complete a public comment card, making sure to check the box marked Open Public Comment. In the interest of giving everyone an opportunity to speak, speakers are asked to limit comments to three minutes. If your sentiments are reflected in comments made by others, please state so and allow the next speaker to address the Council. Individuals may be asked to reduce speaking time in order to accommodate all who wish to speak. Open public comment will end no later than the time scheduled on the agenda regardless of the number of persons wishing to comment.

Gulf of Mexico Fishery Management Council

Steve Bortone **Executive Director**

Richard Leard **Deputy Director**

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The Gulf of Mexico Fishery Management Council

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Greater Amberjack Regulatory Amendment

The Gulf of Mexico Fishery Management Council is considering a regulatory framework action to the Reef Fish Fishery Management Plan that could result in a recreational season change for greater amberjack.

The intent of the framework action is to avoid in-season quota closures during peak economic fishing months. The amendment also aims to maximize social and economic benefits, and potentially provide biological benefits by protecting the stock during peak spawning.

Last year the recreational season for greater amberjack closed October 24, after its quota of 1.368 million pounds was exceeded. As a result, the 2009 season was shortened by 69 days.

While the greater amberjack rebuilding plan includes a scheduled increase in the recreational annual catch limit from 1.368 million pounds to 2.547 million pounds for 2011, that increase will occur only if the stock assessment update scheduled for

later this year shows that the stock is indeed rebuilding.

The same would hold true for the commercial sector, whose annual catch limit would increase from 503 thousand pounds to 938 thousand pounds in 2011 if the stock assessment update shows rebuilding is on target.

Management alternatives under consideration include:



- · No action the season would remain the same and the in-season accountability measure would close the recreational sector when the guota is reached. Additionally, any overage in harvest would be subtracted from the next year's
- Close the recreational fishing season from March 1 April 30. The 61 day closure would provide anglers an estimated 304 total fishing days.
- Close the recreational fishing season June 1 July 31. The 61 day closure would provide anglers an estimated 304 total fishing days.
- Close the recreational fishing season May 1 June 30. The 61 day closure would provide anglers an estimated 304 total fishing days.
- Close the recreational fishing season March 1 May 31, parallel to the commercial closure.

The Council has not yet chosen a preferred alternative, but is expected to take final action in June.

Public comments on the proposed regulatory framework action will be accepted via e-mail, fax, and US mail until June 10, 2010. Comments may also be given during the public comment portion of the June Council meeting in Gulfport. Mississippi.

To download a copy of the amendment, visit www.gulfcouncil.org. For more information, please call the Council toll free at 888-833-1844.

Reef Fish Amendment 32 for Gag and Red Grouper

With the Gulf gag stock designated as overfished, the Council is working on developing a slate of management actions to end overfishing and rebuild the stock within ten years. And while red grouper is neither overfished or undergoing overfishing, the stock has declined.

"The decline in both the gag and red grouper stocks is likely due to the extensive red tide episodes of 2005," said Dr. Steve Bortone, Executive Director of the Gulf Council.

Reef Fish Amendment 32 is under development to address the status of both gag and red grouper. Management actions under consideration include:

- · a rebuilding plan for gag
- · annual catch limits and annual catch targets for gag and red grouper
- · grouper accountability measures
- recreational bag limits, size limits, and closed seasons for gag and red grouper
- bycatch issues
- · time and area closures

In April, the Council continued to refine the options paper for Reef Fish Amendment 32. A draft amendment will be evaluated by the Council in June, with public hearings to follow later this summer.

But interim measures may be necessary, and the Council will also discuss in June an interim rule to address gag, and a draft regulatory amendment that will adjust the 2011 total allowable catch for red grouper.

To download a copy of the amendment, visit www.gulfcouncil.org. For more information, please call the Council toll free at 888-833-1844.

Council Launches New Web Site!

The Gulf of Mexico Fisher Management Council is pleased to announce the launching of its newly designed web site -- www.gulfcouncil.org.

Features of the new web site include easy to access fishing regulations, fishery management plans, meeting information, hot topics, and a host of other information.

"We know that a web site is one of the most important ways to communicate with our stakeholders and the community at-large, so it was very important for us to create a site that provides detailed information on pending issues and regulations, while offering a streamlined design that's easy to navigate," said Steve Bortone, Executive Director of the Gulf Council.

Staff will continue to add new features, including a recreational fishing matrix depicitng open/closed seasons for managed species.





The Gulf of Mexico Fishery Management Council *Protecting our marine resources*

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The Gulf Council would like to hear from you! Please contact us regarding fishery questions, comments, or concerns you would like to see covered in the *Gulf Fishery News*. Anyone interested in submitting information, such as articles, editorials, or photographs pertaining to fishing or fisheries management is encouraged to do so. Submissions may be mailed to Charlene Ponce, Public Information Officer, Gulf of Mexico Fishery Management Council, 2203 N. Lois Avenue, Suite 1100, Tampa, FL 33607. Materials can also be sent via fax to 813-348-1711, or by e-mail to charlene.ponce@gulfcouncil.org.

The Gulf of Mexico Fishery Management Council is one of eight regional fishery management councils established by the Magnuson-Stevens Fishery Conservation and Management Act. 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.

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