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: Steven Atran.

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PUBLIC HEARINGS FOR REEF FISH AMENDMENT 23 (VERMILION SNAPPER REBUILDING PLAN) AND SCOPING MEETINGS FOR A CHARTER VESSEL/HEADBOAT PERMIT MORATORIUM EXTENSION SCHEDULED

The Gulf of Mexico Fishery Management Council will hold public hearings to solicit comments on draft Amendment 23 to the Reef Fish Fishery Management Plan that contains alternatives for the vermilion snapper population in the Gulf of Mexico that was declared to be overfished and undergoing overfishing on October 30, 2003. The Council has one year from that date to develop a plan to end overfishing and rebuild the stock. The Amendment specifies alternatives to set status determination criteria and

NEXT COUNCIL MEETING

July 12-15, 2004
Omni
4 Riverway
Houston, Texas 77056
biological reference points that determine when overfishing has ended and the vermilion snapper stock is no longer overfished. Alternatives that establish a plan to end overfishing and rebuild the stock include 10-year and 7-year rebuilding plans and harvest reduction measures that change size limits, bag limits, trip limits, or specify quotas or seasonal closures.

Following presentation and comment on Reef Fish Amendment 23, the Council will present the scoping document for the extension of the moratorium on the issuance of additional charter vessel/headboat permits. The rule creating the moratorium on the issuance of the permits was implemented through Amendment 14 to the Coastal Migratory Pelagic FMP and Amendment 20 to the Reef Fish FMP effective June 16, 2003 for a 3-year period (68 FR 26230). The scoping document presents alternatives for consideration and comment by the public for allowing the permit moratorium to expire at the end of the 3-year period or to extend the moratorium period by another 5 to 10 years. The rationale for alternatives for extension of the moratorium is that during the extended period the Council would consider a more complex limited access system for the charter vessel/headboat fishery. The Council is also considering a system whereby the number of passengers allowed per vessel could be increased by purchasing a vessel permit and exchanging it for additional passengers capacity. The Council is soliciting public comment on these issues through the scoping hearings and by mail.

All written comments must be received by the Council on or before July 1, 2004. Copies of both documents can be obtained by calling the Council at 813-228-2815 or by e-mail at gulfcouncil@gulfcouncil.org

The public hearings will be held beginning at 7:00 p.m. on Reef Fish Amendment 23 immediately followed by the Charter Vessel Permit Moratorium concluding no later than 10:00 p.m. at the following locations and dates:

**Monday, June 7, 2004**
Naples Depot Civic Cultural Center
(Windisch Room)
1051 5th Avenue South
Naples, FL 34102
239-262-1776

**Wednesday, June 9, 2004**
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33702
727-391-9951

**Monday, June 21, 2004**
New Orleans Airport Hilton
901 Airline Drive
Kenner, Louisiana 70062
504-469-5000

**Tuesday, June 22, 2004**
MS Department of Marine Resources
1141 Bayview Drive
Biloxi, Mississippi 39530
228-374-5000

**Wednesday, June 23, 2004**
Perdido Beach Resort
27200 Perdido Beach Boulevard
Orange Beach, Alabama 36561
251-981-9811

**Thursday, June 24, 2004**
Destin Community Center
101 Stahlman Avenue
Destin, Florida 32541
850-654-5184

**Monday, June 28, 2004**
Laguna Madre Learning Center
Port Isabel High School
Highway 100
Port Isabel, TX 78578
956-943-0052

**Tuesday, June 29, 2004**
Port Aransas Community Center
408 N Alister
Port Aransas, TX 78373
361-749-4111

**Wednesday, June 30, 2004**
San Luis Resort
5222 Seawall Boulevard
Galveston Island, TX 77551
409-740-8616

These meetings are open to the public and are physically accessible to people with disabilities.
Copies of the materials to be discussed can be obtained by calling the Council office (813-228-2815 or toll-free 888-833-1844). Requests for sign language interpretation or other auxiliary aids should be directed to the Council office by May 28, 2004.

EXTENSIONS TO REEF FISH AND KING MACKEREL PERMIT MORATORIA UNDER CONSIDERATION

The Council is currently addressing the issue of expiration dates of moratoria for commercial vessel permits for reef fish and king mackerel. The moratorium on the issuance of new commercial king mackerel permits is scheduled to expire on October 15, 2005, and the reef fish permit moratorium would expire on December 31, 2005. The Council is considering alternatives to either let these moratoria expire, extend them for 5 or 10 years, or replace the moratoria with a limited access permit with an indefinite expiration date. These alternatives are being address through separate amendments to the Coastal Migratory Pelagics FMP (Amendment 15) and the Reef Fish FMP (Amendment 24). These amendments should be completed in July 2004 and presented at public hearings in October 2004.

AD HOC OFFSHORE AQUACULTURE ADVISORY PANEL

At its May 2004 meeting, the Council appointed members to a newly formed Ad Hoc Offshore Aquaculture Advisory Panel. The charge of this AP is to help the Council revise its Scoping Document for a Generic Amendment to allow and regulate offshore marine aquaculture facilities in the EEZ. The AP is expected to meet early this summer to begin its work. Members of the AP and their affiliations are:

- Jesse Chappel - Auburn University
- Don Allen - Oil & Gas Industry
- Marianne Cufone - Environmental Matters Inc.
- Dave McKinney - NOAA Fisheries Enforcement
- Tom McIlwain - NOAA Fisheries Enforcement
- Robert Romaine - LSU
- Cynthia Sarthou - Gulf Restoration Network
- Robert Stickney - Texas A&M
- Rick Wallace - Auburn Univ. Sea Grant
- Paul Zajicek - Florida Agriculture Dept.

DEVELOPMENT OF SHRIMP AMENDMENT 13 CONTINUES

At its May 2004 meeting, the Council considered a revised options paper for Amendment 13 to the Shrimp FMP that includes definitions of overfishing and the overfished condition of royal red shrimp, as well as definition of MSY and OY for brown, white, and pink shrimp. These definitions were either not included or rejected by NMFS when the original Generic Amendment to implement these provisions under the Sustainable Fisheries Act was submitted. Amendment 13 also includes a standardized bycatch reporting methodology for the shrimp fishery through the use of paper logbooks, electronic logbooks, or observers, or some combination of these alternatives, and the potential requirement of a Shrimp Vessel Gear Characterization Form. The Council also voted to add alternatives to potentially establish a commercial shrimp vessel permit moratorium. Alternatives considered would establish the effective date of the moratorium as: (1) December 6, 2003 (the effective date of the control rule), (2) May 18, 2004 (the date that the Shrimp Management Committee voted to consider alternatives for a moratorium), or (3) the effective date of implementation of the final rule for Amendment 13 (probably in early 2005).
moratorium would not impact existing permit holders, as long as they continued to renew their permits; however, new vessels would not be allowed to purchase commercial shrimp vessel permits. The economic and social analyses for all the alternatives are currently being completed, and a public hearing draft is scheduled for review by the Council at its July 2004 meeting. Public hearings could be held as early as August 2004, but they could be delayed until October 2004 if analyses are not completed.

SCOPING MEETINGS FOR RED SNAPPER IFQ PROFILE/OPTIONS PAPER TO BE SCHEDULED

The Gulf Council at its May 17-20, 2004 meeting approved holding a series of scoping meetings on a red snapper individual fishing quota (IFQ) profile/options paper. The profile is a description of a potential IFQ program with alternatives for implementation. It was developed by Dr. Walter Keithly, Coastal Resources Institute, Louisiana State University with input from the Council’s Ad Hoc Red Snapper Advisory Panel, following approval to begin the process of developing an IFQ system by commercial red snapper fishermen in a referendum held earlier this year. This is the first step in the development of such a program. The scoping meetings provide the public with an opportunity to review the program and provide input at a very early stage of development.

The IFQ Profile scoping meetings will be scheduled in August. The Council tentatively is planning to hold the scoping meetings in conjunction with public hearings on Shrimp Amendment 13. However, it is uncertain at this time whether Shrimp Amendment 13 will be ready for public hearings in August. If Shrimp Amendment 13 is ready for public hearings, then the combined IFQ Profile/Shrimp Amendment 13 meetings will be held at the following cities (specific dates and locations to be announced later):

- Brownsville, TX
- Aransas Pass, TX
- Palacios, TX
- Galveston, TX
- New Orleans, LA
- Houma, LA
- Abbeyville, LA
- Biloxi, MS
- Mobile, AL
- Panama City, FL
- Tampa, FL

In case of delay of Shrimp Amendment 13, the IFQ Profile scoping meetings only will be held in:

- Corpus Christi, TX
- Palacios, TX
- Galveston, TX
- New Orleans, LA
- Houma, LA
- Lake Charles, LA.
- Biloxi, MS
- Orange Beach, AL
- Panama City, FL
- Madeira Beach, FL

REEF FISH AMENDMENT 22 (RED SNAPPER REBUILDING PLAN) SUBMITTED TO NOAA FISHERIES

The Gulf Council gave final approval to Reef Fish Amendment 22 (Red Snapper Rebuilding Plan) at the May 17-20 Council meeting, and submitted the amendment to NOAA Fisheries for their approval and implementation. The plan calls for the red snapper stock to be rebuilt to its maximum sustainable yield (MSY) biomass level by 2032. The Council’s proposed alternatives are as follows:

Section 4.1.2 - Alternative Biological Reference Points and Status Determination Criteria

Maximum Sustainable Yield (MSY) - Alternative 2: MSY for red snapper equals the yield associated with fishing at FMSY, (where FMSY = 0.092) or 41.13 million pounds, assuming low maximum recruitment and an initial steepness of 0.90 for the stock recruitment relationship.

- Optimum Yield (OY) - Sub-option B: Until recovery, OY is defined to be consistent with the rebuilding strategy selected in this amendment. After achieving the rebuilding target, the OY for red snapper shall correspond to a fishing mortality rate defined as $OY = 0.75 \times F_{MSY} = 0.069$. (The OY yield corresponding to this
FOY is not specified, but it typically is 94-96 percent of MSY.)

- Minimum Stock Size Threshold (MSST) - Sub-option E: (1-M)*B_{MSY} = 2,453 billion pounds where B_{MSY} = 2,726 billion pounds, and M (natural mortality rate) = 0.10.

- Maximum Fishing Mortality Threshold (MFMT) - Sub-option G: Red Snapper MFMT is equal to the fishing mortality rate specified by the rebuilding strategy adopted in this amendment. Under equilibrium conditions, MFMT would equal F_{MSY}.

Section 4.22 - Rebuilding Strategy*

Alternative 2: Maintain TAC at 9.12 million pounds and rebuild red snapper by 2032. Review and adjust this policy, as necessary, through periodic assessments. Monitor annual landings to ensure quota is not exceeded.

Section 4.3.3.1 - Bycatch Reporting Methodologies for Commercial and Recreational For-Hire Vessels (2 preferred alternatives adopted)

Alternative 4: Direct NOAA Fisheries to develop and manage an observer program for the reef fish fishery. NOAA Fisheries will develop a random selection procedure for determining vessels that will be required to carry observers in order to collect bycatch information. In selecting vessels, the agency will consider the suitability of the vessel for such purpose and ensure that the universe of vessels included are representative of all statistical sub-zones in the Gulf. Vessel permits will not be renewed for vessels that fail or refuse to carry observers in accordance with this process. The implementation of the observer program shall be initiated as soon as NOAA Fisheries obtains sufficient funding for the program. **

Alternative 6 - Enhance the MRFSS by including headboats using the same sampling methodology as used for charter vessels. This motion is contingent on the ongoing studies demonstrating that this would be an improvement in the current estimates.

Section 4.3.3.2 - Bycatch Reporting Methodologies for Private Recreational Fishery

Alternative 1. No action (status quo). Use the existing MRFSS catch and effort program to continue collecting bycatch information from the private recreational sector.

* The 9.12 million pound TAC (status quo) included in the rebuilding strategy is based on the last red snapper stock assessment, conducted in 1999. A new 2004 red snapper stock assessment is currently underway, scheduled for completion in the fall of 2004 and presentation to the Council in early 2005. Based on the results of the 2004 stock assessment, it is possible that the TAC in 2005 may be increased, decreased or kept at its current level.

** Under Bycatch Reporting Methodologies, Proposed Alternative 4 has been reworded to remove language making the requirement for a reef fish observer program contingent upon NOAA Fisheries obtaining sufficient funding. The observer program is now a required part of the rebuilding program.

FINAL RULE EXTENDS MADISON-SWANSON AND STEAMBOAT LUMPS MARINE RESERVES

The National Marine Fisheries Service (NOAA Fisheries) has published the final rule to continue the Madison-Swanson sites and Steamboat Lumps marine reserves through June 16, 2010 and to modify the fishing restrictions within the reserves. Without this new rule, the reserves would have expired after June 16, 2004 (four years after their initial implementation). The Madison-Swanson and Steamboat Lumps sites are located in the eastern Gulf of Mexico and encompass a total area of approximately 219 square nautical miles.

The new rule extends the marine reserves for 6 additional years in order to provide protection for spawning aggregations of gag and other reef fish and to continue research into the effectiveness of the area closures. The new rule also modifies the fishing restrictions within the reserves. Currently, fishing is prohibited for all species except for highly migratory species (billfish, sharks, swordfish and tunas other than blackfin tuna). However, research conducted during the initial 4-year period indicated that surface trolling is unlikely to impact reef fish within the reserves. Consequently, the new rules will allow surface trolling in the reserves during May through October, with additional measures to assure that only that form of fishing is allowed and that the protection for reef fish is continued. Specifically, within these marine reserves, this final rule:

(1) Prohibits the possession of Gulf reef fish year-round, except for possession aboard a vessel in transit with fishing gear appropriately stowed. Transit means non-stop progression through the area; fishing gear appropriately stowed means: (a) A longline may be left on the drum if all gangions and hooks are disconnected and stowed below deck. Hooks cannot

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be baited. All buoys must be disconnected from the gear; however, buoys may remain on deck; (b) trawls may remain on deck, but trawl doors must be disconnected from the trawl gear and must be secured; (c) gillnets must be left on the drum. Any additional gillnets not attached to the drum must be stowed below deck; (d) rods and reels must be removed from the rod holder and stowed securely on or below deck. Terminal gear (i.e., hook, leader, sinker, flasher, or bait) must be disconnected and stowed separately from the rod and reel. Sinkers must be disconnected from the down rigger and stowed separately.

(2) From November 1 through April 30, all fishing and possession of any fish species is prohibited with exceptions for highly migratory species and for fish possessed aboard a vessel in transit with fishing gear appropriately stowed. Fish means finfish, mollusks, crustaceans, and all other forms of marine animals and plant life other than marine mammals and birds.

(3) From May 1 through October 31, fishing activity is restricted to surface trolling only. Surface trolling is defined as fishing with lines trailing behind a vessel which is in constant motion at speeds in excess of four knots with a visible wake. Such trolling may not involve the use of down riggers, wire lines, planers, or similar devices.

The effective date of the final rule is June 3, 2004.

**REEF FISH AMENDMENT 18 TO BE SPLIT INTO TWO AMENDMENTS**

Due to the large number and complexity of issues contained in Reef Fish Amendment 18, the Gulf Council voted to split the amendment into two amendments. Each of the two smaller amendments will concentrate on a more focused set of issues. Amendment 18A will focus primarily on capacity control and enforcement issues in the reef fish fishery, while Amendment 18B will focus on development of Sustainable Fisheries Act requirements to develop status determination criteria, address bycatch reduction, and develop rebuilding plans for Nassau grouper and goliath grouper. The issues in each of the two new amendments will be as follows:

**Amendment 18A:**
- Effort Capacity Control - Endorsements
  • Shallow-water Grouper Endorsement
  • Endorsement for Use of Longline/Drift Buoy Gear
  • Transferability of Endorsements
  • Appeals Process for Initial Issuance of Endorsements
- Effort Capacity Control - Other
  • Dormant Commercial and Charter Vessel Reef Fish Permits
  • Simultaneous Commercial and Charter Vessel Permits on a Vessel
- Maximum Crew Size on Commercial Vessels With Charter Permits
- Enforcement and Monitoring Issues
  • Use of Reef Fish for Bait
  • Vessel Monitoring System
- Fishing Mortality Issues
  • Longline and Buoy Gear Phase-out
  • Seasonal Closed Areas

**Amendment 18B:**
- Administrative and Procedural Issues
  • Changes to the Reef Fish Management Unit
  • Modifications to the TAC Framework Procedure
- Sustainable Fisheries Act Issues
  • Status Determination Criteria for Reef Fishes
  • Goliath Grouper Rebuilding Plan
  • Nassau Grouper Rebuilding Plan
- Reduce Bycatch and Bycatch Mortality
NOAA FISHERIES - REMINDER ABOUT CHARTER VESSEL/HEADBOAT PERMIT REQUIREMENTS

The National Marine Fisheries Service (NOAA Fisheries) implemented Amendment 14 to the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic and Amendment 20 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico on June 16, 2003. The rule established a 3-year moratorium on the issuance of charter vessel or headboat (for-hire) permits for the coastal migratory pelagics and reef fish fisheries in the exclusive economic zone (EEZ) of the Gulf of Mexico. In addition, as a consequence of the moratorium, the current charter vessel/headboat permit system for coastal migratory pelagic fish has been restructured to provide separate permits for the Gulf of Mexico and South Atlantic fisheries. “Open access” permits issued prior to the moratorium were invalid as of November 13, 2003. The intended effect of this rule is to cap the number of for-hire vessels operating in these respective fisheries at the current level while the Gulf of Mexico Fishery Management Council evaluates the need for further management actions that may be needed to manage/rebuild these fishery resources, and to promote attainment of optimum yield.

This Bulletin is to remind charter vessel and headboat operators that if they fish for coastal migratory pelagic or reef fish species in EEZ waters of the Gulf of Mexico, they are required to have the appropriate vessel permits. Operators of, and clients aboard, vessels without valid charter vessel/headboat permits are not allowed to fish for or possess, in or from the EEZ, species from these species groups.

Persons seeking a charter vessel/headboat permit for Gulf coastal migratory pelagic fish or Gulf reef fish may transfer an existing permit to their vessel, with or without sale of the permitted vessel, providing that the permit does not have a historical captain endorsement. Permits without the historical captain endorsement are transferable between individuals. Permits with an historical captain endorsement may only be transferred to a vessel operated by the historical captain.

The transfer of an existing moratorium permit also has additional passenger capacity provisions. Please contact the NOAA Fisheries Permit Branch if you anticipate purchasing a moratorium permit for transfer to your vessel. Questions regarding permits, including permit requirements, permit transferability, or permit renewal, should be directed to the NOAA Fisheries’ Permits Branch at 727-570-5326.

NOAA Fisheries is an agency of the Commerce Department's National Oceanic and Atmospheric Administration.

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NOAA FISHERIES - REMINDER OF REQUIREMENT THAT FEDERAL FISHERIES PERMIT HOLDERS MUST ADVISE THE NATIONAL MARINE FISHERIES SERVICE OF ANY CHANGES TO APPLICATION INFORMATION WITHIN 30 DAYS

The National Marine Fisheries Service (NOAA Fisheries) issues this reminder that the owner or operator of a vessel with a permit, a person with a coral permit, a person with an operator permit, or a dealer with a permit issued by NOAA Fisheries’ Southeast Region, must notify NOAA in writing (Permits Branch, 9721 Executive Center Drive N., St. Petersburg, FL 33702) within 30 days after any change in the application information. The application information most critical to administration of NOAA Fisheries’ permit program includes name, address, phone, vessel ownership, homeport, horsepower, vessel overall length, and vessel tonnage, as specified on the permit. For instance, if you do not provide accurate address changes in a timely manner, NOAA Fisheries will be unable to notify you of permit renewal information, application deadlines or other important fishery management regulatory changes. You do not have to pay an administrative fee to advise NOAA Fisheries of the changes in your application information to comply with the 30-day notification requirement.

The above information is a partial summary of regulatory requirements contained in 622.4(c). “The
owner or operator of a vessel with a permit, a person with a coral permit, or a dealer with a permit must notify the Regional Administrator within 30 days after any change in the application information specified in paragraph (b) of this section. The permit is void if any change in the information is not reported within 30 days.” If you have questions regarding permits, you may telephone the Regional Permits Branch at 727/570-5326, 8:00 a.m. to 4:30 p.m., eastern time, Monday through Friday.

NOAA FISHERIES - REMINDER ABOUT BYCATCH REDUCTION DEVICES (BRDS) AND TURTLE EXCLUDER DEVICES (TEDS)
The National Marine Fisheries Service (NOAA Fisheries) is issuing this bulletin as a reminder that all trawl vessels fishing for shrimp in federal waters of the South Atlantic or Gulf of Mexico must use BRDs and all shrimp trawl vessels in any waters of the southeast United States must use TEDs that are certified by NOAA Fisheries.

Bycatch Reduction Device Requirements

South Atlantic
Since April 1997, BRDs have been required, with limited exceptions, in shrimp trawls being used to catch penaeid (brown, white, pink) shrimp in federal waters of the South Atlantic region. Legal BRDs included the “Fisheye,” “Expanded Mesh,” and “Expanded Mesh - Extended Funnel.”

Gulf of Mexico
Since May 1998, BRDs have been required, with limited exceptions, in shrimp trawls towed in federal waters of the Gulf of Mexico shoreward of the 100-fm (183-m) depth contour west of 85°30' W. longitude (western Gulf), the approximate longitude of Cape San Blas, Florida. Legal BRDs include the “Fisheye,” “Gulf Fisheye,” and “Jones-Davis.”

Beginning in February 2004, BRDs are now also required, with limited exceptions, in all shrimp trawls towed in federal waters of the eastern Gulf of Mexico (east of 85°30' W. longitude) shoreward of the 100-fm (183-m) depth contour. All BRDs certified for the South Atlantic region, or the western Gulf are legal in the eastern Gulf. These include the “Fisheye,” “Gulf Fisheye,” “Expanded Mesh,” “Expanded Mesh - Extended Funnel,” and “Jones-Davis.”

For the “Fisheye” and “Gulf Fisheye” BRDs used in the Gulf, no part of the lazy line attachment system may overlap the escape opening of the fisheyes.

Details regarding the configurations, construction, and installation of these BRD types are available by contacting NOAA Fisheries’ Harvesting Technology Branch, Mississippi Laboratories, Pascagoula Facility, 3209 Frederic Street, Pascagoula, Mississippi 39568-1207; phone (228) 762-4591. Written specifications are also available via the Internet as Appendix D of the following regulations: http://sero.nmfs.noaa.gov/regulations/inter622.htm

Turtle Excluder Device Requirements
NOAA Fisheries would also like to remind fishermen that as of April 15, 2003, in the Atlantic and August 21, 2003, in the Gulf of Mexico, trawls capable of catching shrimp that are required to use TEDs must use TEDs with new, larger escape openings. Currently TEDS used in inshore waters (landward of the COLREG demarcation line), except the inshore waters of Georgia and South Carolina, must have a minimum grid size of 32 inches by 32 inches with an opening size that is at least 44-inches stretched mesh. The Parker soft TED with the 56-inch opening and a hooped hard TED with a new larger opening can also be used in these waters.

TEDs that can be used in all waters of the southeast United States, including offshore waters and all waters off Georgia and South Carolina, must have a minimum grid size of 32 inches by 32 inches. These TEDs can either be the double cover flap TED or a TED with a 71-inch stretched mesh opening. A Parker soft TED with a 96-inch opening and a hooped hard TED with an opening large enough to release leatherback turtles can be also used.
As of May 28, 2004, the double cover flap TED may be used with a 24-inch flap. Note that these new TED configurations must meet other requirements such as the size of the escape hole cut; however, these requirements are too detailed to present in this bulletin. For more information on construction and installation requirements, readers are urged to contact the NOAA Fisheries’ Harvesting Technology Branch, Mississippi Laboratories, Pascagoula Facility, 3209 Frederic Street, Pascagoula, Mississippi 39568-1207; phone (228) 762-4591. Additional TED installation information is also available at: http://www.mslabs.noaa.gov/mslabs/harvest/harvesting.htm.

NOAA FISHERIES - QUOTA MONITORING PROCEDURES FOR SHALLOW-WATER AND DEEP-WATER GROUPER

The Southeast Fisheries Science Center (SEFSC) has established the following procedures for monitoring commercial landings for the shallow-water and deep-water grouper fisheries in the U.S. Gulf of Mexico:

Purpose
To provide the aggregate quantity of pounds, in gutted weight, for all species in the deep-water and shallow-water grouper management units, and to provide the quantity of pounds, in gutted weight, for red grouper that are submitted by seafood dealers selected to report to the grouper quota monitoring program.

Contact
The program is administered by John Poffenberger and Mike Judge, Sustainable Fisheries Division, SEFSC, Miami, Florida.

Background
On January 31, 2003, NOAA Fisheries Regional Administrator Roy Crabtree requested the SEFSC to establish a quota monitoring program for both the shallow-water and deep-water grouper fisheries in the Gulf of Mexico. In response to this request, the SEFSC established a new data collection program that requires seafood dealers to submit monthly total landings for all species in these two fisheries.

The new data collection program required approval by the Office of Management and Budget (OMB). In the supporting documentation for the Paperwork Reduction Act submitted to OMB, the SEFSC described the methods that would be used to collect the necessary landings data. The objective of the program is to provide accurate information in a timely manner. Therefore, the SEFSC developed a plan that
will provide a sufficient percentage of the total landings, but will not place an unnecessary reporting burden on all of the dealers that handle species in these two fisheries. The 2002 landings for shallow-water and deep-water grouper were used to determine how many dealers would be required to report. During 2002, a total of 286 dealers reported purchases of some quantity of the species in the deep-water and shallow-water grouper complexes. In order to account for at least 90% of the total landings, reporting by 80 to 90 dealers will be necessary.

After evaluating the additional costs, especially the extra staff time, that would be required to select all dealers that purchased groupers, the SEFSC decided that the allocation of the additional staff time (estimated to be 1/3 of a person per year), to receive an additional 10% in landings was not warranted. Furthermore, the directives from OMB are to limit the amount of burden placed on the public by federal reporting programs. Thus, the SEFSC selected 86 dealers with the largest amount of grouper purchased during 2002 to participate in the quota monitoring program.

Approval from OMB was received in July 2003 and the SEFSC initiated the quota monitoring program in August 2003. The selected dealers are required to submit the monthly purchases of the 13 species in these two fisheries (8 species in the shallow-water grouper fishery and 5 species in the deep-water grouper fishery). See Appendix I for the species in the two grouper fisheries.

Procedures
1. The initial dealer selection was made in August 2003 and dealer reporting began in September 2003.

2. The data collection form approved by OMB was mailed to the selected dealers. Dealers are required to summarize the monthly purchases of each of the 13 species of grouper and record these quantities on the reporting form. Dealers are instructed to designate whether the purchases are in whole (round) or gutted weights. The dealers are required to return the completed form by the 5th of the following month. They have the option of mailing the form (postage paid envelopes are provided), or sending the form via fax to the SEFSC. Special provisions are provided to those dealers that are reporting electronically to the respective state.

If dealers report electronically and the SEFSC has access to the electronic data, these dealers are not required to submit a paper form.

3. When reporting forms are received, they are entered into a database for review and analysis by the SEFSC. Dealers that have not reported by the 10th of the month, are sent a follow-up letter requesting the landings for the previous month. An additional 5 days are included to allow for those dealers that submitted their forms by mail. If a dealer did not purchase any grouper species during the calendar month, the dealer is required to submit a form stating that no purchases were made.

4. When the SEFSC determines that all data are received for a month, a report is prepared and submitted to the Southeast Regional Office. This report includes the monthly landings for deep-water and shallow-water grouper fisheries. The report also includes the monthly landings of red grouper separate from the shallow-water grouper landings. A separate quota has been established for red grouper and landings of this species need to be monitored independently from the total shallow-water grouper fishery. The SEFSC will also include an “adjustment” factor that can be applied to the reported landings to provide an estimate of the total landings for the month. Because only a portion of the dealers are selected to report, the adjustment is used to account for the dealers that are not selected. The “adjustment” factor will be re-evaluated when the landings for the quota monitoring program are compared to the general canvas landings statistics reported to the state programs (see #5 below).

5. Periodically, the quota monitoring data are compared to the general canvas landings statistics reported by the dealers to the state fishery agencies to determine if the dealers selected by the SEFSC continue to provide an acceptable percentage of the total reported landings. This periodic comparison is critical because fishermen constantly change the dealers to whom they sell fish. If the SEFSC finds dealers that have purchases of more than 1,000 pounds of grouper per month and are not among the dealers already selected, the SEFSC will then select those dealers to participate in the quota monitoring program. Comparisons were made between the
landings reported by dealers and data from the general canvas landings statistics for October and November 2003. Based on the comparisons for those two months, the SEFSC received 83% and 87% of the total landings of all shallow-water and deep-water groupers, respectively, compared to the general canvas landings statistics. Furthermore, the SEFSC received data for 83% and 86% of the total red grouper landings compared to the general canvas statistics. Thus, the SEFSC is using an adjustment of 15% for all shallow-water and deep-water grouper and an adjustment of 17% for red grouper. Landings summaries for shallow-water grouper, deep-water grouper, and red grouper will be provided to the Gulf of Mexico Fishery Management Council on a monthly basis and will be posted on the Southeast Regional Office website at [http://sero.nmfs.noaa.gov](http://sero.nmfs.noaa.gov).

Shallow-water grouper species
- red grouper
- black grouper
- gag
- scamp
- yellowmouth grouper
- yellowfin grouper
- rock hind
- red hind

Deep-water grouper species
- yellowedge grouper
- misty grouper
- snowy grouper
- Warsaw grouper
- speckled hind

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**NOAA FISHERIES - REVISED ADJUSTMENT FACTOR FOR RED GROPER QUOTA MONITORING**

The procedure used by NOAA Fisheries for monitoring monthly commercial grouper landings includes applying an “adjustment” factor to the reported landings from selected dealers to provide an estimate of total landings for that month to account for dealers that were not selected to participate in the quota monitoring program. Until recently, a 30% “adjustment” factor was applied to the red grouper landings data reported by selected dealers. Upon closer examination, the SEFSC determined that the “adjustment” factor of 30% was inaccurate and should be 17%. The “adjustment” factor is derived from comparing the general canvas landings statistics reported by the dealers to state fisheries agencies and those landings reported by dealers selected to report in the quota monitoring program. Comparisons were made between the landings reported by dealers and data from the general canvas landings statistics for October and November 2003. Based on the comparisons for those two months, the SEFSC received 83% and 86% of the total red grouper landings compared to the general canvas statistics and not the 72% and 75% previously reported. Therefore, the SEFSC is using an “adjustment” of 17% for red grouper rather than the previously reported 30%. Red grouper landings (gutted weight) reported from the quota monitoring program with the corrected 17% “adjustment” factor are provided in the table below. The 2003 red grouper general canvas landings data (gutted weight) are also provided for comparison.

Adjusted red grouper landings for 2004 compared to General Canvas Landings for 2003.

<table>
<thead>
<tr>
<th>Month</th>
<th>Adjusted Wt.</th>
<th>2003 General Canvas Landings Statistics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan</td>
<td>674,676</td>
<td>457,140</td>
</tr>
<tr>
<td>Feb</td>
<td>412,974</td>
<td>327,844</td>
</tr>
<tr>
<td>Mar</td>
<td>215,587</td>
<td>209,804</td>
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<tr>
<td>Apr</td>
<td>524,562</td>
<td>412,855</td>
</tr>
<tr>
<td>May</td>
<td>445,003</td>
<td></td>
</tr>
<tr>
<td>Jun</td>
<td>437,374</td>
<td></td>
</tr>
<tr>
<td>Jul</td>
<td>453,223</td>
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<tr>
<td>Aug</td>
<td>515,437</td>
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<tr>
<td>Sep</td>
<td>483,969</td>
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</tr>
<tr>
<td>Oct</td>
<td>430,413</td>
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</tr>
<tr>
<td>Nov</td>
<td>404,481</td>
<td></td>
</tr>
<tr>
<td>Dec</td>
<td>296,327</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>1,827,799</td>
<td>4,873,870</td>
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GULF COUNCIL OPPOSES THE USE OF OPEN LOOP LNG SYSTEMS IN THE GULF OF MEXICO

The Gulf Council, at its May meeting, received a presentation on proposed liquified natural gas (LNG) facilities in the Gulf of Mexico from Mr. Miles Croom of the NOAA Fisheries Southeast Region Habitat Conservation Division. Demand for liquefied natural gas is increasing. To meet this demand, 15 new LNG terminals are proposed for the Gulf of Mexico. One LNG currently exists in Lake Charles, Louisiana. Nine of the proposed facilities are closed loop systems that will not impact fishery resources, but six proposed facilities would each circulate approximately 100 - 200 million gallons of water per day to heat the liquefied natural gas back to its gaseous phase. Each facility would impact billions of fish eggs, larvae, and plankton each year. All fish eggs and larvae are assumed to be killed after passing through these systems. NOAA Fisheries is concerned about the potential impact of these facilities on fish populations in the Gulf of Mexico. One facility at Sabine Pass, Texas would filter 30% of the water in Sabine Lake each year. EPA has required the power generating industry to use closed loop systems to mitigate impacts on aquatic biota. As a result of the information presented to the Council, the Council adopted a position that it believes LNG open loop systems will adversely affect the biota of the Gulf of Mexico and the recreational and commercial fishing industries that depend on this biota. Therefore, the Council opposes the use of open loop LNG systems in the Gulf of Mexico, and recommends the use of closed loop systems in inshore, near shore, and offshore locations.

Existing and Proposed LNG Facilities.

1. Cheniere Brownsville
2. Cheniere Corpus Christi
3. Vista del Sol
4. Oxy-Chem
5. Freeport
6. El Paso (approved)
7. Port Pelican (approved)
8. Gulf Landing
9. Main Pass
10. Compass Port
11. Cheniere Mobile
12. ExxonMobile Mobile
13. Lake Charles (existing)
14. Hackberry (approved)
15. Cheniere Sabine Pass
16. Golden Pass
<table>
<thead>
<tr>
<th>Case No.</th>
<th>Respondent's Name</th>
<th>Vessel Name</th>
<th>Area</th>
<th>LE Unit</th>
<th>Case Description</th>
<th>NOVA* Amount</th>
<th>NOPF** Amount</th>
<th>NOPS*** Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>SE025348MS</td>
<td>Ricardo Sanchez</td>
<td>FL2863LA</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>fish in a sanctuary preservation area</td>
<td>$ 625.00</td>
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<td>SE030321ES</td>
<td>Whiskey Joe, Inc.</td>
<td>WHISKEY JOE</td>
<td>GOM</td>
<td>USCG</td>
<td>TED violation</td>
<td>$2,500.00</td>
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<td>SE030323ES</td>
<td>Diem Thi Nguyen</td>
<td>ANDREW TU</td>
<td>GOM</td>
<td>USCG</td>
<td>TED violation</td>
<td>$2,500.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SE030324ES</td>
<td>Nhieu Thi Nguyen</td>
<td>HAI YEN</td>
<td>GOM</td>
<td>USCG</td>
<td>i) TED violation</td>
<td>i) $2,500.00</td>
<td>ii) $2,500.00</td>
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<tr>
<td>SE030325FM</td>
<td>Quinton A. Cummings</td>
<td>CAPT. JERRY</td>
<td>GOM</td>
<td>MSMR</td>
<td>i) possess undersized red snapper; ii) exceed a bag or possession limit (red snapper &amp; amberjack)</td>
<td>$1,500.00</td>
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<tr>
<td>SE030361FM</td>
<td>James Martin</td>
<td>AL8490KS</td>
<td>GOM</td>
<td>FFWCC</td>
<td>fish in violation of seasonal and/or area closures</td>
<td>$ 750.00</td>
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<tr>
<td>SE030397ES</td>
<td>Glenn E. Untermeyer</td>
<td>LUCKY U</td>
<td>GOM</td>
<td>USCG</td>
<td>i) TED violation; ii) TED violation; iii) dispose of fish, wildlife, gear, cargo, etc., after signal from authorized officer</td>
<td>1) $8,000.00</td>
<td>2) $8,000.00</td>
<td>3) $3,000.00</td>
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<tr>
<td>SE030414FM</td>
<td>Richard Hein Thanh Vo</td>
<td>RICHARD</td>
<td>GOM</td>
<td>LADWF NMFS</td>
<td>possess or sell undersized red snapper</td>
<td>$20,000.00</td>
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<td>60 days</td>
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<tr>
<td>SE033057FM</td>
<td>Richard Bailey</td>
<td>FL3446JT</td>
<td>GOM</td>
<td>FFWCC</td>
<td>fish in violation of seasonal and/or area closures (recreational red snapper)</td>
<td>$ 750.00</td>
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<tr>
<td>SE033060FM</td>
<td>Arthur Eugene Carr</td>
<td>AL1814KE</td>
<td>GOM</td>
<td>FFWCC</td>
<td>fish in violation of seasonal and/or area closures (recreational red snapper)</td>
<td>$ 750.00</td>
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<tr>
<td>SE033061FM</td>
<td>Brian B. Thomas &amp;</td>
<td>FL4150GT</td>
<td>GOM</td>
<td>FFWCC</td>
<td>fish in violation of seasonal and/or area closures (recreational red snapper)</td>
<td>$ 750.00</td>
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<td></td>
</tr>
<tr>
<td>Case No.</td>
<td>Respondent's Name</td>
<td>Vessel Name</td>
<td>Area</td>
<td>LE Unit</td>
<td>Case Description</td>
<td>NOVA* Amount</td>
<td>NOPF** Amount</td>
<td>NOPS*** Duration</td>
</tr>
<tr>
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<tr>
<td>SE035033MS</td>
<td>Juan V. Nathaniel Barbara Nathaniel</td>
<td>LAURI ANN</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>strike or otherwise injure coral, seagrass or other immobile organism attached to seabed</td>
<td>$3,500.00</td>
<td></td>
<td></td>
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<tr>
<td>SE035034MS</td>
<td>Eric Parish</td>
<td>WESTERLY</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>strike or injure coral, seagrass, etc.</td>
<td>$2,500.00</td>
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<tr>
<td>SE035072MS</td>
<td>Frank J. Jelsch</td>
<td>FL6636MC</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>strike or otherwise injure coral, seagrass or other immobile organism attached to seabed.</td>
<td>$2,500.00</td>
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<tr>
<td>SE035093MS</td>
<td>Fabricio Foleto</td>
<td>FL9138HK</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>fish in a sanctuary preservation area</td>
<td>$625.00</td>
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<tr>
<td>SE035141MS</td>
<td>Blas Rodriguez</td>
<td>FL8475DL</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>fish in a sanctuary preservation area</td>
<td>$625.00</td>
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<tr>
<td>SE0353612MS</td>
<td>William J. Stogsdill, Jr.</td>
<td>ALIENATION OF AFFECTION II</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>strike or otherwise injure coral, seagrass or other immobile organism attached to seabed.</td>
<td>$5,000.00</td>
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<tr>
<td>SE035362MS</td>
<td>Michael Tiplady</td>
<td>FL8983LN</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>strike or otherwise injure coral, seagrass or other immobile organism attached to seabed.</td>
<td>$5,000.00</td>
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<tr>
<td>SE035365MS</td>
<td>Edward Burke and John Burke</td>
<td>AMANDA LYNN</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>fish in a sanctuary preservation area</td>
<td>$5,000.00</td>
<td></td>
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</tr>
<tr>
<td>SE035378MS</td>
<td>Black Diamond Administrative Services, L.C. and John Winter</td>
<td>BLACK DIAMOND</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>strike or otherwise injure coral, seagrass or other immobile organism attached to seabed.</td>
<td>$5,000.00</td>
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<tr>
<td>SE035379MS</td>
<td>MTG Charters, LLC David Burchard</td>
<td>COTTON RANCH</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>strike or otherwise injure coral, seagrass or other immobile organism attached to seabed.</td>
<td>$5,000.00</td>
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<tr>
<td>SE035380MS</td>
<td>Theodore Reese</td>
<td>CADENCE</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>strike or otherwise injure coral, seagrass or other immobile organism attached to seabed.</td>
<td>$7,500.00</td>
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<tr>
<td>SE035381MS</td>
<td>James Handley</td>
<td>SHERYL LYNN</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>strike or otherwise injure coral, seagrass or other immobile organism attached to seabed.</td>
<td>$1,200.00</td>
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<tr>
<td>SE040026FM</td>
<td>Grant Weller</td>
<td>DEBORAH</td>
<td>GOM</td>
<td>USCG</td>
<td>fish in area closure (reef fish stressed area)</td>
<td>$5,000.00</td>
<td></td>
<td>15 days 22 fish traps</td>
</tr>
</tbody>
</table>

* NOVA - Notice of Violation Assessment  
** NOPF - Notice of Proposes Forfeiture  
***NOPS - Notice of Permit Sanction
<table>
<thead>
<tr>
<th>Case No.</th>
<th>Respondent Name</th>
<th>Area</th>
<th>LE Unit</th>
<th>Vessel Name</th>
<th>Case Description</th>
<th>Final Amount</th>
<th>Forfeited Amount</th>
<th>Days of Sanction</th>
</tr>
</thead>
<tbody>
<tr>
<td>SE000528FM</td>
<td>Benjamin J. Sprinkle, II</td>
<td>GOM</td>
<td>USCG</td>
<td>MISS LINDA DARLENE</td>
<td>Tortugas shrimp sanctuary violation</td>
<td>$ 2,500.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SE010633FM</td>
<td>Marvin (Jessy) Hickman</td>
<td>GOM</td>
<td>FFWCC</td>
<td>GRANDPA’S DREAM</td>
<td>1) Tortugas shrimp sanctuary violation; 2) undersized spiny lobster</td>
<td>$ 11,500.00</td>
<td></td>
<td>30 days</td>
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<tr>
<td>SE020277FM</td>
<td>Thoi Ngu</td>
<td>GOM</td>
<td>USCG</td>
<td>MISS LANA</td>
<td>BRD violation</td>
<td>$ 3,000.00</td>
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<tr>
<td>SE025062MS</td>
<td>Rolando Garcia</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>FL8239LT</td>
<td>harvesting sponges</td>
<td>$ 4,000.00</td>
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<tr>
<td>SE025113FM</td>
<td>Fishermen IX, Inc.</td>
<td>GOM</td>
<td>FFWCC/</td>
<td>CAPT. CHRISTOPHER</td>
<td>fish in Tortugas shrimp sanctuary and/or during Southwest Florida Seasonal Trawl</td>
<td>$10,000.00</td>
<td></td>
<td>10 days</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>NMFS</td>
<td></td>
<td>Closure</td>
<td></td>
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<tr>
<td>SE025116FM</td>
<td>Trawler Master Jeffrey, Inc.</td>
<td>GOM</td>
<td>FFWCC</td>
<td>MASTER JEFFREY</td>
<td>Tortugas shrimp sanctuary violation and/or the Southwest Florida Seasonal Trawl</td>
<td>$ 7,500.00</td>
<td></td>
<td>15 days</td>
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<td></td>
<td></td>
<td>Closure violation</td>
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<tr>
<td>SE025463MS</td>
<td>Lloyd W. Rye</td>
<td>FKNMS</td>
<td>FFWCC</td>
<td>BLUEPRINT MATCH</td>
<td>operate a vessel in such a manner as to cause prop scarring</td>
<td>$ 1,500.00</td>
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<tr>
<td>SE030013FM</td>
<td>Jeffrey Lynn Starks</td>
<td>GOM</td>
<td>NMFS</td>
<td>N/A</td>
<td>1) fish during recreational red snapper closure; 2) fail to maintain fish intact;</td>
<td>$ 2,800.00</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>LDWF</td>
<td></td>
<td>3) possess prohibited species (red drum)</td>
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<tr>
<td>SE030079FM</td>
<td>Jeffrey K. Evans</td>
<td>GOM</td>
<td>USCG</td>
<td>COLBEE RAE</td>
<td>1) Tortugas shrimp sanctuary violation; 2) fish without permit</td>
<td>$ 8,750.00</td>
<td>$5,268.20</td>
<td>4 months</td>
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<tr>
<td></td>
<td>Gregory Evans</td>
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<td>SE030192FM</td>
<td>Patrick Wayne Damico</td>
<td>GOM</td>
<td>USCG</td>
<td>FL3086JG</td>
<td>1) unlawfully possess spiny lobster and spiny lobster tails; 2) unlawfully fish</td>
<td>$2,300.00</td>
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</tr>
<tr>
<td>Case No.</td>
<td>Respondent Name</td>
<td>Area</td>
<td>LE Unit</td>
<td>Vessel Name</td>
<td>Case Description</td>
<td>Final Amount</td>
<td>Forfeited Amount</td>
<td>Days of Sanction</td>
</tr>
<tr>
<td>-----------------</td>
<td>------------------------------------------------------</td>
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<td>----------------------------------------------------------------------------------</td>
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<tr>
<td>SE030257FM</td>
<td>Red Fin, Inc. Nam Truong</td>
<td>GOM</td>
<td>USCG</td>
<td>RED FIN</td>
<td>i) fish with pelagic longline in closed area</td>
<td>$20,000.00</td>
<td>$32,213.39</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>ii) falsify or fail to report or maintain information</td>
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<tr>
<td>SE030258FM</td>
<td>Steven O. Russ</td>
<td>GOM</td>
<td>NMFS</td>
<td>BORN TO BOOGIE III</td>
<td>fish during red snapper closure</td>
<td>$1,500.00</td>
<td></td>
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<tr>
<td></td>
<td>Jeffrey W. Timson</td>
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<tr>
<td></td>
<td>Donna Beaubien</td>
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<td></td>
<td>Mike Beaubien</td>
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<tr>
<td>SE030290FM</td>
<td>Carl E. Bartlett</td>
<td>GOM</td>
<td>NMFS</td>
<td>FLAT CALM</td>
<td>sell Atlantic tuna to other than permitted dealer</td>
<td>$3,000.00</td>
<td></td>
<td>10 days</td>
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<tr>
<td></td>
<td>Bruce Bartlett</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>SE030306ES/FM</td>
<td>Edward Garcia, Sr.</td>
<td>GOM</td>
<td>NMFS/USCG</td>
<td>CHRISTIAN G</td>
<td>i) to xxx) TED violations</td>
<td>$100,000.00</td>
<td>$78,399.69</td>
<td>209 days</td>
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<tr>
<td></td>
<td>Greg Garcia</td>
<td></td>
<td></td>
<td></td>
<td>xxxi) to vx) BRD violations</td>
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</tr>
<tr>
<td>SE030325FM</td>
<td>Quinton A. Cummings</td>
<td>GOM</td>
<td>MSMR</td>
<td>CAPT. JERRY</td>
<td>1) possess undersized red snapper;</td>
<td>$1,125.00</td>
<td></td>
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<td></td>
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<td></td>
<td>2) exceed a bag or possession limit (red snapper &amp; amberjack)</td>
<td></td>
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<tr>
<td>SE030361FM</td>
<td>James Christopher Martin</td>
<td>GOM</td>
<td>FFWCC/NMFS</td>
<td>AL8490KS</td>
<td>fish during recreational red snapper closure</td>
<td>$600.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SE030385FM</td>
<td>Kenneth Evans, Jr. Bruce Stiller</td>
<td>GOM</td>
<td>FFWCC</td>
<td>MISS SHARON</td>
<td>1) exceed a trip limit for Spanish Mackerel;</td>
<td>$5,250.00</td>
<td>$1,124.90</td>
<td></td>
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<td></td>
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<td></td>
<td>2) fish for Spanish Mackerel with gear not meeting the requirements</td>
<td></td>
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<tr>
<td>SE033018FM/MS</td>
<td>Julie Ann, LLC Darryl L. Cover</td>
<td>FKNMS</td>
<td>USCG</td>
<td>JULIE ANN</td>
<td>fish in the Tortugas North Ecological Reserve</td>
<td>$7,600.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SE033042FM</td>
<td>Michael David Eller</td>
<td>GOM</td>
<td>NMFS/FFWCC</td>
<td>FISH-N-FOOL</td>
<td>exceed the greater amberjack bag/possession limit</td>
<td>$2,000.00</td>
<td></td>
<td>5 days</td>
</tr>
<tr>
<td>SE033057FM</td>
<td>Richard Bailey</td>
<td>GOM</td>
<td>FFWCC/NMFS</td>
<td>FL3446JT</td>
<td>fish during recreational red snapper closure</td>
<td>$600.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SE033060FM</td>
<td>Arthur Eugene Carr</td>
<td>GOM</td>
<td>FFWCC</td>
<td>AL1814KE</td>
<td>fish in violation of seasonal and/or area closures (Gulf recreational red snapper)</td>
<td>$600.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Case No.</td>
<td>Respondent Name</td>
<td>Area</td>
<td>LE Unit</td>
<td>Vessel Name</td>
<td>Case Description</td>
<td>Final Amount</td>
<td>Forfeited Amount</td>
<td>Days of Sanction</td>
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</tr>
</tbody>
</table>
| SE033061FM  | Hardrick Smith Thomas Ovealia Caswell Thomas  
Brian B. Thomas | GOM  | FFWCC   | FL4150GT    | fish in violation of seasonal and/or area closures (recreational red snapper closure) | $ 600.00     |                  |                  |
| SE033062FM  | Todd A. Williams                                     | GOM  | FFWCC   | FL6739LG    | fish in violation of seasonal and/or area closures (recreational red snapper)     | $ 600.00     |                  |                  |
| SE035012MS  | Stephen M. Weiss                                    | FKNMS| FFWCC   | MOMENT'S NOTICE | strike or otherwise injure coral, seagrass or other immobile organism attached to seabed | $ 2,200.00   |                  |                  |
| SE035034MS  | Eric Parish                                          | FKNMS| FFWCC   | WESTERLY    | strike or otherwise injure coral, seagrass or other immobile organism attached to seabed | $ 1,500.00   |                  |                  |
| SE035072MS  | Frank Joseph Jelsch                                  | FKNMS| FFWCC   | FL6636MC    | strike or otherwise injure coral, seagrass or other immobile organism attached to seabed | $ 1,500.00   |                  |                  |
| SE035141MS  | Blas Rodriguez                                       | FKNMS| FFWCC   | FL8475DL    | fish in a sanctuary preservation area                                           | $ 150.00     |                  |                  |
| SE035225MS  | Richard G. Sharples                                  | FKNMS| FFWCC   | FL2210LL    | operate a vessel in such a manner as to cause prop scarring                     | $ 1,000.00   |                  |                  |
| SE035297MS  | William R. Grosscup Chip Quimby                     | FKNMS| FFWCC   | SEA EAGLE   | strike or otherwise injure coral, seagrass or other immobile organism attached to seabed | $ 3,750.00   |                  |                  |
| SE035340MS  | Clifton L. Davis Daha, Inc.                          | FKNMS| FFWCC   | CAT'SASS    | anchor in the Tortugas Ecological Reserve                                       | $ 1,250.00   |                  |                  |
| SE035362MS  | Michael Tiplady                                      | FKNMS| FFWCC   | FL8983LN    | strike or otherwise injure coral, seagrass or other immobile organism attached to seabed | $ 3,000.00   |                  |                  |
| SE035365MS  | John Burke Edward Burke                             | FKNMS| FFWCC   | AMANDA LYNN  | fish in a sanctuary preservation area                                           | $ 3,000.00   |                  |                  |
| SE035378MS  | Black Diamond Administrative Services, LC            | FKNMS| FFWCC   | BLACK DIAMOND | strike or otherwise injure coral, seagrass or other immobile organism attached to seabed | $ 3,500.00   |                  |                  |

TENTATIVE AGENDA FOR THE JULY GULF COUNCIL MEETING
COMMITTEE SCHEDULE
Monday, July 12, 2004

1:00 p.m. - 3:30 p.m.
Shrimp Management Committee (Tab D)
- Public Hearing Draft Shrimp Amendment 13/EIS
  - Revisions
  - Provisions for permit moratorium
  - Committee Recommendations
- Violations of Shrimp Rules (Richard Cook/Dave McKinney)

3:30 p.m. - 5:30 p.m.
Joint Reef Fish/Mackerel Committees (Tab F)
- Public Hearing Draft of Reef Fish Amendment 24/EA
- Public Hearing Draft of Mackerel Amendment 15/EA
- Scoping Document for Extension of Charter Vessel/Headboat Permit Moratorium Amendment

Tuesday, July 13, 2004

8:30 a.m. - 11:30 a.m.
Joint Personnel/Administrative Policy Committees (CLOSED SESSION)
- Revision of Joint SOPPs/Administrative Handbook
  - AdHoc Chairs Committee Recommendations
  - Forming an SSC Pool for Standing Committee
  - Committee Recommendations
- recess -

1:00 p.m. - 2:30 p.m.
Mackerel Management Committee (TAB C)
- South Atlantic/Gulf Council Joint Committee Actions
  - Options Paper for Amendment 16
  - Other Issues

2:30 p.m. - 5:30 p.m.
Reef Fish Management Committee (Tab B)
- Final Reef Fish Amendment 23/EIS (Vermilion Snapper Rebuilding Plan)
  - Public Hearing Comments
  - Public Letters
  - AP/SSCRecommendations
  - EPA Comments
  - NMFS Comments
  - Committee Recommendations
- Red Snapper IFQ Scoping Document

COUNCIL SCHEDULE
Wednesday, July 14, 2004

I. Call to Order and Introductions - B. Walker
   (8:30 a.m. - 8:35 a.m.)

II. Adoption of Agenda - B. Walker
    (8:35 a.m. - 8:40 a.m.)

III. Approval of Minutes - B. Walker
     (8:40 a.m. - 8:45 a.m.)
IV. Public Testimony - B. Walker
   a. Reef Fish Amendment 23/EIS
   b. Applications for Exempted Fishing Permits (EFPs)
      (8:45 a.m. - 10:45 a.m.)

V. National Mercury Working Group Report - Brown
   (10:45 a.m. - 11:30 a.m.)

   -recess-

VI. NMFS Draft HMS Amendment 2 - Stirratt
   (1:00 p.m. - 2:15 p.m.)

VII. Committee Reports
   a. Shrimp Management - Perret
      (2:15 p.m. - 2:45 p.m.)
   b. Joint Reef Fish/Mackerel Management - Minton/Fischer
      (2:45 p.m. - 3:30 p.m.)
   c. Mackerel Management - Fischer
      (3:30 p.m. - 4:15 p.m.)
   d. Joint Personnel/Administrative Policy *(CLOSED SESSION)* - K. Williams/Fensom
      (4:15 p.m. - 5:30 p.m.)

   - recess -

**Thursday, July 15, 2004**

VII. Committee Reports (continued)
   e. Reef Fish Management - Minton
      (8:30 a.m. - 10:30 a.m.)
   f. Joint Personnel/Administrative Policy - K. Williams/Fensom
      (10:30 a.m. - 11:00 a.m.)

VII. SAFMC Liaison Report - B. Walker
   (11:00 a.m. - 11:15 a.m.)

VIII. Enforcement Reports - Sherlock/Rogers/McKinney
   (11:15 a.m - 11:30 a.m.)

IX. Regional Administrator’s Report - Crabtree
   (11:30 a.m. - 11:45 a.m.)

XI. Directors’ Reports - Simpson/Brown/R. Williams/Minton/Perret/Foote/Riechers
   (11:45 a.m. - 12:15 p.m.)

XII. Other Business - B. Walker
    (12:15 p.m. - 12:30 p.m.)

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

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The Gulf of Mexico Fishery Management Council is one of eight regional fishery management councils that were established by the Magnuson-Stevens Fishery Conservation and Management Act in 1976. The Council is responsible for the development and modification of fishery management plans (FMPs) that are designed to manage fishery resources in the exclusive economic zone (EEZ) of the Gulf of Mexico from state boundaries to the 200-mile limit. This is a publication of the Gulf of Mexico Fishery Management Council and financial assistance for this newsletter was provided by grant funds pursuant to National Oceanic and Atmospheric Administration Award No. NA04NMF4410020.

July Meeting:  
July 12-15, 2004  
Omni  
4 Riverway  
Houston, Texas 77056

September Meeting:  
September 13-16, 2004  
Edgewater Beach Resort  
11212 Front Beach Road  
Panama City Beach, Florida 32407

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL  
3018 North U.S. Highway 301  
Suite 1000  
Tampa, Florida 33619-2272

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE, $300

AN EQUAL OPPORTUNITY EMPLOYER