
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: Wayne Swingle.

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COUNCIL REQUESTS EMERGENCY RED SNAPPER ACTION

At its November meeting, the Gulf of Mexico Fishery Management Council (Council) moved to request that the National Marine Fisheries Service (NMFS) implement by emergency rule, measures that would help extend the 1999 recreational fishing season for red snapper. A Congressional law implemented in 1996 requires that the recreational allocation be used as a quota and the recreational fishery closed when that quota is harvested. In 1997 the fishery closed on November 26 and in 1998 on September 29, creating substantial adverse economic impacts on the charter and head boat sectors.

In an effort to extend the 1999 season, the Council proposed that the following measures be implemented by emergency rule effective January 1, 1999:

- reduction of the recreational bag limit to 4 fish;
- reduction of the recreational bag limit to zero for captain and crew of charter and head boats;
- prohibit recreational harvest and possession of red snapper from January 1 through February 28; and
- reduce the minimum size limit of red snapper to 14 inches total length (TL).

The bag limit of zero fish for captain and crew of charter and head boats was estimated to reduce recreational landings by about 8 percent and the January-February fishing season closure by about 11 percent. The reduction in size limit to 14 inches was projected to reduce the average weight of fish landed, thereby requiring a longer time period to harvest the annual quota of 4.47 million pounds. That measure also should reduce waste of undersize fish that die from hooking or release mortality. An emergency rule was necessary to implement the measures by January 1, 1999; otherwise the season would open on that date with a 5-fish bag limit possibly resulting in an earlier closure.

Because an emergency rule lasts only 180 days, the Council is also submitting a regulatory amendment to make these measures effective for the entire 1999 season.

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NEXT COUNCIL MEETING

January 11 -15, 1998
Isle of Capri
151 Beach Boulevard
Biloxi, Mississippi
228-435-5400



The regulatory amendment sets total allowable catch (TAC) for 1999 at 9.12 million pounds (status quo) and modifies the fall commercial season to be open at noon September 1, through noon September 10, and from the 1st day through the 10th day of each following month until the fall commercial quota (about 1.6 million pounds) is taken.

COUNCIL TO TAKE FINAL ACTION ON SFA AMENDMENT

At the January 11-15, 1999 meeting, the Council will hear public testimony and take final action on the Sustainable Fisheries Act (SFA) Amendment. Public testimony is scheduled beginning at 1:30 p.m. on Wednesday, January 13. Persons testifying must register before the start of the testimony period.

In 1996, Congress passed the SFA. The SFA implemented new requirements for marine fisheries managed by the Gulf of Mexico Fishery Management Council and other regional management councils. The Council has responded to this by developing the SFA Amendment that includes alternative management measures for reporting of bycatch by Gulf fishermen, minimizing bycatch or bycatch mortality, specifying higher standards for overfishing criteria that will restore fishery stocks to maximum sustainable yield (MSY), rebuilding periods for overfished stocks (e.g., red snapper, king mackerel, and red drum) and a section identifying communities economically dependent on fishing.

Under the section on reporting of bycatch, five alternatives related to submission of data by fishermen and vessel observers are considered. The Council proposes that National Marine Fisheries Service (NMFS) have authority to collect bycatch information by the most appropriate methods, but to use mandatory observers only when the Council agrees.

Under the section on measures to minimize bycatch or bycatch mortality, the Council proposes that stone crab traps used in federal waters be constructed according to Florida law.

Under the section on overfishing criteria and rebuilding period for stocks, the Council has proposed that MSY, optimum yield (OY), and the overfishing thresholds be set at higher standards as follows:

- 26 percent spawning potential ratio (SPR) for red snapper (with OY set at 36 percent SPR)

- 30 percent SPR for red drum, all the coastal migratory species (including the mackerels) and for all reef fish species except red snapper, gag, Nassau grouper, and jewfish
- 50 percent SPR for Nassau grouper and jewfish
- The Council has not selected a proposal for gag.

The rebuilding periods proposed for overfished stocks are as follows:

- Red snapper by year 2033
- King mackerel by 2009
- No rebuilding periods are proposed for red drum, Nassau grouper, or jewfish because there was insufficient information to compute the periods.

Similarly, the amendment does not contain proposed overfished thresholds for any of the finfish stocks because there was insufficient information to compute these parameters in terms of biomass (weight). Alternatives for overfished thresholds in terms of SPR are included.

Under the section on overfishing criteria and rebuilding period for stocks for the crustacean fisheries, the Council has proposed that MSY, OY, and the overfishing thresholds be set as follows:

- For penaeid shrimp - as the parent stock numbers (as indexed from current virtual population analysis [VPA] procedures) for the 3 penaeid species of shrimp in the Gulf of Mexico at or above the following levels:
- Brown Shrimp - 125 million individuals, age 7+ months during the November through February period;
- White shrimp - 330 million individuals, age 7+ months during the May through August period;
- Pink shrimp - 100 million individuals, age 5+ months during the July through June year.
- For royal red shrimp - as 650,000 pounds
- For spiny lobster - as 20 percent transitional SPR or SSBR (spawning stock biomass per recruit), except OY is set at 30 percent SPR.
- For stone crab - as the harvest that results from a realized egg production per recruit at or above 70 percent of potential production. This harvest capacity is currently estimated at between 3.0 and 3.5 million pounds (MP) of claws (minimum 70 mm propodus length).

Overfished thresholds are specified as one-half of MSY or slightly higher for the crustacean stocks, none of which are overfished.

- Continued -

The effect of specifying overfishing criteria at a higher level for the finfish stocks is that additional stocks may be classified as overfished when NMFS approves the SFA Amendment in 1999. The amendment also identified Gulf fishing communities dependent on fishing so that eventually the impact of fishery management measures on these communities can be assessed.

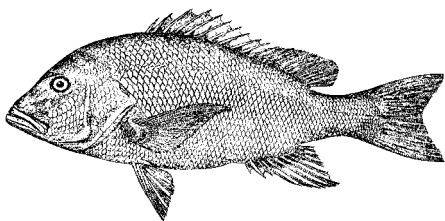
COUNCIL TO TAKE FINAL ACTION ON GAG REGULATORY AMENDMENT

At the January 11-15 meeting, the Council will hear public testimony and take final action on a regulatory amendment. Public testimony is scheduled beginning at 1:30 p.m. on Wednesday, January 13. Persons who will testify must register before the start of the public testimony period.

Issues addressed in the draft regulatory amendment include the following:

- Specification of a total allowable catch (TAC) for gag;
- Minimum size limit increase for gag and black grouper from 20 to 24 inches total length;
- A 2-fish recreational bag limit for gag as part of the existing 5-aggregate grouper bag limit;
- A zero bag limit of gag for the captain and crew of for-hire vessels;
- A commercial trip limit for gag;
- A closed season during peak gag spawning;
- Area closures at gag spawning aggregation locations.

The Council currently has no preferred alternatives; however, the NMFS, in its *October 1998 Report to Congress on the Status of Fisheries of the United States*, identified gag in the Gulf of Mexico as a stock that, while not currently overfished, is approaching an overfished condition. Under the provisions of the Magnuson-Stevens Fishery Conservation and Management Act, the Council is required to take action within one year to prevent overfishing from occurring for stocks identified by NMFS as approaching an overfished condition.



COUNCIL COMPLETES AMENDMENT DEFINING ESSENTIAL FISH HABITAT

At the September 1998 meeting, the Council heard testimony and took final action to approve an amendment that identified and described essential fish habitat (EFH) for the stocks of fish managed by the Council. The amendment has been submitted to the NMFS for implementation. The SFA passed by Congress in 1996 required that each regional Council develop EFH amendments to their fishery management plans (FMPs). The amendment described EFH separately for estuarine and marine waters for 26 stocks of fish that comprise more than 90 percent of the biomass of stocks managed by the Council. The amendment identified and discussed the threats to essential habitat in the Gulf area. It also discussed conservation measures and recommendations to minimize impacts from fishing and non-fishing activities and identified research and data needs for improving habitat information. The amendment will be used as a basis for assessing development projects that propose to alter marine habitats.

UPCOMING MEETINGS

January 5, 1999
SFA Advisory Panel
Doubletree Hotel
New Orleans, LA

January 5, 1999
Shark SSC
Tampa Airport Hilton
Tampa, FL

January 6, 1999
Scientific and Statistical
Committee
Doubletree Hotel
New Orleans, LA

January 7, 1999
Shrimp Advisory Panel
Doubletree Hotel
New Orleans, LA

COUNCIL CONSIDERS CONTROL DATE FOR DOLPHIN (FISH)

At the September meeting, the Council considered a recommendation by the South Atlantic Council for a control date for dolphin. The Council did not object to a control date for the South Atlantic Council's area of jurisdiction; however, the Council did not support a control date for dolphin (fish) in the Gulf at this time. The Council also agreed to consider adding wahoo to the management unit of the Coastal Migratory Pelagics FMP at the November 1998 meeting, and in the meantime to ask NMFS to gather data on wahoo and the wahoo fishery.

COUNCIL CONSIDERS DEVELOPMENT OF SHRIMP AMENDMENT 10

At the September meeting, the Council considered a request from NMFS to develop Amendment 10 to the Shrimp FMP that would include mandatory permits, logbooks, observers, and vessel monitoring. The Council agreed to develop a scoping document that would include any and all ways to improve data collection and fishing effort information and to review this document with the states, the Gulf States Marine Fisheries Commission, and the industry before proceeding with the development of an amendment. The Council will consider an options paper for Shrimp Amendment 10 at the January 1999 meeting.

COUNCIL SEEKS SCIENTIFIC ADVISORS

In March, the Council will appoint scientific advisors to committees and panels for a two-year term. The Scientific and Statistical Committee (SSC) advises the Council on the scientific validity of analyses supporting the provisions of all amendments to FMPs, as well as for stock assessment information used by the Council. The stock assessment panels (SAPs) consist of scientists with expertise in fish population dynamics and ecology that review stock assessment information and develop recommendations to the Council on acceptable biological catch (ABC). The Socioeconomic Panel (SEP) includes fishery economists and social scientists who advise the Council on the economic and social impact of setting the TAC at various levels. The Council is seeking applicants for the following committees and panels:

Standing SSC (includes biologists, population dynamics scientists, economists, and social scientists - meeting 4 or 5 times per year.)

Butterfish SSC

Coral SSC

Mackerel SSC

Oceanic Migratory Species SSC

Red Drum SSC

Reef Fish SSC

Shark SSC

Shrimp SSC

Spiny Lobster SSC

Stone Crab SSC

Mackerel SAP

Red Drum SAP

Reef Fish SAP

Shrimp SAP

SEP

Persons applying to serve on a committee or panel should state in a letter to the Council office which committee or panel they wish to serve on and should include a current resume. Persons who have directly received funding from an association that lobbies the Council on fishery issues are ineligible to serve. Persons who have had a fishery resource violation with the past 5 years are ineligible.

COUNCIL SEEKS FISHERY ADVISORS

In March, the Council will appoint members to their fishery advisory panels (APs) for a two-year period. The APs review the provisions of all amendments to FMPs, as well as all stock assessment information used by the Council to set the TAC for a stock and the measures necessary to prevent TAC from being exceeded, i.e., bag limits, size limits, quotas, seasons, etc. The Council is seeking applicants, from the recreational and commercial sectors, for the following APs:

Billfish

Butterfish

Coastal Migratory Pelagics (Mackerel)

Coral and Coral Reefs

Habitat Protection APs for Texas, Mississippi/Louisiana, and Florida/Alabama regions

Highly Migratory Species (sharks, swordfish, and tunas)

Red Drum

Red Snapper

Reef Fish (other than red snapper)

Shrimp

Spiny Lobster

Stone Crab

Persons interested in serving should send a letter to the Council office identifying which AP they would like to serve on and a short resume describing their background in the fishery.

Persons who have fishery resource violations within the last 5 years are ineligible to serve.



THIRD QUARTER ENFORCEMENT REPORTS

Between April 1 and June 30, 1998 the USCG made 11 cases against Mexican vessels illegally fishing in U.S. waters. Fines were assessed against each of the vessels.

NOVAs ISSUED BETWEEN APRIL 1, 1998 AND JUNE 30, 1998					
CASE NUMBER	RESPONDENT NAME	AREA	LE UNIT	CASE DESCRIPTION	NOVA AMOUNT
SE950211FM	Raul Decuir-Garcia	GOM	USCG	Foreign vessel commercially fishing in EEZ without permit	\$2,000
SE950251FM	Raul Decuir-Garcia	GOM	USCG	Foreign vessel commercially fishing in EEZ without permit	\$2,000
SE950288FM	Alberto Criollo-Garcia	GOM	USCG	Foreign vessel commercially fishing in EEZ without permit	\$1,000
SE950354FM	Higinio Gomez-Mendoza	GOM	USCG	Foreign vessel commercially fishing in EEZ without permit	\$2,000
SE960007FM	Alfredo Decuir-Garcia	GOM	USCG	Foreign vessel commercially fishing in EEZ without permit	\$2,000
SE960018FM	Ignacio Gonzalez-Balderas	GOM	USCG	Foreign vessel commercially fishing in EEZ without permit	\$1,600
SE960019FM	Ignacio Gonzalez-Balderas	GOM	USCG	Foreign vessel commercially fishing in EEZ without permit	\$1,600
SE960033FM	Alfredo Decuir-Garcia	GOM	USCG	Foreign vessel commercially fishing in EEZ without permit	\$2,000
SE960142FM	Balvino Martinez Higaredo	GOM	USCG	Foreign vessel commercially fishing in EEZ without permit	\$1,000
SE960220FM	Raul Decuir-Garcia	GOM	USCG	Foreign vessel commercially fishing in EEZ without permit	\$2,000
SE970024FM	Jose Quiroga-Martinez	GOM	USCG	Foreign vessel commercially fishing in EEZ without permit	\$2,000

NMFS SEIZURES

A NMFS Special Agent, working with USCG officers from the Cutter Point Spencer, seized 27 bags of shrimp, 3 sharks, 1 triggerfish, and 1 bag of whiting from the operator of the vessel H. W. JR. on April 3, 1998. The vessel was cited for trawling with completely sewn shut turtle excluded devices (TEDs) and for tampering with the sewn shut TEDs after being instructed not to by boarding officers. The shrimp, shark, and other fish were then sold for \$2,500.00.

Florida Marine Patrol officers assisted a NMFS Special Agent in apprehending the operator of the CAPT. GREGORY and seizing 169 pounds of Spanish mackerel. The operator was cited for possessing commercial quantities of Spanish mackerel without a federal permit. The Spanish mackerel were later sold for \$42.25.

The operator of the vessel MISS CAROLINE was cited by USCG officers from Stations Cortez and Sand Key on April 6, 1998, for possessing 7,113 pounds of reef fish, shark, and fins without a valid federal permit for shark or reef fish, and for possessing shark fins disproportionate to carcasses. The reef fish and shark were subsequently sold for \$10,088.50.

USCG officers from the Cutter Point Steele assisted a NMFS Special Agent in apprehending three different vessels trawling in the closed area off Ft. Myers, Florida. The vessel operators from the OUTLAW, VILCO 7, and VILCO 9 were each cited and their catches were seized. Seven hundred thirty-seven pounds of shrimp were seized from the operator of the OUTLAW and sold for \$3,424.00. The operator of the VILCO 7 had 2,205 pounds of shrimp seized and later sold for \$11,227.00. The 1,830 pounds of shrimp on board the VILCO 9 were later sold for \$9,301.25.

A NMFS Special Agent, working with USCG officers from the Cutter Point Countess, seized 3,192 pounds of shrimp from the operator of the vessel MISS LINDA DARLENE on April 22, 1998. The operator was cited for fishing in violation of seasonal and area closures in the Tortugas Shrimp Sanctuary. The shrimp were sold for \$2,031.15.

USCG officers from the Cutter Point Jackson were directed by a NMFS Special Agent to seize 8,603 pounds of shrimp from the operator of the vessel LADY GABRIELLE on April 30, 1998. The operator was then cited for trawling in a closed area, and the shrimp were then sold by NMFS for \$15,388.50.

THIRD QUARTER 1998 INTERNAL MILESTONE REPORT

Design a VMS experiment for SE fisheries conducted within 50 NM of the coast.

Progress on the development of a Vessel Monitoring System (VMS) for use within 50 nautical miles (NM) of the coast is proceeding. Currently, four fishing vessels are equipped with the cell phone monitoring devices, and the data coming in from these devices is being analyzed by enforcement technicians within the Southeast Enforcement Division. A detailed status update of the system is provided to the Council at their request. The system may be employed to accomplish vessel monitoring within the fish trap segment of the Gulf Reef Fish fishery. On the hardware side of this experiment, NMFS is expecting a new transceiver that will be less expensive and more efficient. The new transceiver should be capable of storing 6,000 position reports and dumping them upon receipt of the correct cell phone signal. Progress on this milestone is good.

Implement a cooperative enforcement effort with South Carolina.

The joint cooperative enforcement effort with South Carolina is officially signed by both parties. The state of South Carolina will receive approximately \$900,000 in reimbursements for the purchase of two patrol vessels, the repowering of an existing patrol vessel, and recruiting and fielding five dedicated officers. In return, the state of South Carolina will provide an established number of patrol hours over the course of the next two years and document all boardings with a federal nexus. Additionally, South Carolina will prosecute in state court certain cases that fall within their jurisdiction. Wider implementation of the offshore patrol procedures required by the joint project agreement will accelerate through the summer. Other states, including Louisiana, Georgia and Florida, are very much interested in conducting similar joint projects within their jurisdictions.

FOURTH QUARTER ENFORCEMENT REPORTS

SETTLEMENTS BETWEEN JULY 1, 1998 AND SEPTEMBER 30, 1998							
CASE NUMBER	RESPONDENT NAME	AREA	LE UNIT	CASE DESCRIPTION	FINAL AMOUNT	FORFEITED AMOUNT	PERMIT SANCTION
SE890331FM	Wolfe Trawlers, Inc.	GOM	USCG	Shrimping in Texas waters during closure	\$6,000		
SE890453ES	Paul H. Nguyen	GOM	USCG	TED Violation	\$1,166		
SE900705FM	Dean A. Pruitt	GOM	NMFS	(1) Unlawful use of longline gear in restricted area (2) Possess undersized reef fish	\$10,000		
SE930080FM	Ted J. and Lena C. Pitre	GOM	USCG	(1) Dispose of fish after approach of enforcement (2) Possess undersized reef fish (3) Exceeded trip limit of red snapper (4) Resist, oppose, or interfere with investigation (5) Fail to display vessel identification	\$6,500	\$1,143	2 years
SE970281FM	Frank Deebold	GOM	FL	(1) Fish with unmarked traps (2) No biodegradeable panel on trap (3) Fishing with traps without trap endorsement (4) Leave traps unattended	\$16,001		Lifetime
SE980083FM	Royden T. Mispel	GOM	FL	Failure to retrieve and return to port all fish traps			Lifetime
SE980084FM	Royden T. Mispel Robin A. Mispel	GOM	FL	(1) Fail to display gear identification (2) nterfere with/obstruct investigation (3) Fish in violation of prohibition/area closure			Lifetime

NMFS SEIZURES

Officers from USCG Cutter Key Biscayne were advised by a NMFS Special Agent to seize 203 pounds of red snapper from the operator of the vessel E.J. and JOEY on July 14, 1998. The operator was cited for possession of red snapper in excess of the bag limits. The red snapper were later sold for \$1,596.00.

On August 1, 1998, USCG officers from Station Marathon assisted a NMFS Special Agent in seizing 766 pounds of snapper/grouper, blackfin tuna, and other reef fish from the operator of the vessel MY TINGUM. The operator was cited for Lacey Act violations pertaining to fish taken in violation of Bahamian laws. The fish were sold for \$1,054.20.

A NMFS Special Agent, working with USCG officers from Station Venice, in seizing 6,118 pounds of blacktip and spinner shark, 54 pounds of cobia, and 205 pounds of fins from the operator of the vessel SWEET CAROL on August 6, 1998. The operator was cited for exceeding the bag limits and possession without a valid Federal permit. The shark, cobia, and fins were sold for \$3,446.76.

A NMFS Special Agent seized 42 lobster tails from the operator of the vessel PHANTOM on September 10, 1998. The vessel was cited for possessing separated spiny lobster tails, spiny lobster over the daily possession limits, and import and transport of fish in violation of Bahamian laws. The lobster tails were then sold for \$356.70.

GULF FISHERY NEWS WANTS YOUR NEWS AND VIEWS

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

The Gulf of Mexico Fishery Management Council is one of eight regional fishery management councils that were established by the Magnuson-Stevens Fishery Conservation and Management Act in 1976. The Council is responsible for the development and modification of fishery management plans (FMPs) that are designed to manage fishery resources in the exclusive economic zone (EEZ) of the Gulf of Mexico from state boundaries to the 200-mile limit. This is a publication of the Gulf of Mexico Fishery Management Council and financial assistance for this news release was provided by grant funds pursuant to National Oceanic and Atmospheric Administration Award No. NA87FC0003.
