

FISH



TALES

Gulf Council Completes SFA Amendment

In January of 1999, the Gulf of Mexico Fishery Management Council (“GMFMC”) completed an amendment to address overfishing, rebuild overfished stocks, establish new levels of sustainable catch, and assess and minimize bycatch. This amendment, which was due in October of 1998, is intended to fulfill the requirements of the Sustainable Fisheries Act (“SFA”) of 1996 which mandates that Councils make significant changes to improve the management of our nations fisheries. Implementation of this amendment is now subject to the review and approval of the National Marine Fisheries Service

(“NMFS”).

The GRN is generally pleased with the amendment’s treatment of new sustainable fishing levels. For the most part, the GMFMC set more precautionary levels for the catch of Gulf fisheries. The GMFMC accomplished this by raising maximum sustainable yield levels (“MSY”) and optimum yield (“OY”) levels for almost all Gulf species. This is significant because, while it will not produce immediate change in most fisheries, it will reset the management goals to a higher level.

In establishing these levels

the GMFMC utilizes a spawning potential ratio (“SPR”) value to assess the health of Gulf species. This SPR value is a ratio of the number of eggs which could be produced by the current population of a species versus the number of eggs that could be produced if the species was not subjected to any fishing mortality. Therefore, SPR does not measure the number of fish out in the Gulf, but rather the reproductive capacity of those fish.

The GMFMC then utilizes the SPR values to establish threshold (MSY) and target levels for harvest (OY). Un-

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- Special points of interest:
- Gulf Council raises management levels for almost all Gulf species, does little to assess bycatch in most fisheries
 - Gulf Council's assessment of fishing gear impacts on fisheries habitat deemed inadequate by NMFS
 - Gulf Council votes to establish a protected area in the Gulf for gag grouper
 - Preliminary data indicates a 51% increase in the commercial catch of red snapper in 1999

MFCN and CMC Issue *Missing the Boat* Report

The Marine Fish Conservation Network (“MFCN”) and the Center for Marine Conservation (“CMC”) issued a report entitled *Missing the Boat: An evaluation of fishery management council response to the Sustainable Fisheries Act* in mid-January of 1999. This report analyzes the performance of the eight

regional councils in meeting the new requirements of the Sustainable Fisheries Act of 1996. This report includes an analysis authored by the GRN and its collaboration partners CMC and Reefkeeper International on the activities of the Gulf of Mexico Fishery Management Council.

The GRN is a member of the MFCN, which is a coalition of conservation, fishing, environmental and other organizations concerned about the management of our nation’s fisheries. To review a copy of this publication, please refer to the CMC website at www.cmc-ocean.org.

NMFS Partially Approves Gulf Council's EFH Amendment

The National Marine Fisheries Service ("NMFS") has partially approved the Gulf of Mexico Fishery Management Council's ("GMFMC") essential fish habitat amendment ("EFH"). This amendment, which was submitted in September of 1998 pursuant to the requirements of the Sustainable Fisheries Act, identifies and protects habitat that is necessary to sustain the health of our fisheries.

NMFS had concerns with two sections of the GMFMC's amendment. The first is the GMFMC's designation of EFH for only 26 representative species. NMFS is

asking the GMFMC to identify and describe EFH for the other 33 species in a subsequent amendment as soon as possible.

In addition, NMFS concurred with comments submitted by the GRN that the GMFMC must describe and address the impacts of all fishing gears used in all EFH areas in a future amendment. In its comments, the GRN pointed out that the GMFMC did an inadequate job of assessing the impacts of all approved recreational and commercial gear types used in the Gulf of Mexico. The GMFMC analyzed only a small percentage of the gear

types used in the Gulf. The GMFMC must now assess the additional gear and its affect on all EFH types.

The GRN will continue to monitor this situation to ensure that the GMFMC takes prompt action to address these deficiencies. For further information contact the GRN at (504) 525-1528.



Gulf Council To Consider Enforcement Tool for Reef Fish Species

At the January 1999 meeting in Biloxi, MS, the Gulf of Mexico Fishery Management Council ("GMFMC") voted to begin work on an options paper to consider the use of vessel monitoring systems as a monitoring tool in the reef fish fishery with special emphasis placed on the gag grouper fishery. The implementation of a vessel monitoring system would allow National Marine Fisheries Service en-

forcement agents and the United States Coast Guard to more easily enforce areas off limits to fishing. This is particularly important for species such as gag grouper that could benefit from the establishment of closed areas to protect spawning aggregation sites in the Gulf of Mexico.

While an options paper is only a first step in the discussion, the GRN is

pleased that the GMFMC is considering this enforcement tool to help in managing Gulf fisheries. The GRN will continue to track the progress of this options paper with the hopes that it will be implemented within the year. For further information contact the GMFMC at (888) 833-1844.

NMFS Approves 9.12 Million Pound Red Snapper TAC

The National Marine Fisheries Service ("NMFS") approved the Gulf of Mexico Fishery Management Council's ("GMFMC") decision to maintain the 9.12 million pound catch even though it was contrary to the best available science. In approving this catch level, NMFS rejected the GMFMC's decision to delay the opening of the recreational season and decrease the minimum size limit from 15 to 14 inches. The GMFMC had hoped to extend the length of the recreational red snapper season through

the implementation of this decreased size limit and a two-month delay in the opening of the season. However, after an analysis by NMFS revealed that these measures would not achieve a significant increase in the length of the season, they were rejected.

Preliminary data from the commercial catch in February reveal a 51% increase in landings in 1999 vs. February of 1998. The largest increase came off the coast of Florida which saw a 535% increase, but in

terms of poundage Florida (32,729 lbs.) is still well below Texas (163,996 lbs.) and the central Gulf (560,803 lbs.).

For further information contact NMFS at (813) 570-5305.



Red Snapper, *Lutjanus campechanus*

Gulf Council Completes SFA Amendment....

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der this system, Gulf species cannot be managed lower than the MSY value since this is the threshold level for a sustainable fishery. Rather, the GMFMC is shooting for a target level, or OY, where the optimum yield is derived from the fishery. While initial drafts of the plan set MSY and OY at the same value, at the request of GRN, its collaboration partners Reefkeeper International (“RKI”) and Center for Marine Conservation (“CMC”), and NMFS, the GMFMC set precautionary threshold and target levels for the harvest of almost all Gulf fisheries.

Here is an example of how this management system works using Spanish mackerel as an example. Scientific data indicate that Spanish mackerel have a SPR value of 35%. The Council has chosen a MSY value, or threshold level, of 30% SPR. Since this fishery (35%) is above the MSY value (30%), the species is not considered overfished. The Council also chose an OY, or target level, of 40% SPR for this species. Since this fish is currently at a SPR value of 35%, it is not being managed at its “optimum yield” which is 40%. The management of this fish at OY would provide the greatest net benefit to the species and the fishermen.

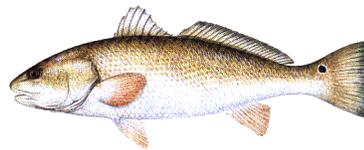
One problem the GRN did have with this section is the GMFMC’s setting of MSY and OY values for most grouper species. The GRN advocated more precautionary levels for grouper species to take into account the particular life history characteristics of these fish. Since SPR values assume a 50-50 male to female split in the population, and most grouper species contain more females than males (for further information on this subject, see the gag grouper article on page 4), the GRN requested a more precautionary approach.

While the raising of MSY and OY levels will not affect most species in the short

term, it does have immediate effects for two Gulf species. Vermilion snapper, and gag grouper will now be considered overfished (joining species such as red snapper) and must be rebuilt once the amendment is approved and implemented by NMFS.

The GMFMC also addressed the rebuilding periods for the five Gulf species currently considered to be overfished.

These include red snapper, Gulf group king mackerel, jewfish, red drum, and Nassau grouper. The Council prohibits the take of Nassau grouper, jewfish, and red drum in federal waters. For red snapper and king mackerel, the GMFMC did establish rebuilding target dates of 2009 for Gulf group king mackerel and 2033 for red snapper. This action moves the current 2019 rebuilding target date for red snapper back another 14 years. The GRN, RKI, and CMC expressed concern over this action and requested that the Council justify its decision to not rebuild both king mackerel and red snapper in a more timely manner as required by the SFA.



Red drum, *Sciaenops ocellatus*

The GMFMC also took action to assess and minimize bycatch in Gulf Fisheries. Unfortunately, the GRN feels that the GMFMC fell short in many respects. At the same time the GMFMC states that little information is known about the bycatch in recreational and commercial Gulf fisheries, it also states that bycatch is not a problem in most of these fisheries. While there may be gaps in the data, the plan contains no firm commitments illustrating how the GMFMC plans to fill these gaps. This course of action cannot be squared with the clear requirements of the SFA to assess and minimize to the extent practicable the amount of bycatch occurring in all recreational and commer-

cial Gulf fisheries.

The GMFMC implemented regulations to reduce shrimp trawl bycatch in western Gulf waters in 1997 by requiring the use of bycatch reduction devices (“BRDs”) in federal waters west of Cape San Blas, FL. BRDs are devices sewn into the trawl nets of shrimp vessels that are designed to release finfish from the nets while retaining shrimp. CMC and RKI have argued that reducing shrimp trawl bycatch in the eastern Gulf is also required by the SFA. The GMFMC voted in January to consider extending the BRD requirement to the eastern Gulf (federal waters off of

FL) and will consider this at its May meeting. In the meantime, the same issue will be debated in court through litigation involving the Texas Shrimp Association (which is challenging the BRD requirement for the western Gulf), NMFS (which is defending the requirement), and CMC, the Florida Wildlife Federation and the Coastal Conservation Association (who are seeking that the BRD requirement be extended eastward). The GMFMC also took action to improve the design of stone crab traps to minimize bycatch of finfish.

The following changes must now be forwarded to NMFS which will review the plans to ensure consistency with the requirements of the SFA. NMFS will then approve, partially approve or reject all or portions of these plans. The GRN will provide comments to NMFS to ensure that our concerns about the amendment are met. We will also issue an action alert providing further details to assist interested members in filing their own comments on this amendment. For further information, please contact the GRN at (504) 525-1528.



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“Working to Protect and Preserve the
Gulf of Mexico”

This publication is the product of cooperative efforts of the GRN and CMC working on the following issues of mutual concern: overfishing, essential fish habitat, full implementation of the Sustainable Fisheries Act, and public education on the importance of sustainable fisheries management.

The GRN and CMC would like to thank Pew Charitable Trusts, Rockefeller Brothers, Curtis and Edith Munson Foundation, the Surdna Foundation, the Trull Foundation, and the Margaret Cullinan Wray Lead Annuity Trust.



Council Approves New Management Measures to Protect Gag Grouper

At its March meeting, the Gulf of Mexico Fishery Management Council (“GMFMC”) approved new management measures to end overfishing and begin the rebuilding of gag grouper in the Gulf of Mexico. These measures will include an increase in the minimum size of fish that can be caught and the establishment of an approximately 666 sq. mi. protected area that is off limits to all reef fish fishing on a year round basis to protect gag spawning aggregation sites.

Recent data provided to the GMFMC by the National Marine Fisheries Service (“NMFS”) indicate that a reduction in catch of approximately 35% will be needed to ensure a healthy fishery. These data also indicate that a size limit increase from 20 to 24 inches will reduce the catch by around 30%, with most of the reduction coming from the recreational fishery which tends to take smaller fish in shallow waters.

The GMFMC was also provided with a new scientific study on the effects of fishing on gag spawning aggregation sites. Due to particular life history char-

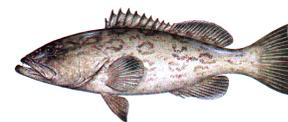
acteristics, gag grouper are highly susceptible to overfishing. Gag grouper form spawning aggregations which are mass groupings of these fish in certain areas of the Gulf for breeding. These spawning aggregation sites are susceptible to being fished out of existence if unprotected. In addition, gag are sequential hermaphrodites. All gag begin life as females with the larger fish becoming males over time. Scientists believe that heavy fishing pressure on spawning aggregations has taken the larger males significantly decreasing the percentage of males in the population.

The recent study reviewed by the GMFMC concluded that the historical 5:1 female to male ratio is now currently 30:1. This skewed ratio, when reviewed using scientific indicators of genetic variability in a population, indicate that gag grouper are experiencing inbreeding in the population. This is expected to have long term effects on the genetic health of the species if no action is taken to protect male gag grouper.

The GRN, along with our collaboration

partner Reefkeeper International, provided testimony to the GMFMC calling for the protection of spawning aggregation sites and an increase in the size limit of the fish based on the best scientific information available.

In response to this information, the GMFMC voted to close spawning aggregation areas known as “the edges” and “steamboat lumps” to all reef fish fishing on a year round basis. In addition, the Council voted to impose an automatic increase of the size limit to 24 inches for the commercial fishery and 22 inches for the recreational fishery. The size limit of the recreational fishery will then increase one inch per year until it reaches 24 inches.



Gag, *Mycteroperca microlepis*

Overall, the GRN is pleased with the actions taken by the Council to help reduce the catch of gag and protect spawning aggregation sites. These management