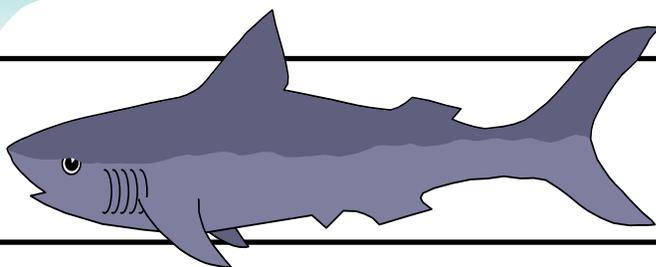


## FISH



## TALES

## Gulf Council Takes Action to Cap Fleet Size and Collect Better Information in Federal Shrimp Fishery

At its Biloxi, Mississippi meeting in May, the Gulf of Mexico Fishery Management Council (Gulf Council) recommended that the National Marine Fisheries Service (NMFS) approve a limited entry program for the shrimp fishery.

The limited entry measure was proposed both to help fishermen and to preserve resources. The shrimp industry has been in decline in recent years because of competition from cheaper, farmed, imported shrimp. Many shrimpers are being forced to sell their boats and look for other work. However, if the price of imported shrimp climbs, domestic shrimping could again become popular, increasing the number of participants and lowering profitability.

Fewer shrimpers means reduced environmental impacts as well. Shrimp trawling has a high rate of bycatch, the accidental catch of undersized or unwanted species. Many shrimp trawls scrape along the ocean bottom and scoop up whatever wildlife is in their path. By limiting participation, profitability could be maximized for a smaller group while environmental impacts are minimized.

In addition to the effort cap, the Gulf Council requested better data collection to help design shrimp management measures in the future. Until a requirement for permits was approved by NMFS in August 2002, it was difficult to identify who was shrimping in federal waters. Without knowing the fleet size, it was difficult to gauge impacts on the environment. Now that the fleet is defined, the Gulf Council can move

toward a better understanding of catch and bycatch. The Gulf Council recommended a number of tools for collection of information, such as observers and electronic logbooks (devices that record vessel location and fishing time). These methods should provide an understanding of shrimp trawl catch and bycatch and help protect all the fisheries of the Gulf.



*With recent changes to the Shrimp Fishery Management Plan, shrimpers will have more tools to help manage bycatch. Source: NOAA*

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## ESA Listing Urged as Gulf, Caribbean Corals Decline

Threatened elkhorn, staghorn, and fused-staghorn corals have not been listed under the U.S. Endangered Species Act, despite efforts by Reef Relief and the Center for Biological Diversity. All three corals have seen 80-98 percent declines in population levels throughout Gulf and Caribbean waters, raising significant questions about their survival. The corals have been hammered by El Nino events, disease, hurricanes, sediment pollution, fishing gear damage, and dynamite and chemical fishing; recent research shows that genetic challenges could limit recovery as well.

## FISH OF THE SEASON

### GOLIATH GROUPEL (*Epinephelus itajara*)

As the name implies, Goliath groupers are the largest grouper species in the Gulf of Mexico and the entire western north Atlantic. Juvenile goliath groupers (up to age 6) prefer shallow red mangrove areas or brackish estuarine areas, moving to wrecks and reefs as they mature. Goliath groupers are notable as one of the few grouper species utilizing brackish habitat.

Territorial near refuge areas in wrecks and reefs, the goliath grouper will shake, display a gaping mouth, and create an unusual sound to drive off competitors. The sound is a low rumble created by a muscular contraction of the swim bladder. It can be heard over long distances, so it is also useful for locating other goliath groupers.

Goliath groupers are ambush predators that use their massive mouths to engulf primarily crustacean prey such as crab, shrimp, and spiny lobsters. Goliath groupers were recently renamed by the American Fisheries Society. Other names include jewfish, blackbass, giant grouper, and

spotted jewfish.

Goliath groupers, unlike many groupers, do not appear to be protogynous hermaphrodites (male at birth, later becoming female). **Goliath groupers can grow to eight feet long, weigh more than 800 pounds, and live over 50 years.** The largest goliath grouper ever caught weighed 680 lbs and was caught in Florida. Often thought of as the Gulf's "gentle giant," goliath groupers have been reported to stalk divers and lie in ambush for them unsuccessfully.

Goliath groupers spawn during the summer months, with specific times influenced by the lunar cycle, and they

aggregate in large groups offshore. Historically those aggregates reached numbers of over 100 individual fish, but fishing pressure has greatly reduced their numbers.

**Status:** 'Species of concern' for listing as a threatened and endangered species, along with speckled hind, Warsaw grouper, and Nassau grouper. Goliath grouper is categorized as critically endangered by the International Union for Conservation of Nature and Natural Resources.

Habitat destruction is a significant threat to goliath grouper. Mangrove habitat has been greatly diminished throughout the Gulf of Mexico, limiting the amount of important cover available to juvenile goliath groupers.

**Management:** In 1990 the Gulf Council passed Amendment 2 to the Reef Fish Fishery Management Plan, making it illegal to catch goliath grouper in the Gulf of Mexico. Florida also banned the capture of goliath groupers in state waters that same year.

Current management estimates have the species recovering sometime between 2009 and 2011.



## CONGRESSIONAL RESPONSE TO OCEAN POLICY REPORT INTRODUCED, SENTIMENT ECHOED BY COUNCIL MEMBER

After three years of intense investigation into the health of our oceans, the U.S. Commission on Ocean Policy (USCOP) released its final report on September 20, 2004. The Commission, appointed by President Bush, concluded that "failure to properly manage the human activities that affect the nation's oceans, coasts, and Great Lakes is compromising their ecological integrity, diminishing our ability to fully realize their potential, costing us jobs and revenue, threatening human health, and putting our future at risk." The Commission went on to say: "The message from both experts and the public alike was clear: our oceans, coasts, and Great Lakes are in trouble and major changes are urgently needed in the way we manage them."

The Commission's recommendations included a series of measures designed to enhance fisheries science and management to ensure the long-term sustainability of marine fish and ocean ecosystems. The Fisheries Science and Management Enhancement Act of 2005, legislation recently introduced by a bi-partisan group in the House of Representatives, would implement those measures by making important changes to the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

The Gulf of Mexico Fishery Management Council (Gulf Council) is one of eight regional panels created by the

*(Continued on page 3)*

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Magnuson-Stevens Act to protect our nation's fisheries by coordinating the work of the National Marine Fisheries Service, user groups from commercial and recreational sectors, and state fisheries agencies.

Sadly, the Gulf Council demonstrates why significant reforms are necessary, having virtually ignored the mandates of the Sustainable Fisheries Act. The management councils must be reformed to separate the decision about how many fish can be caught from the social and economic considerations of who should be allowed to catch them. Fisheries management needs to be based on sound science, protecting habitats essential to healthy marine fish populations, and minimizing bycatch.

#### **Council member speaks out against flawed system**

Gulf Council member James Fensom recently took the unusual step of removing his name from consideration for another three-year term. As he said in his letter to Florida Governor Jeb Bush, **“For the protection of the Gulf of Mexico, the existing federal fisheries programs and policies must be completely overhauled.”**

#### **Strengthening the Use of Science in Fisheries Management**

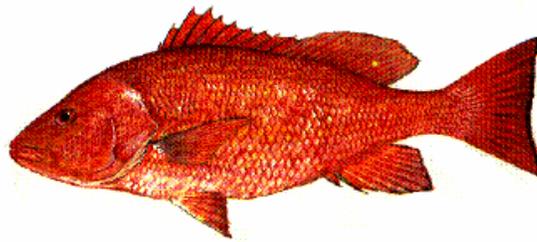
In many fisheries, councils must significantly limit the number of fish caught to ensure long-term sustainability while at the same time allocating fish among competing groups of fishermen. Because of this pressure, councils often delay conservation decisions and instead set unsustainable catch levels that are contrary to scientific recommendations.

To address this problem, USCOP recommended amending the MSA to require councils to develop fishery management plans that conform to the recommendations of committees composed of qualified federal, state, academic, or independent scientists. These recommendations will specify sustainable catch levels and important habitats in need of protection.

#### **Broaden the Representation on Fishery Management Councils and Reduce Conflict of Interest**

A recent study by the Stanford University Fisheries Policy Project found that diverse perspectives facilitate effective decision-making; groups with diverse perspectives tend to consider a broader range of options when making decisions. Eighty-two percent of appointed Gulf Council members currently represent fishing interests. Broadening the membership of the councils to provide equal representation of commercial fishermen, recreational fishermen, and members of the public knowledgeable in marine fisheries will enhance the councils' ability to make good decisions.

To address this problem, the USCOP recommended amending the MSA to require governors to nominate a slate of



candidates that includes at least two representatives of commercial fishing interests, recreational fishing interests, and representatives of the public to serve on councils. The amendment would also require the Secretary of Commerce to ensure balanced representation when appointing council members.

Currently, council members have an exemption from conflict of interest standards that apply to all other advisory bodies to the federal government. They are governed instead by provisions in the MSA which require them to recuse themselves from voting on a council action if they own or represent more than 10% of a fishery sector. The Stanford study found that only two recusals have been filed since 1997 out of thousands of votes, despite the fact that fully 60 percent of the appointed council members had a direct financial interest

in the fisheries they managed.

To address this problem, USCOP recommended amending the MSA to prohibit council members from voting on a matter affecting a fishery in which they have a financial interest. Currently, 6 of the Gulf Council's 11 appointed members have a financial interest in the fisheries they manage.

#### **Training New Council Members**

Members of regional fishery management councils are required to make very difficult decisions based on extremely complex information, competing interests, and multiple legal and regulatory requirements. The USCOP recommended training in these areas to improve council members' decision-making.

To implement this recommendation, the USCOP recommended amending the MSA to require the Secretary of Commerce to provide training for newly appointed council members in fisheries science, basic ecology, social science, fishery economics, the requirements of the MSA, and other relevant statutes or regulations.

#### **Cooperative Research, Data Collection and Gear Modification Program**

One of the greatest challenges facing fisheries managers is the lack of information about the health of the nation's fish populations and the effects of fishing on ecosystems. Fishermen have knowledge that can help answer these questions. USCOP recommended increased collaboration with fishermen through cooperative research activities.

To implement this recommendation, the Fisheries Science and Management Enhancement Act amends the MSA to require the Secretary of Commerce to establish a cooperative research, data collection and gear modification program; to conduct projects to better understand the impacts of fishing on fish populations and ecosystems; and to identify ways to reduce harmful impacts. This program would be funded with Saltonstall-Kennedy Act monies.



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## Red Snapper SEDAR update

A group of scientists met in New Orleans, Louisiana in April to review the final outcome of the red snapper stock assessment. The assessment began in April 2004, using the recently developed Southeast Data Assessment Review (SEDAR) process.

SEDAR is designed to allow more input into stock assessment than in the past. Multiple meetings are convened, including a data collection workshop; an assessment meeting where models are designed and run to provide an estimate of species abundance; and, finally, a review panel to double-check assessment results. Various interest groups as well as scientists are invited to each meeting to provide information and monitor progress.

Gulf of Mexico red snapper has been severely depleted for many years. Results from this assessment are also expected to show the species as troubled. New methods used in the assessment indicated that bycatch, the accidental catch of either undersized fish or unwanted species, could be playing a major role in red snapper depletion. Apparently, there is a significant amount of undersized red snapper caught and killed in the direct fishery as well as young red snapper caught in shrimp trawls, despite attempts to minimize red snapper bycatch through the use of Bycatch Reduction Devices in trawl nets.

The final SEDAR report should be available during the summer of 2005 and the Gulf Council should begin work on new regulations for red snapper immediately following its release. Final regulations are not expected until 2007.

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

*The GRN would like to thank the Regional Marine Conservation Project, Pew Charitable Trusts, the Rockefeller Brothers Fund, and the Elizabeth Ordway Dunn Foundation for making this work possible.*

## Fish Farming in the Gulf?

For a number of years, there has been growing support for the introduction of a new threat to United States waters and marine life: open ocean finfish aquaculture. *Aquaculture* is a generic term used for the reproduction and growing of aquatic species in controlled or selected environments; it has been practiced for thousands of years around the world.

There is a trend in the United States toward experimentation with growing assorted marine species of finfish, such as snapper and grouper, using floating cages or net pens in open ocean waters. This practice is often dubbed "open ocean aquaculture."

The Gulf of Mexico Fishery Management Council (Gulf Council) is currently working on a new management plan to allow open water aquaculture in the **Gulf of Mexico**. The plan will next be reviewed at the Gulf Council's July 2005 meeting in Ft. Meyers, Florida.

In **Florida**, the state's Best Management Practices (BMPs) may soon contain a new section on open water finfish net pens. The BMPs are essentially a how-to manual that is supplemental to Florida regulations. Public hearings were held in January 2005 on the BMPs, and now a task force is being assembled to provide input to the Florida Department of Agriculture and Consumer Services, the lead agency on the matter. A final

product is expected by the end of 2005.

Congress is rumored to be poised for **national** action on open water aquaculture. The National Oceanic and Atmospheric Administration, the lead agency on most ocean matters, has been developing a bill on aquaculture for review and approval. That bill is supposed to be introduced in the Senate this session and is expected to lean toward rapid development without stringent protections. Areas like Hawaii, Maine, New Hampshire, and Alabama have already been experimenting with open water aquaculture and many entrepreneurs there would be pleased to see industry-friendly legislation.

The big question is if the U.S. is ready for ocean fish farming. Open ocean aquaculture could significantly damage fragile marine ecosystems. Although some aquaculture could provide the important benefit of increased seafood production, open ocean aquaculture poses many risks: rapid declines in local fish communities; significant habitat damage; and increased water pollution. All of these threaten the future health of ocean life and those that rely on it.

State, regional, and national laws will likely proceed to finalization soon, with minimal standards and safeguards to provide protection for natural fisheries and the environment.