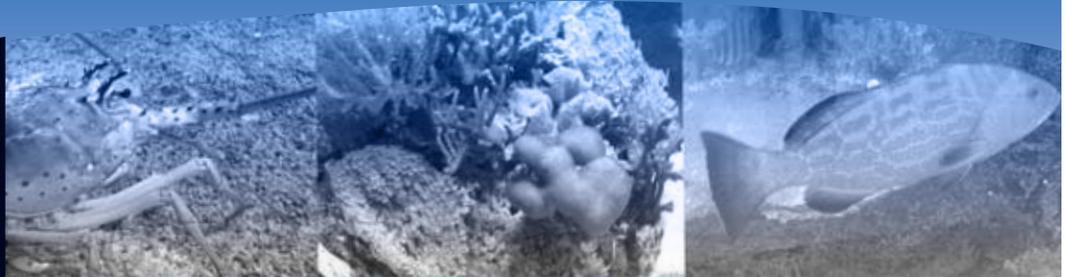




Gulf Fishery News

Gulf of Mexico Fishery Management Council

January - March, 2009



Volume 31, Issue 1

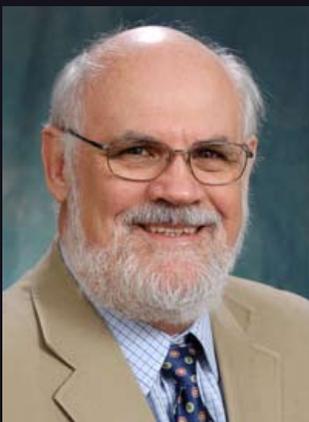
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Meet Dr. Steve Bortone Executive Director Gulf Council

The Gulf Council has a new Executive Director, Dr. Steve Bortone, who comes to us from Minnesota SeaGrant. He will officially take the helm May 11.

See story on page 4



Aquaculture FMP sent to Secretary for Approval

After nearly six years of public input and extensive reviews and revisions, the Gulf Council took final action on its Aquaculture Fishery Management Plan (FMP) in January, and has submitted it to the Secretary of Commerce for approval and implementation.

The Council's plan will provide a regional permitting process for regulating offshore aquaculture in the federal waters of the Gulf of Mexico, which begin where state jurisdiction ends and extend 200 miles offshore.

Offshore aquaculture is the rearing of aquatic organisms in controlled environments (e.g., cages or net pens) in federally managed areas of the ocean.

The Council's Aquaculture FMP is intended to ensure any aquaculture operations undertaken in the Gulf are environmentally sound, sustainable, and provide maximum benefits to the nation.

"The Gulf Council has taken a major step toward creating a new industry in the Gulf of Mexico to provide a safe source of seafood for US consumers," said Joe Hendrix, Council Member.

The current permitting process for offshore aquaculture is of limited duration and is not intended for the large-scale production of fish, making commercial aquaculture in federal waters impracticable at this time.

See [Aquaculture](#) page 2

Emergency Action Taken to Reduce Sea Turtle Takes

During its January meeting, the Gulf Council requested the National Marine Fisheries Service to implement an emergency rule that will help protect sea turtles in the Gulf of Mexico. That rule will temporarily close the bottom longline fishery in waters less than 50 fathoms for the entire eastern Gulf of Mexico and will become effective immediately upon implementation.

Additionally, during the 2009 fishing year while the emergency longline closure is in effect, once

See [Turtles](#), page 9

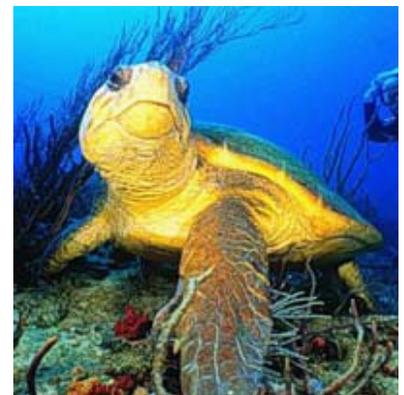


Photo credit: N OAA Fisheres

Council Maintains Texas Shrimp Closure

By a unanimous vote during its January meeting, the Gulf Council approved a motion to continue the Texas shrimp closure for 2009, to the 200-mile limit of the Exclusive Economic Zone (EEZ).

The management objectives of the Texas closure are to increase the yield of brown shrimp and eliminate the waste of the resource caused by discarding undersized shrimp caught during a period in their life cycle when they are growing rapidly.

The closure results in larger shrimp in the fishery and subsequently a higher market value. This enables fishermen to harvest premium marketable-sized shrimp, thereby increasing revenues to the shrimping industry.

Since 1981, when the Shrimp Fishery Management Plan (FMP) was implemented, there has been some form of closure off the coast of Texas. In 1989, though, the 200-mile closure went into effect and has remained in effect since.

The closure is part of cooperative seasonal closure with the State of Texas and runs concurrent with its midseason closure.

Aquaculture *(continued from page 1)*

Offshore aquaculture could also help meet consumers' growing demand for seafood and reduce the nation's dependence on seafood imports.

The plan will allow fish farms to be installed only after careful application review and, once installed, the facilities



Texas Shrimp Closure:

Closed from the coast line to 200-miles off Texas

Closure for 2009, approximately May 15 - July 15, actual duration depends on sampling done by Texas Parks and Wildlife Department

Protects migrating juvenile shrimp which results in larger shrimp

Larger shrimp result in increased revenues to the shrimping industry



will be under strict regulatory supervision by three Federal agencies.

"We want to ensure that our natural resources are protected," Hendrix said, adding that fish farms will also provide new jobs and opportunities for many fishermen who have been displaced from the wild fisheries.

Under the plan, the growing of species native to the Gulf of Mexico that are managed by the Council, except shrimp and corals, would be allowed. Examples of allowable species include: snappers, groupers, cobia, and red drum.

If approved by the Secretary, the Aquaculture fishery management plan will be implemented and enforced by NOAA Fisheries.

For an updated list of frequently asked questions, please visit the Council's web site at www.gulfcouncil.org - click *Library* in the left navigation column, then click *Aquaculture*.

Gulf of Mexico Fishery Management Council

Richard Leard
Interim Executive Director

Appointed Voting Members

Ed Sapp Gainesville, FL 352-377-2715	Michael Ray Austin, TX 512-389-4649
Robert Gill Crystal River, FL 352-795-1916	Robert Shipp Vice Chair Mobile, AL 251-460-6351
Joseph Hendrix Houston, TX 281-597-1620	Susan Villere Mandeville, LA 985-845-3557
Thomas McIlwain Chair Ocean Springs, MS 228-818-8866	Bobbi Walker Orange Beach, AL 251-981-2300
Julie Morris Sarasota, FL 941-487-4527	Kay Williams Vanceleave, MS 228-826-2160
Harlon Pearce Kenner, LA 504-467-3809	

State/Federal Voting Members

Robin Riechers Austin, TX 512-389-4864	Corky Perret Biloxi, MS 228-374-5000
Bill Teehan Tallahassee, FL 850-487-0554	Karen Foote Baton Rouge, LA 225-765-2383
Vernon Minton Gulf Shores, AL 251-968-7576	Roy Crabtree SERO 727-824-5301

Non-voting Members

Sam Hamilton USF&WS 404-679-4000	Larry Simpson GSMFC 228-875-5912
Radm Joel Whitehead Eighth USCG District 504-589-6223	David Hogan Foreign Affairs 202-647-2335

The Gulf of Mexico Fishery Management Council

2203 N. Lois Avenue
Suite 1100
Tampa, FL 33607
Phone: 813-348-1630
Fax: 813-348-1711

Council Recruiting for new VMS Advisory Panel

The Gulf Council is in the process of forming a new Vessel Monitoring System (VMS) Advisory Panel (AP) to advise the Council on matters pertaining to the use of VMS in the reef fish fishery and to advise the Council on the system's effectiveness and how the data collected might be used.

The anticipated time commitment for members is 1 - 2, two-day meetings per year. Members are not compensated; however travel expenses are reimbursed.

Interested parties should submit a letter and resume to:

Attention:
Phyllis Miranda
Gulf of Mexico
Fishery Management Council
2203 N. Lois Avenue
Suite 1100
Tampa, FL 33607

Materials may also be faxed to: 813-348-1711; or e-mailed to phyllis.miranda@gulfcouncil.org.

Resumes and letters should be submitted to the Council office by March 16, 2009.

Greenwise Newsletter Delivery Option

If you currently receive a hard copy of the *Gulf Fishery News* and would like to opt for a greener way of keeping apprised of fishery issues currently under consideration, you can sign up to receive the newsletter by e-mail. Simply send a blank e-mail with "Subscribe" in the subject line to: pressreleases@gulfcouncil.org and you will automatically be added to the e-mail list. Besides receiving a link to the newsletter, you will also receive updates on fishery issues, as well as meeting notices and other pertinent information. To discontinue receipt of the newsletter (hard copy), please send an e-mail to charlene.ponce@gulfcouncil.org with "newsletter unsubscribe" in the subject line.

Gulf of Mexico Fishery Closures

Recreational Closures:

Red Snapper

Recreational red snapper season closed at 12:01 a.m. local time August 5, 2008. The season will reopen June 1, 2009, the beginning of the 2009 federal recreational red snapper fishing season.

Gag Grouper

Seasonal closure from February 1 - March 31, 2009.

Red and Black Grouper

Seasonal closure from February 15 - March 14, 2009.

Commercial Closures:

Gag, Red Grouper, and Black Grouper

Seasonal closure from February 15 - March 14, 2009.

King Mackerel

The commercial fishery for Gulf group king mackerel in the southern Florida west coast subzone is closed effective 12:01 a.m., local time, February 28, 2009, for commercial hook-and-line vessels.

The commercial run-around gillnet fishery for Gulf group king mackerel in the southern Florida west coast subzone is closed effective 6 a.m. local time, January 30, 2009, through January 19, 2010.

The commercial fishery for Gulf group king mackerel in the Florida east coast subzone is closed effective 12:01 a.m. March 6, 2009 through March 31, 2009.

Council Approves Commercial Grouper/Tilefish IFQ

In December, Gulf commercial grouper and tilefish fishermen overwhelmingly approved a referendum that would allow the Council to move forward with a measure to change the current management of the commercial grouper/tilefish fishery in the Gulf of Mexico.

At its January meeting, the Gulf of Mexico Fishery Management Council approved an amendment to its Reef Fish Fishery Management Plan that will enable the implementation of an Individual Fishing Quota (IFQ) program.

The IFQ management program a Limited Access Privilege Program, or LAPP, and the reauthorized Magnuson-Stevens Act contains new language that supports the creation of LAPPs for fisheries, and it provides specific requirements for their implementation.

The IFQ is intended to reduce effort and overcapacity in the commercial grouper/tilefish fishery, ending the race to

fish. Reducing overcapacity is also expected to improve the profitability of commercial grouper fishermen.

Under the program some of the problems resulting from derby fishing could be eased, such as improved working conditions. Since fishermen will be assigned an individual quota based on a percentage of their average landings between 1999 and 2004, they can fish their quota whenever they want, avoiding the race to fish regardless of poor weather conditions.

The program is also expected to help reduce bycatch and result in a flexible and effective integrated fishery management approach.

Other benefits of an IFQ program include increased flexibility for fishermen regarding when to fish during the year; an increase in the level of individual accountability with improved monitoring and enforcement; and increased safety at sea.

If approved by the Secretary of Commerce, the IFQ is expected to become effective in 2010.

Gulf Council Chooses Dr. Steve Bortone as its new Executive Director

Please join us in wishing a warm welcome to Dr. Steve Bortone, the Gulf Council's new Executive Director.

Bortone, who received his Ph.D. in marine sciences from the University of North Carolina-Chapel Hill, will be leaving his post as Director of the Minnesota Sea Grant College Program in Duluth to join the Council in May.

No stranger to Florida, Bortone's extensive experience includes serving as director of three research laboratories there. He also served more than 27 years as a faculty member in the biology department at the University of West Florida.

He is looking forward to returning to the area and taking on new challenges.

"My first priority will be to become familiar with my staff - they're the backbone of the organization," he said.

His second priority is "to learn from them as much as I can," he said.

Tom McIlwain, Council Chair, welcomed Bortone as the new Executive Director.

"Dr. Bortone has a long history of involvement in the fisheries of the Gulf of Mexico as a fishery researcher, and his strong educational background in fisheries of the

Gulf of Mexico will allow him to hit the ground running," said McIlwain.

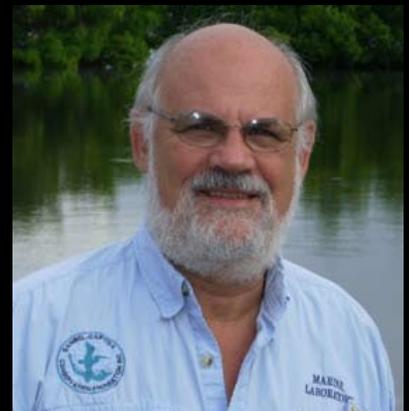
Bortone has also served as Visiting Scientist at The Johannes Gutenberg University and has conducted extensive field surveys with colleagues from La Laguna University in the Canary Islands.

McIlwain said he looks forward to Bortone assuming the duties of Director.

"Dr. Leard and Council staff have done an excellent job managing the tasks of the Council during this past year, and while we've done a good job of moving forward, it'll be nice to have Steve sitting in the Director's chair," he said.

Bortone and his wife Shelby have four children and three grandchildren, and plan to move to the Tampa Bay area in the spring.

They look forward to resuming treasured activities, such as bike riding, boating, and fishing.



April Council Meeting Reminder

The Council will be meeting the week of April 14 - 17, 2009 at the W Hotel in New Orleans, Louisiana. Please make your reservation under the GMFMC room block to receive the special discounted room rate.

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

Submission of written comments and materials to be included as part of the briefing book materials for this meeting **MUST BE RECEIVED** by 5:00 p.m. EDT April 8, 2009

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

A draft agenda can be found on page 7.



NOAA/NMFS – Southeast Division Office for Law Enforcement Quarterly Report

Gulf of Mexico Enforcement Operations Significant Actions

ESA

National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Office of Law Enforcement (NOAA/NMFS) Special Agents from St. Petersburg, FL were notified by NOAA General Council for Enforcement and Litigation, Southeast Region (GCEL) that a case against the F/V NGUYEN TJ II was settled for \$2,200.

The shrimp trawler had been intercepted by Florida Fish and Wildlife Conservation Commission (FWC) officers and a NMFS Gear Specialist while actively trawling. The boarding team determined all four TEDs were non-compliant. Prior to departing the vessel, the NMFS Gear Specialist provided guidance to the vessel operator on the necessary corrections to the TED to bring it into compliance. The case was transferred to NOAA/NMFS OLE for follow up.

NOAA/NMFS agents from Harlingen, TX conducted a seizure of shrimp valued at \$20,739.25 from a foreign F/V from Mexico. The Mexican F/V harvested shrimp in the U.S. EEZ and failed to utilize approved TEDs. The catch was abandoned by the captain and owner of the vessel. The case was closed with the abandonment of the catch.

MSFCMA

GCEL issued several NOVAs this quarter for observer program violations in both the Gulf of Mexico Reef Fish and Shrimp Observer Programs. Vessels involved in the Gulf of Mexico Shrimp Observer Program were cited for allegedly failing to comply with the regulations during the selection period of July 01, 2007 through December 31, 2007. Investigations by NOAA/NMFS agents showed the vessel owners failed to contact the observer program and conducted several fishing trips without an observer aboard.

The vessels were also alleged to have failed to obtain or show a valid USCG safety inspection sticker, a violation of federal law.

The F/V MISS LILY, F/V PRINCESS ROSITA, and the F/V PRINCESS ANNA were all issued NOVAs for \$18,750.00 and 18-day permit sanctions based on an investigation by Harlingen TX agents.

The owner and operator of the F/V WILD DREAM II were issued a NOVA in the amount of \$24,000 and a 30-day Notice of Permit Sanction based on the investigation by St. Petersburg, FL agents.

The owner and operator of the F/V JOSEPH ANTHONY were issued a NOVA in the amount of \$18,750 and an 18-day Notice of Permit Sanction based on the investigation by St. Petersburg, FL agents.

NOVAs issued for violations of the GOM Reef Fish Observer Program were based on investigations conducted by Harlingen, TX, agents. They were for conducting several fishing trips allegedly without notifying the observer program prior to commencing the fishing trips which resulted on incidental or harvesting of reef fish.

The F/V PROMISE was issued a NOVA for \$13,000. The F/V also lacked the USCG inspection sticker, a violation of federal law.

The F/V WOLF was issued a NOVA for \$10,000.00 and an 18-day permit sanction.

The F/V SIR MARTIN E was issued a NOVA for \$10,000.00 and an 18-day permit sanction.

The F/V NAN BALDWIN was issued a NOVA for \$3,000.00 The F/V also lacked the USCG inspection sticker, a violation of federal law.

Continued on next page

Enforcement Report *continued from page 5*

NOAA/NMFS agents from St. Petersburg, FL received notification that NOAA GCEL issued a NOVA in the amount of \$15,000 to the owner and the captain of the FV QUALITY TIME.

Vessel owner, C. Anderson Robertson and Captain David Dyvernay were cited for operating a charter vessel without the required charter permits. The penalty included a 30-day NOPS.

NOAA/NMFS agents from St. Petersburg, FL received notification from NOAA GCEL that a NOVA in the amount of \$30,000 and a 30-day NOPS were issued to Jack Hail, owner and operator of the F/V MISS JADE for violations of the MSFCMA. Hail was charged with disabling the VMS unit shortly after installation in July, 2007. He also was allegedly fishing without completing the proper call-in notifications/declarations to the VMS division. Over 60 fishing trips were conducted during the time that the VMS unit was believed to have been disabled.

NOAA/NMFS agents from Niceville, FL received notification that NOAA GCEL issued a NOVA in the amount of \$2,500.00, a 10-day NOPS, and proposed forfeiture in the amount of \$76.00 to James Gharst, owner of the F/V MISS DEBBIE for possession of undersized vermilion snapper and triggerfish.

NOAA/NMFS agents from Niceville, FL received notification that NOAA GCEL issued a NOVA in the amount of \$1,100 to recreational anglers Joel L. Thornton, David Zimmer, Mohammed Mohammed, and David A. Johnson for possession of 15 gag grouper and one undersized gag grouper in federal waters during the seasonal closure.

NOAA/NMFS agents from St. Petersburg, FL received notification that NOAA GCEL issued a NOVA in the amount of \$11,000 and a 45-day NOPS to F/V WARRIOR V owner Dean Pruitt and captain Michael Dean for failing to land finfish intact. Florida FWC officers boarded the vessel during a coordinated pulse operation and discovered the vessel was using suspected pieces of shark and reef fish as bait on its longline gear. Seized pieces of bait were transferred to the NOAA/NOS Lab for species identification prior to filing charges.

NOAA/NMFS agents from St. Petersburg, FL were informed that NOAA/GCEL issued a NOVA to the Envision Consulting Group in the amount of \$2,500.00 for failure to register tournaments and failure to report as required. The Miami, FL based group holds two HMS tournaments annually; the Mayor's Cup and the Sailfish Kickoff. The Mayor's Cup tournament had failed to register for three years, and the Sailfish

Kickoff failed to register for two years.

NOAA/NMFS agents from Slidell, LA were notified by NOAA/GCEL that \$3,000 NOVA and a 15-day permit sanction were issued to the F/V MISS CAROL. The vessel was boarded more than 25 miles offshore by the Louisiana Department of Wildlife and Fisheries (LDWF) during a JEA patrol. Officers found 131 pounds of filleted fish on board. The vessel was charged with failure to maintain fish intact through off-load.

NOAA/NMFS agents from Slidell, LA received notification that the F/V CAPT DAVID agreed to a settlement prior to an administrative hearing scheduled for November 18, 2008. The F/V CAPT DAVID was issued a \$30,000.00 NOVA, a 45 day NOPS, and forfeiture of over \$11,000.00 worth of yellowfin and bluefin tuna for fishing a pelagic longline with live bait. The respondents' agreed to a reduced NOVA in the amount \$13,000.00, forfeiture of seized proceeds in the amount of \$11,000.00, suspension of the 45 day NOPS, with an offset of the reduced NOVA for the purchase, installation, and 13 months of service for satellite thermal imaging equipment. It is hoped that satellite thermal imaging equipment will modernize the Louisiana pelagic longline fleet making them more

Continued on page 8

Upcoming Meetings

Socioeconomic Panel Meeting

The Socioeconomic Panel will meet March 26 and 27 at the Quorum Hotel, 700 N. Westshore Boulevard in Tampa. The meeting will convene at 8:30 a.m. Thursday and conclude no later than 1:30 pm. Friday.

The SEP is scheduled to discuss fisheries economics statistics in the Gulf of Mexico and United States, as well as fishery resource allocation issues, including allocation methods and data availability.

Law Enforcement Advisory Panel Meeting

The Law Enforcement Advisory Panel (LEAP) is scheduled to meet at 1:30 p.m., Tuesday, March 17, 2009 at the Royal Sonesta Hotel, 300 Bourbon Street, New Orleans, Louisiana.

The Panel will discuss and review an emergency rule to reduce sea turtle interactions with reef fish longline gear. The rule proposes to close the bottom longline fishery in waters less than 50 fathoms for the entire eastern Gulf of Mexico and will become effective immediately upon implementation. In addition, once the 2009 deep water grouper quota is met, reef fish bottom longline gear will be prohibited in the federal waters of the Gulf of Mexico for the remainder of 2009.

The LEAP will also receive a report of the status of recently completed management actions and scheduled activities and possibly provide reports on individual state and federal law enforcement activities.

Agendas for both meetings can be obtained by contacting the Council at 813-348-1630.

Committee Agenda
Gulf of Mexico Fishery Management Council

The W Hotel
 New Orleans, LA
 April 14 - 16, 2009

Tuesday, April 14, 2009

8:30 a.m. - 10:00 a.m.

AP Selection Committee - CLOSED SESSION

- * Selection of Advisory Panel Members

10:00 a.m. - noon

SSC Selection Committee - CLOSED SESSION

- * Review of SSC Job Description
- * Selection of SSC Members

1:30 p.m. - 2:00 p.m.

Budget/Personnel Committee

- * Review of 2009 Budget

2:00 p.m. - 5:30 p.m.

Data Collection Committee

- * Presentation of Olfishy/Environmental Defense Electronic Logbook Pilot Project
- * Presentation of North Carolina Text Message Based Reporting Pilot Project
- * Report of the GSMFC FIN Committee Meeting
- * Presentation from CLS America

Wednesday, April 15, 2009

8:30 a.m. - 9:30 a.m.

Sustainable Fisheries/Ecosystem Management Committee

- * Scoping Document for ACL/AM
- * Selection of Scoping Hearing Locations

9:30 a.m. - Noon and 1:30 p.m. - 5:30 p.m.

Reef Fish Management Committee

- * Draft Reef Fish Amendment 31/DEIS to Address Longline/Turtle Interactions
- * SEP Meeting Report
- * Discussion on Allocation of Species in Reef Fish Amendments 30A & 30B
- * Status Report on Gag/Red Grouper Update Assessment

5:30 p.m. - 6:30 p.m.

Informal Q&A Session on Gulf of Mexico Fishery Management Issues

Thursday, April 16, 2009

8:30 a.m. - 10:30 a.m.

Administrative Policy Committee

- * Draft Changes to SOPPs from MSRA

10:30 a.m. - Noon

Outreach & Education Committee

- * Report from Outreach and Education Advisory Panel Meeting

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

Next Meeting:

June 15 - 18, 2009

Quorum Hotel

700 N. Westshore Boulevard

Tampa, FL 33607

Council Agenda
Gulf of Mexico Fishery Management Council

The W Hotel
 New Orleans, LA
 April 16 - 17, 2009

Thursday, April 16, 2009

- I. Call to Order and Introductions - McIlwain
- II. Adoption of Agenda ¹ - McIlwain
- III. Approval of Minutes - McIlwain
(1:30 p.m. - 1:45 p.m.)
- IV. Public Testimony ^{2,3} - McIlwain
 - a. Exempted Fishing Permits (EFP) (if any)
 - b. Open Public Comment Period ^{2,4}
(1:45 p.m. - 2:45 p.m.)
- V. Committee Reports
 - a. Budget/Personnel - Shipp
(2:45 p.m. - 3:00 p.m.)
 - b. Data Collection - Riechers
(3:00 p.m. - 3:30 p.m.)
 - c. Sustainable Fisheries/Ecosystem - Gill
(3:30 p.m. - 4:00 p.m.)
 - d. AP Selection Committee - Perret (CLOSED SESSION)
(4:00 p.m. - 5:00 p.m.)
 - e. SSC Selection Committee - Simpson (CLOSED SESSION)
(4:30 p.m. - 5:00 p.m.)

Friday, April 17, 2009

- V. Committee Reports (continued)
 - f. Administrative Policy - Morris
 - g. Outreach and Education - Walker
 - d. AP Selection - Perret
 - e. SSC Selection - Simpson
 - h. Reef Fish Management - Minton
(8:30 a.m. - noon)
(1:30 p.m. - 2:00 p.m.)
- VI. Other Business
 - a. Update on SEDAR Streamlining Process
 - b. Written Reports
 - c. Other Items
(2:00 p.m. - 2:30 p.m.)

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

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

⁴The Council has set aside this time for open public comment regarding any fishery issue or concern. People wishing to speak before the Council should complete a public comment card, making sure to check the box marked Open Public Comment. A note about open public comment: In the interest of giving everyone an opportunity to speak, speakers are asked to limit comments to three minutes. If your sentiments are reflected in comments made by others, please state so and allow the next speaker to address the Council. Individuals may be asked to reduce speaking time even further in order to accommodate all those who wish to speak. The open public comment period will end no later than the time scheduled on the agenda regardless of the number of persons wishing to comment.

Enforcement Report *continued from page 6*

productive and eliminate the need to rely on live bait.

NOAA/NMFS agents from St. Petersburg, FL were informed by NOAA GCEL issued a NOVA in the amount of \$1,000 to the New Smyrna Beach Billfish Invitational, Inc., for failure to register the tournament and failure to report as required. The organization holds an annual HMS tournament which is open to the general public and requires entry fees ranging from \$1,000 to \$2,500.

NOAA/NMFS agents from St. Petersburg, FL were informed that NOAA GCEL issued a NOVA in the amount of \$1,000 to the Pelican Yacht Club for failure to register the tournament and failure to report as required. The yacht club holds an annual invitational billfish tournament, which is open to the general public and charges entry fees. The PYC has held the tournament since 1980 and had previously registered their HMS tournaments.

NOAA/NMFS agents from St. Petersburg, FL were notified by NOAA GCEL of NOVA's issued as the result of a joint NOAA/FWCC undercover investigation conducted in the Florida panhandle. David Mucci, owner and operator of the F/V Y-KNOT and Jeffrey Folds, owner and operator of the F/V DAISY D were issued NOVA's in the amounts of \$12,500 and \$19,000 respectively. In addition to other charges, both Mucci and Folds were cited for operating non permitted dive charters in the Gulf of Mexico EEZ.

NOAA/NMFS agents from St. Petersburg, FL received notice that NOAA GCEL reached a \$66,000 settlement agreement with the vessel owner and operator of the F/V SUPER SPEEDY EXPRESS. The owner and operator were charged with operating a charter vessel without the required federal charter permits. Approximately 25 headboat trips were documented

during the investigation which was done jointly with the FWC.

NOAA/NMFS agents from St. Petersburg, FL received notification from NOAA GCEL that a NOVA in the amount of \$21,000 and a 75-day Notice of Permit Sanction was issued to the F/V SOUTHWIND for violations of the Magnuson Act. Vessel captain Jimmie Phrampus and owner Dale Sheffield were cited after being boarded three times in a 30 day period and found in possession of undersized reef fish, failure to keep finfish intact, failure to comply with VMS requirements and multiple IFQ violations.

NOAA/NMFS agents from St. Petersburg, FL received notification from NOAA GCEL Southeast that a NOVA in the amount of \$10,000 and a 30-day NOPS was issued to the F/V SOUTHERN GALE. Vessel captain Robert Andrews and owner Dennis Hale were cited for failing to keep shark and reef fish in whole condition after agents discovered more than 100 pieces of regulated species being cut up as bait.

Lacey Act

NOAA/NMFS agents from Niceville, FL attended a change of plea hearing in Albany, Georgia. Gary Brown, owner of Brown's Seafood, Crawfordville, FL and James Nations, an Apalachicola, FL fishermen entered guilty pleas to one count each of felony Lacey Act and felony Conspiracy. Both men were involved in the harvest and sale of speckled sea trout, red snapper and other reef fish and were charged after being linked to a wide spread poaching ring operating in northwest Florida and Georgia. The two were the first to plead out after a two year joint NOAA/FWCC investigation led by Niceville agents.

NOAA/NMFS agents from Slidell, LA were notified that Earl Fayard of

Ocean Springs Seafood, pled guilty to one criminal count of Title 18 USC 287 (filing false, fictitious or fraudulent claim against a government agency) for violation of the Byrd Amendment in submitting false claims.

NOAA/NMFS agents from Galveston, TX were notified that United States District Judge David Hittner issued a Final Order of Criminal Forfeiture on Hoang Nguyen. The notice instructed the forfeiture of \$25,365.70, which is the value of seized assets in this case. Seized assets included 9,637 pounds of red snapper, 229 pounds of vermillion snapper, 54 pounds of Lane snapper, 7 pounds of mangrove snapper, 195 pounds of blue runner, 84 pounds of cobia, 187 pounds of trigger fish, and 68 pounds of black grouper.

Partnerships

NOAA/NMFS agents from St. Petersburg, FL, FWCC Officers and USCG personnel conducted a two-day coordinated pulse operation focusing on longline and bandit fisherman in the waters surrounding the Florida Middle Grounds. During the operation, approximately ten vessels were boarded, resulting in state and federal violations on various fishing vessels. Two commercial longline fishing vessels were cited for federal violations involving reef fish and sharks.

Training

NOAA/NMFS agents from St. Petersburg, FL traveled to the FWCC Naples field office to provide federal fisheries training to FWCC Officers and investigators. Although the training focused primarily on the MSFCMA, other topics covered included the Individual Fishing Quota (IFQ) requirements, the Vessel Monitoring System with an on-line demonstration, and case documentation.

Turtles *(continued from page 1)*

the 2009 deep-water grouper quota is caught, reef fish bottom longline gear will be prohibited in the eastern Gulf of Mexico (east of Cape San Blas).

According to a 2006-2007 NOAA Fisheries Service report, the number of threatened loggerhead sea turtles that have been caught in the bottom longline fishery has exceeded authorized levels. This temporary emergency rule will reduce the fishing impacts on this threatened

species until the Gulf Council can further develop an amendment to its Reef Fish Fishery Management Plan that will address the issue in the long term.



Photo: Cathy Readinger

Once implemented, the emergency rule would be in effect for 180 days, and it could be extended for an additional 186 days.

Council Sets Control Date for Reef Fish

During its January meeting the Gulf Council voted to establish a control date of December 31, 2008 for the commercial reef fish fishery in the Gulf of Mexico. Setting a control date effectively notifies the public that the Council is considering further limiting access within the commercial sector of the Gulf reef fish fishery.

The Council chose to establish a control date to discourage speculative participation in the grouper fishery for the purpose of developing a catch history.

Setting the control date at the end of the calendar year is consistent with the current fishing year and with the way catch data are compiled.

A control date provides notice to affected fishermen that if the Council chooses to further restrict participation in the commercial reef fish fishery, and if it chooses to use that date in specifying eligibility to participate in the limited access program, then persons entering the fishery (getting a permit) after that date may not be able to participate in the program.

National Saltwater Angler Registry Fact Sheet

As the science of fisheries management has evolved, so has the need for more thorough and detailed data about who is fishing, when they are fishing, and the number and species of fish they catch. In addition, fishery managers need information that is timely and drawn from relatively small geographic areas as opposed to broad swath of ocean.

The Marine Recreational Information Program (MRIP) is designed to provide a reliable, transparent, collaborative set of tools that managers, anglers and others can use to ensure sustainable fisheries and healthy oceans for generations to come. One of those tools is a national saltwater angler registry.

NOAA Fisheries on December 23, 2008 issued a final rule creating the National Saltwater Angler Registry. The rule requires all anglers and spearfishers who fish recreationally in federal waters and for anadromous species in all tidal waters to be included in the national saltwater angler registry beginning January 1, 2010.

States with existing programs to gather necessary information for the registry, such as a comprehensive saltwater fishing license or regional angler survey, may



apply to NOAA for an exemption to the Federal registration requirement. Licensed anglers who live in states that apply and receive an exemption will be automatically included in the national registry.

Anglers who fish only on licensed party, charter, or guide boats will not be required to register with NOAA, since these vessels are surveyed separately. Those who hold angler permits to fish for highly migratory species and those fishing under commercial fishing licenses or subsistence fishing permits will also not be required to register, nor will anglers under 16.

Anglers in non-exempted states will be required to obtain a registry number that must to be presented, upon request, to any enforcement officer. There will be no registration fee until 2011, at which time the cost could be up to \$25. Registrations must be updated annually.

For more information visit <http://www.st.nmfs.noaa.gov/mrip/>.



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

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

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