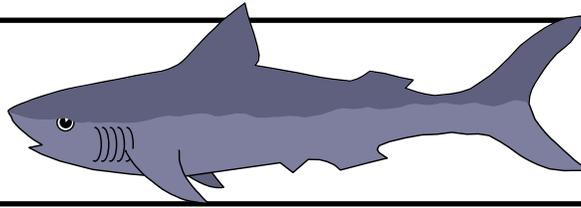


December 2004

Gulf Restoration Network

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FISH



TALES

U.S. Ocean Commission Releases Final Report

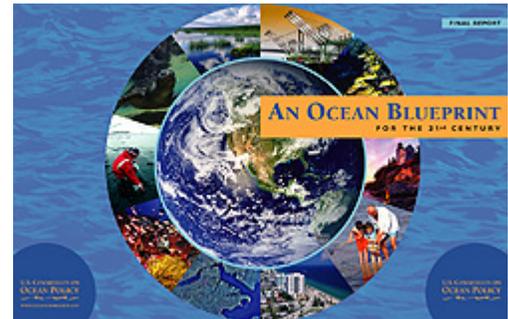
The U.S. Commission on Ocean Commission submitted its final report, “An Ocean Blueprint for the 21st Century,” to President Bush and Congress on September 21, 2004. The report calls for immediate and directed action on a new national ocean policy that would:

1. balance use with sustainability;
2. be based on sound science and educational excellence; and
3. move toward an ecosystem-based management approach.

The Commission's final report contains 212 recommendations to move toward this new ocean policy. Based on the Commission's analysis, the cost to implement those recommendations starts at \$1.5 billion the first year and rises to \$3.9 billion in the out years.

As mandated by the Oceans Act of 2000, the President must now submit to Congress his statement of proposals to implement or respond to the Commission's findings and recommendations within 90 days. The Commission was created pursuant to the Act, and its 16 members began work in September 2001, with a series of nine regional meetings and 18 additional site visits in every coastal region of the country and the Great Lakes. The Commission heard testimony from 440 experts, including many of the nation's top ocean scientists and researchers, environmental organizations, industry officials, citizens, and government officials, and received written comments from countless others. The Commission's work is the most comprehensive and thorough review ever conducted of the nation's oceans and coasts.

An electronic copy of the final report, along with the supplemental reports, is available on the Commission website: <http://www.oceancommission.gov>.



“An Ocean Blueprint for the 21st Century” is available online at www.usoceancommission.gov.

Welcome Aaron Viles!

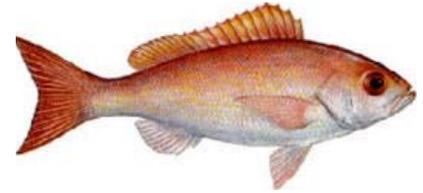


The Gulf Restoration Network is pleased to announce that Aaron Viles has joined our team as the new Fisheries Campaign Director!

Aaron previously served as the Gulf States Field Director for U.S. PIRG and the U.S. PIRG Education Fund. Aaron brings to the GRN a wealth of experience in citizen outreach campaigns, an enthusiasm for environmental issues, and a familiarity with Gulf communities. He can be reached at aaron@healthygulf.org or 504-525-1528, ext. 207.

Update on Vermilion Snapper

We received a number of responses to our request for help on vermilion snapper in our last Fish Tales. Thank you for your support! The Gulf Council reviewed your letters and discussed the various issues we raised. Unfortunately, the Council voted to send its Vermilion Snapper rebuilding plan to the National Marine Fisheries Service (NMFS) for review and approval at its October 2004 meeting in Panama City Beach, Florida, with little alteration. The plan, in progress since vermilion snapper was formally declared overfished in 2003, increases size limits for both commercial and recreational sectors and establishes a closed season for commercial fishing.



While on paper the plan achieves necessary conservation measures to help rebuild the vermilion population, in reality, this new management is not likely to be effective. There are a number of important considerations absent in the plan:

1. It ignores ecosystem-based management. At a minimum, red and vermilion snapper should be discussed and managed together, with an eye towards relationships with other Gulf of Mexico fisheries.
2. Two of the primary means recommended to help rebuild the fishery are increases in size limits for both recreational and commercial sectors. These could have little positive impact on rebuilding vermilion and might actually harm the species.
3. It does not address the regular use of vermilion snapper bycatch as bait for other fisheries. Fish used as bait are not counted towards the total annual vermilion catch and go unnoticed.
4. Finally, the vermilion plan only provides limited management options. It does not include viable alternatives like designating spawning sites as marine protected areas, creating consistent vermilion and red snapper seasons, and closures of both red snapper and vermilion fisheries when a quota is reached for either species.

The Council has already submitted the vermilion plan to NMFS, so it is up to that agency to disapprove its measures and request more realistic and comprehensive management. Unfortunately, NMFS will likely approve the plan as-is in coming months. Our hope is to convince them to do otherwise.

Florida Fish and Wildlife Propose Federal Rules for State Waters

In September 2004, the Florida Fish and Wildlife Conservation Commission (FWC), the primary entity that regulates fish in and off the state of Florida, announced a new proposed rule for managing red grouper. If finalized, anglers will have a two-fish daily bag limit for recreational catch of red grouper in Florida state waters. This action would match regulations that took effect July 15, 2004, in Gulf federal waters.

The National Marine Fisheries Service determined years ago that the spawning stock of red grouper in the Gulf of Mexico was too low. A current Florida rule already closes state waters to commercial catch whenever a federal quota is reached and the fishery is closed in federal waters. However, the FWC has determined that it is necessary to adopt the two-fish recreational limit for red grouper (within the five-fish aggregate grouper limit) in state waters in order to be consistent with federal regulations and to help rebuild red grouper stocks in the Gulf. Florida state waters extend nine nautical miles offshore in the Gulf.

The FWC intends to conduct a final public hearing on its red grouper rule proposal during its December 1-3 meeting in Key Largo. If the rule is approved, it will be implemented on January 1, 2005.

Gulf Council Prepares Aquaculture EIS

From September 2, 2004, through October 4, 2004, the Gulf Council accepted comments from the public on the proper scope of an environmental impact statement (EIS) that would gauge ecological impacts from the establishment of offshore aquaculture facilities in the Gulf of Mexico. *Aquaculture* is a generic term used for the reproduction and growing of aquatic species in controlled or selected environments. Recently, there has been a trend in the United States towards experimentation with growing assorted marine species of finfish, like snapper and grouper, in pseudo-captivity, using floating cages or net pens in open ocean waters. This has been dubbed “open ocean aquaculture” or “offshore aquaculture.”

Because the Gulf of Mexico is more protected than many coastal areas around the United States, waters off Florida and Alabama have already been requested for commercial open ocean aquaculture facility sites and other areas will certainly follow. While offshore aquaculture has potential for various uses, it also has a number of significant ecological risks that require attention: rapid declines or drastic changes in local wild fish communities, serious habitat damage, and increased water pollution.

The Gulf Council has already started drafting a plan containing recommended regulations for offshore aquaculture in the Gulf of Mexico. The final EIS and draft plan should be completed and ready for review sometime in 2005.

Ocean Conservancy Files Suit Against NMFS

In June 2004, the Ocean Conservancy filed suit against the National Marine Fisheries Service (NMFS) regarding the re-authorization of the Madison/Swanson and Steamboat Lumps Marine Protected Areas in the Gulf of Mexico. When initially established in 2000, these sites were completely protected to help rebuild depleted gag grouper. However, the protections were modified after the Coastal Conservation Association (CCA), a recreational fishing group, brought a lawsuit claiming it was inappropriate to totally close these areas to fishing.

The two areas are off the coast of Florida and total approximately 219 square nautical miles. The sites are believed to be spawning locations for gag grouper as well as spots where members of the declining male population reside year round. These sites protect other reef fish species found there, many of which are also depleted.



Originally, the Gulf Council recommended the two areas be closed to all types of fishing. After the CCA’s lawsuit, NMFS decided to allow trolling in the areas for highly migratory species until studies were completed to determine whether such fishing activities could impact bottom fish, including gag grouper, and habitat. The results of these studies determined that trolling could impact bottom fish and habitat. The Gulf Council thus again recommended that no take of any fish be allowed in these areas.

However, some members of CCA again threatened a lawsuit regarding these regulations. NMFS urged the Council to permit trolling activities for certain species. As a result, the final regulations do allow trolling for certain species during certain times of the year. Concerned by the precedent set by this decision, the Ocean Conservancy filed suit against NMFS for ignoring the best available science and implementing bad regulations. The suit is ongoing.



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

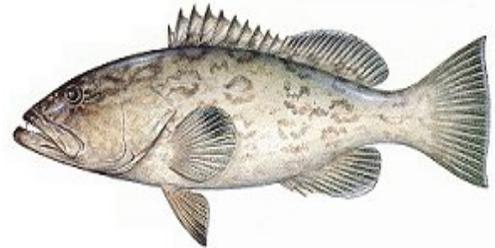
The GRN would like to thank the Regional Marine Conservation Project, Pew Charitable Trusts, the Rockefeller Brothers Fund, the Surdna Foundation, the Elizabeth Ordway Dunn Foundation, and the Curtis and Edith Munson Foundation for making this work possible.

FISH OF THE SEASON

Gag Grouper (*Mycteroperca microlepis*)

Family Serranidae, SEA BASSES AND GROUPEr

History of Management: Gag grouper were found to be approaching an overfished condition in 1998. To help rebuild the species, the Gulf Council recommended to NMFS that two areas in the Gulf of Mexico, totaling approximately 219 square nautical miles, be closed to all fishing. These measures were to help protect spawning aggregations believed to be there and allow male gags found at these spots all year round to grow and reproduce. Protection of these areas was finalized and remained in effect through June 2004, unless re-authorized. Unfortunately, some recreational anglers felt slighted by the measures and sued NMFS. NMFS settled with the group and allowed trolling through the areas.



NMFS also did a 2003 study on whether trolling could harm bottom fish like gag grouper. The results of the study indicated trolling could catch and kill gag grouper. When the protected areas came up for re-authorization, the Council again recommended full protection. The recreational group again threatened suit, and NMFS urged the Council to change its recommendation to allow some fishing. NMFS re-authorized the two areas in June 2004, again allowing troll fishing.

Description: Brownish gray in color with dark squiggle markings on sides. Fins dark, with anal and caudal having white margin. Tail is slightly concave.

Common name: Black grouper (a reason for frequent confusion with actual black grouper or “carberita”)

Similar fish: Black grouper, *M. bonaci*; Yellowfin grouper, *M. venenosa*

Where found: adults offshore over rocks and reefs; juveniles occur in seagrass beds inshore.

Size: common to 25 pounds

Remarks: Forms spawning aggregations in water no shallower than 120 feet in Middle Grounds area, January through March; current research to identify similar aggregations off the Atlantic coast is ongoing. Young gags are predominantly female, transforming into males as they grow larger. Gag feed mainly on fish and squid.