



## **Catch Share Fishery Management**

*This article is part of a series. Next month will feature a story on types of sector management as it relates to catch shares.*

Last month we examined the catch share approach to fisheries management in simplistic and broad terms. This month, we will delve a little deeper into the management strategy that is as complex as our native fishes are diverse.

Stakeholders have identified four categories that can serve as performance indicators of fisheries management strategies: 1) conservation of fish populations, 2) size of harvestable stock, 3) satisfaction of recreational fishers and 4) economic performance of fishery. In the previous article, the conservation of fish populations was discussed in terms of the three basic principles that determine the natural ability for fish stocks to replenish themselves (growth, survival and reproductive rates). Additionally, the size of the harvestable stock was established by the developmental strategy of each aquatic species, which influences the annual total allowable catch for each species. The last two indicators are a bit more complicated, as they deal with socio-ecological systems.

Recreational anglers are an important sector that influences marine fish populations, and the satisfaction of these anglers is directly tied to how well the first two indicators are managed. While commercial fishing often receives the brunt of focus involving fishing regulations, it is important to keep in mind that for some species recreational fishing actually accounts for a larger portion of the total harvest. With many more recreational fishing vessels out there (and a wide array of success rates), accurate record keeping is much more difficult compared to commercial vessels which are highly scrutinized. However, for fishery management to maximize benefits for all fishers, this important sector needs to be taken into consideration.

And finally we have the elephant in the room – the economic performance of the fisheries. While recreational anglers are willing to spend hundreds if not thousands of dollars on the fishing experience, commercial fishing is a business. As such, it is only feasible if profits exceed expenses. High fish prices can lead to overcapitalization and overexploitation, which is what the catch share approach to management seeks to avoid. The method is basically a “cap-and-trade” system whereby the cap is set by regulators, and the individual shares can be traded to other individuals. This method turns the right to catch marine organisms into a commodity, and brings market forces to the task of allocation. Managing commercial fisheries in this manner was started in New Zealand and Iceland in

the 1980s, and has been implemented in many countries, not without resistance and controversy. A major concern is the potential socio-economic effects on fishing fleets, industries and communities. It is feared that the ability to trade or sell shares of the fishery can lead to conglomeration of fishing fleets by a few individuals, which is the opposite of the owner-operator, small-business structure that personifies the Louisiana fishing industry. Luckily the Gulf of Mexico catch share program was designed with limits on transferability and caps on share ownership. The goal of which is to keep each fishery sector small enough to have a vested interest in the long term health of the fishery, yet large enough to be profitable. As an example, the northeast region has developed a multispecies sector management approach in which groups of individual fishers enter voluntary contracts agreeing to certain fishing restrictions for specified lengths of time in order to achieve the goals and objectives of the fishery management plans. It is thought that this group approach to self-management can help to sustain the long term health of the various fisheries. Hopefully by balancing the goals and objectives of all stakeholders, the multiple sectors involved in marine fisheries can work together to benefit both the fishers and the fish.

#### Sources:

B. D. Mapstone et al. 2008. Management strategy evaluation for line fishing in the Great Barrier Reef: balancing conservation and multi-sector fishery objectives. *Fisheries Research*. 94(3):315-329.

B. J. McCay. 2004. ITQs and community: an essay on environmental governance. *Agricultural and Resource Economics Review*. 33(2):162-170.  
www.nmfs.noaa.gov

- Craig Gothreaux

### More than 99.4 Percent of State Waters Now Open for Fishing

The Louisiana Department of Wildlife and Fisheries (LDWF), in coordination with the U.S. Food and Drug Administration and the National Oceanic and Atmospheric Administration, ordered an emergency reopening of recreational and commercial fishing in portions of state inside and outside waters within the Barataria Basin that were previously closed due to impacts from the Deepwater Horizon Oil Spill last year. These areas were opened previously to only recreational and charter boat angling.

“By working so closely with our state and federal partners we can continue to ensure consumers of Louisiana seafood that it is safe,” said LDWF Secretary Robert Barham. “We are one step closer to resuming normal fishing practices.” Barham ordered this opening following the completion of comprehensive testing, after which the FDA advised that shrimp, crab and finfish tissue samples tested from these previously closed areas are safe for consumption.

Recreational and commercial fishing reopens immediately in certain portions of state inside waters adjacent to Grand Terre Island, Four Bayou Pass and the Barataria Waterway. This reopening does not include the harvest of species closed by season, including shrimp and certain finfish. Furthermore, this opening does not include the



Photo credit: Paula Ouder

commercial harvest of oysters, as this activity is regulated by Louisiana Department of Health and Hospitals.

For more information, please contact Laura Deslatte at [ldeslatte@wlf.la.gov](mailto:ldeslatte@wlf.la.gov) or 225/610-2363.

### “Boating Education Lagniappe Day”

The first ever “Boating Education Lagniappe Day” will be held on May 14 from 9 a.m. to 5 p.m. at eight different locations across the state. During Boating Education Lagniappe Day, Louisiana Department of Wildlife and Fisheries (LDWF) will provide instructors for the National Association of State Boating Law Administrators (NASBLA) boating education course, NASBLA boating education certification, food and drinks, giveaways and door prizes all free of charge to the public.

Interested participants must register by visiting [www.wlf.louisiana.gov/lagniappeday](http://www.wlf.louisiana.gov/lagniappeday) and calling the contact number listed for the chosen class. LDWF urges the public to register quickly as most places have limited spaces available and registration is on a first come first serve basis.

“We want to make this an annual celebration of boating safety in the state as boating season kicks into high gear,” said LDWF Lt. Col. Jeff Mayne, the state’s boating law administrator. “Boating Education Lagniappe Day is the perfect opportunity for those in need of a boating education certification and those that want to learn about boating safety. We want to make the day fun and educational at the same time and everything will be offered completely free.”

Anybody born after Jan. 1, 1984, must complete a NASBLA approved boating education course and carry proof of completion to operate a motorboat in excess of 10 horsepower. The course includes information on choosing a boat, classification, hulls, motors, legal requirements and equipment requirements. The course also covers many navigation rules and charts, trailering, sailboats, canoeing, personal watercraft and more. Completion of the course will result in the student being issued a vessel operators certification card.

Studies have shown that states with a mandatory boating education program have fewer boating incidents that result in fatalities than states that have no boating education program. States with a boating education program for more than 20 years had 3.67 fatalities per 100,000 registered boats, and states with no boating education program had 6.61 fatalities per 100,000 boats. LDWF initiated the state’s boating education program in 2003 and has certified more than 40,000 boaters during that time.

“Boating education has been a proven method to reduce fatalities on the water over time,” said Capt. Rachel Zechenelly, LDWF’s boating safety coordinator. “Since more and more of the boating public will fall into the mandatory age for certification, we will eventually reach a point where everyone that wants to boat in this state will have their boating education certificate making the waterways more enjoyable and safer.” Sponsors for the Boating Education Lagniappe Day are the Louisiana Wildlife Agents Association, Academy Sports and Outdoors, Walmart, Cabela’s, Holiday Inn and Songy’s Sporting Goods of Houma. Below is the list of class locations known at this time and the registration contact information:

#### **Bossier City**

Academy Sports and Outdoors  
2801 Beane Dr.

## Lagniappe Fisheries Newsletter

Editor: Julie Anderson

Web coordinator: Melissa Castleberry

Copy editor: Roy Kron

Layout/design: Jessica Schexnayder

Bossier City, LA 71111

Call the Minden Office at 318/371-3049 to register.

### **West Monroe**

Academy Sports and Outdoors

111 Constitution Dr.

West Monroe, LA 71292

Call the Monroe Office at 318/362-3102 to register.

### **Alexandria**

Academy Sports and Outdoors

3205 S. MacArthur Dr.

Alexandria, LA 71301

Call the Pineville Office at 318/487-5634 to register.

### **Eunice**

Walmart

1538 Hwy. 190

Eunice, LA 70535

Call the Opelousas Office at 337/948-0257 to register.

### **Lake Charles**

Lake Charles Civic Center

900 Lakeshore Dr.

Lake Charles, LA 70602

Call the Lake Charles Office at 337/491-2580 or 337/491-2588 to register.

Free door prizes to first 100 students to call and register.

### **Houma**

Holiday Inn

1800 Martin Luther King Blvd.

Houma, LA 70360

Call the Thibodaux Office at 985/447-0821 to register.

### **Gonzales**

Cabela's

Cabela's Parkway

Gonzales, LA 70737

Call the Baton Rouge Office at 225/765-2999 to register.

### **Chalmette**

St. Bernard Parish Government Complex

8201 W. Judge Perez

Chalmette, LA 70043

Call the New Orleans Office at 504/284-2023 to register.

For more information on regulations or boating safety, visit [www.wlf.louisiana.gov/boating](http://www.wlf.louisiana.gov/boating). For more information on boating education courses, visit [www.wlf.louisiana.gov/boating/courses](http://www.wlf.louisiana.gov/boating/courses). For more information, contact Adam Einck at 225/765-2465 or [aeinck@wlf.la.gov](mailto:aeinck@wlf.la.gov).

## Louisiana Saltwater Series Fishing Tournament

The Louisiana Saltwater Series Fishing Tournament, hosted by the Louisiana Department of Wildlife and Fisheries (LDWF), continued to its next scheduled tournament site on April 30 in Lake Charles at Calcasieu Point Landing. The series is dedicated to catch-and-release saltwater angling through a series of agency-sponsored fishing tournaments.

The series was developed by LDWF in conjunction with the Louisiana Wildlife and Fisheries Foundation to promote conservation of Louisiana's saltwater sport fish resources and targets one of Louisiana's most valuable sport fish, redfish.

The grassroots-based tournament provides anglers with the opportunity to give back to the resource. Contestants vie for cash prizes and test their skill while enjoying the thrill of the competitive sport. Each series includes two-man teams with a \$200 entry fee for each event. For teams consisting of three members, only two of the members may be 16 or older. The tournament is a 100 percent payout series.

This year, a youth division was established to introduce young anglers to the sport of fishing, and to teach the catch-and-release approach to conservation. Participants under 16 years of age will compete against one another in a separate category for trophy catch; all youth anglers will be recognized.

On April 2, the second annual Louisiana Saltwater Series kicked off at Seaway Marina in Lafitte with 47 boats entered and more than \$8,000 awarded in cash prizes.

Taking home first place overall was Bobby Monstead and Aaron Gelfand with a two fish total weight of 17.51 pounds. A total of 113 redfish were tagged and released during Saturday's event. The results of the tagging will aid conservation efforts for redfish in the future, helping to ensure healthy populations and a successful recreational fishing industry.

The 2011 series is comprised of six fishing events and a championship. Tournament locations are scheduled across the coast. The 2011 tournament schedule is as follows:

- April 2 Lafitte, Seaway Marina;
- April 30 Lake Calcasieu, Calcasieu Point Landing;
- May 14 Venice, Venice Marina;
- June 18 Delacroix, Sweetwater Marina;
- July 23 Slidell, Dockside Bait and Tackle/The Dock;
- Aug. 20 Port Fourchon, Moran's Marina; and
- Championship Oct. 7-8 Empire, The Delta Marina.

For complete information, including rules, regulations and entry forms go to [www.lasaltwaterseries.com](http://www.lasaltwaterseries.com).

## \$2 Million Additional Funding for Oyster Emergency Restoration Project

Officials with the Coastal Protection and Restoration Authority, and the Louisiana Department of Wildlife and Fisheries met with leaders from the oyster industry to highlight BP's failure to follow through on emergency restoration work to help the industry recover from the Deepwater Horizon oil spill that began one year ago. LDWF Assistant Secretary Randy Pausina announced an additional \$2 million in funding for a cultch plant on public seed grounds; that announcement brings the total state funds committed to emergency restoration projects for the oyster industry to \$4 million.



Photo credit: Paula Ouder

"Louisiana's coastal area provides vital nursery grounds for more than 90 percent of Gulf species and the health of the Gulf as a whole is dependent on Louisiana's marshes and estuaries," said Garret Graves, chairman of the CPRA. "The impact to our citizen's way of life has been dramatic, leaving the good people of our oyster industry hurting after generations of harvesting this incredible resource."

"While we still plan to press BP to fund \$15 million for improvements to oyster grounds, including additional cultch plants and innovative farming techniques, we have been shaking out the couches at our agency looking for funds to help ensure a healthy spat set" said Pausina. "The \$2 million we are announcing today, along with an early commitment for \$2 million, is a small step in the right direction. We fully intended to seek reimbursement for the total \$4 million. BP is still the responsible party, and it is time they starting acting like it."

"It is imperative that we begin aggressively rehabilitating Louisiana's oyster resources so that the oyster community is able to return to normal operations sooner rather than later," said Mike Voisin, owner of Motivait Seafood and member of the Governor's Oyster Advisory Committee.

"I am angry that BP has not followed through with their commitment to reseed the public oyster grounds and that the Gulf Coast Claims Facility has failed to compensate fairly the oystermen that were hurt by the Deepwater Horizon oil disaster," said Al Sunseri, owner of P&J Oysters and member of the Governor's Oyster Advisory Committee.

## Twins Spans are Reclaimed for Artificial Reefs

Phase 1 of bridge deconstruction on Lake Pontchartrain is complete to convert the old Twin Spans into artificial reef habitat. Portions of the old bridges were recycled in a unique way to provide continuing service to the public. The four-acre reef is located between the new I-10 bridge and Highway 11 (Latitude 30° 10.169' Longitude 89° 50.744'). The corners of the reef are marked by four yellow illuminated marker buoys.

Sixty spans were dismantled, processed and deployed as reef material. In addition to providing hard bottom habitat for bottom-dwelling organisms, the reef will create a valuable fish habitat for popular recreational species including redfish, speckled trout, croakers, sheepshead and drum.

The creation of the artificial reef is the culmination of partnership between LDWF, Department of Transportation and Development, Coastal Conservation Association of Louisiana and NOAA Office of Coast Survey.

“Increasing habitat for finfish will provide greater sport fishing opportunities on Lake Pontchartrain, which will ultimately benefit the economy in attracting people to the area,” said LDWF Assistant Secretary Randy Pausina. “And we’re able to do so utilizing materials that would typically be sent to a landfill.” The second phase of the bridge demolition is currently underway. Forty-two spans from the old Twin Spans will be used to create an additional four-acre reef. Since its creation in 1986, the department’s Artificial Reef Program has developed 28 reefs in Louisiana’s inshore waters.

### **State Reinvests \$13 Million with Commercial Fishermen**

The Louisiana Department of Wildlife and Fisheries (LDWF), in coordination with the Office of Community Development – Disaster Recovery Unit (OCD), and the Louisiana Department of Agriculture and Forestry (LDAF), issued award letters to nearly 1,000 fishermen who were deemed eligible for the Commercial Fisherman Grant Program. Throughout the month the Louisiana Department of Agriculture and Forestry through the Louisiana Agricultural Finance Authority (LAFA) has been on-site at several locations along the coast conducting grant closings and disbursing funds to eligible fishermen.

The \$13 million Commercial Fisherman Grant Program was designed to assist Louisiana fishermen who held a commercial fishing license in 2008 and who remain licensed, continue to recover from the effects of hurricanes Gustav and Ike in 2008. Individuals were required to provide supporting tax documentation and be able to prove a \$5,000 tangible or financial loss in order to qualify for the program. Applicants were eligible for a grant up to the amount of their loss, not to exceed \$100,000. Of the nearly \$13 million dollars being disbursed, 95 percent was allocated solely to certified fishermen.

The Disaster Recovery Unit within the Office of Community Development is dedicated to helping Louisiana’s citizens recover from hurricanes Katrina, Rita, Gustav and Ike. As the state’s central point for hurricane recovery, the OCD-DRU manages the most extensive rebuilding effort in American history, working closely with local, state and federal partners to ensure that Louisiana recovers safer and stronger than before.

For more information from the Louisiana Department of Wildlife and Fisheries, please contact Laura Deslatte at [ldeslatte@wlf.la.gov](mailto:ldeslatte@wlf.la.gov) or at 225/610-2363. For more information from the Office of Community Development, please contact Christina Stephens at 225/603-3896 or [christina.stephens@la.gov](mailto:christina.stephens@la.gov). For more information from the Louisiana Department of Agriculture and Forestry, please contact Sam Irwin at 225/922-1256 or [sirwin@ldaf.state.la.us](mailto:sirwin@ldaf.state.la.us).

## **LOUISIANA RULE CHANGES**

### **Revised Wildlife and Fish Values for Public Comment**

The Louisiana Wildlife and Fisheries Commission (LWFC) adopted a notice of intent this month to approve changes to the values assigned to fish and wildlife in Louisiana, and to modify the list of threatened and endangered species. The Louisiana Department of Wildlife and Fisheries (LDWF) recommended the revised values, which are used to determine fines for individuals who illegally take fish and wildlife.

The list of threatened and endangered species will be amended to match the current federal listing of threatened or endangered species that are in Louisiana. Key changes were the removal of the brown pelican and the bald eagle, and the addition of the red wolf.

To view the full notice of intent, visit <http://www.wlf.louisiana.gov/action-items>. Public comment will be accepted at the LWFC monthly meetings on May 5 and June 2. Comments will also be accepted by mail to LDWF headquarters in Baton Rouge through June 2, 2010. Mailed comments should be directed to:

David Lavergne  
Louisiana Department of Wildlife and Fisheries  
P.O. Box 98000  
Baton Rouge, LA 70898-9000

### **Proposed Alligator Regulation Changes**

The Louisiana Wildlife and Fisheries Commission (LWFC) adopted a notice of intent April 7 for regulation changes in the Alligator Management Program. The changes, proposed by the Louisiana Department of Wildlife and Fisheries (LDWF), provide options relative to alligator skin processing and would allow non-residents owning wetland habitat in Louisiana to obtain harvest tags.

The proposed change for alligator skins, prior to export out of state or prior to tanning in state, would allow for the sale of raw flanks or bellies of alligators and could be helpful when attempting to sell poor quality raw skins.

Concerning issuance of tags to non-residents, current regulations restrict landowners to assisting a resident, licensed alligator trapper during the season. This change would allow for non-residents, who own alligator habitat in Louisiana, to obtain their own tags.

Several other proposed changes/clarifications include: changing application deadlines for tags, addressing disposal of alligator skins deemed of no value, and stipulating that alligators shall not be cut loose from hooks and lines for any purpose.

To view the full notice of intent and all proposed hunting season dates and regulations changes for the upcoming hunting season, please visit <http://www.wlf.louisiana.gov/action-items>. Public comment will be accepted at the LWFC May 5 meeting or can be submitted to Robert Love, LDWF Coastal and Nongame Resources Division, P. O. Box 98000, Baton Rouge, LA 70898-9000, through June 1, 2011. For more information, contact Noel Kinler at 337/373-0032 or [nkinler@wlf.la.gov](mailto:nkinler@wlf.la.gov).

### **Access Bridge to Loggy Bayou Wildlife Management Area Open to the Public**

Access to Loggy Bayou Wildlife Management Area (WMA) has reopened via the Poole Road Bridge following reconstruction of the structure. The old wooden bridge previously at this location had a three-ton weight limit and had been closed repeatedly over the last several years when high water threatened public safety.

During the summer of 2010, Bossier Parish and Petrohawk Energy entered into an agreement in which the parish provided the design and permitting for the new bridge construction, and Petrohawk funded the removal of the old structure and construction of the new bridge. Construction started on this project in October 2010 and was completed in late March of 2011. The new bridge is a concrete two-lane bridge that can withstand heavy traffic and will be a noticeable improvement to Loggy Bayou WMA users.

In addition to the new bridge, those using Loggy Bayou WMA will notice significant improvements to other portions of the WMA as well. Further improvements will be ongoing over the next several months, as an agreement between LDWF and a pipeline company will result in additional road improvements as well as improvements to the boat launch access and parking area.



Louisiana Department of Wildlife and Fisheries (LDWF) staff worked in conjunction with Petrohawk and its affiliates to develop solutions to allow natural gas exploration activity in Loggy Bayou WMA, while minimizing impacts to the WMA.

The public is advised that higher than normal traffic is to be expected on the WMA over the next several months due to drilling and completion operations. Additional road construction and improvement projects will result in extra traffic as well. Further improvements to the boat launch access road and parking area will result in a short temporary loss of access to the launch at some point when those construction activities take place. For more information on Loggy Bayou WMA, contact Jeff Johnson at [jjohnson@wlf.la.gov](mailto:jjohnson@wlf.la.gov) or 318/371-3050.

### **Personal Watercraft on Select Department Managed Areas**

The Louisiana Wildlife and Fisheries Commission (LWFC) adopted an amendment at their April 7 meeting that would allow the use of personal watercraft (PWC) on water bodies within areas managed by the Louisiana Department of Wildlife and Fisheries (LDWF).

If approved, the proposal would allow PWCs on Catahoula Lake as well as Biloxi, Boeuf, Manchac, Maurepas Swamp, Pearl River and Pointe-Aux-Chenes Wildlife Management Areas.

LDWF is requesting input from the general public on this proposed amendment. Comment will only be accepted until the next meeting scheduled for May 5 beginning at 9:30 a.m. and should be made to Randy Myers at 225/765-2359 or [rmyers@wlf.la.gov](mailto:rmyers@wlf.la.gov).

### **2011 Dates Announced for White Lake Facilities Use by Groups Conducting Non-Consumptive Activities**

The Louisiana Department of Wildlife and Fisheries (LDWF) has designated selected dates between April 19 and July 12, 2011, for public use of facilities at the White Lake Wetlands Conservation Area (WCA).

White Lake WCA is located south of Gueydan in Vermilion Parish. LDWF owns and manages lodge facilities and 71,000 acres of wetlands and marsh land. The lodge facilities, accessible only by water, will be available for day-use or overnight use at rental rates that vary based on level of services required by the group using the site. Boat transportation to and from the site will be provided as part of the day use and overnight use access for 2011 group use dates.

The facilities and landscape are ideal for birding groups, nature photographers, environmental or wetland ecology students, or small business retreats. LDWF can provide site staff for guided boat tours and biologists for lectures on the ecosystem within the conservation area, which now includes an experimental population of whooping cranes.

White Lake WCA and the surrounding Mermentau River Basin provide abundant habitat for a variety of avian and aquatic species. The property will seasonally have migrant passerine birds, shorebirds, wading birds, rails, gallinules and the common moorhen. Hawks and owls are also common. Coastal terns and gulls use habitat contained on White Lake at times. Several large breeding rookeries of waders are present on the property. Most notably, along Blackfish Bayou, buttonbush growth supports a rookery with a large number of black-crowned night herons.

Access dates and fees for 2011 are as follows:

#### *SCHEDULE FOR NON-CONSUMPTIVE ACTIVITIES AT WHITE LAKE WCA*

Day trips: April 26; May 3 and 17; June 7 and 21; and July 5 and 12.

Overnight trips: April 19-20; May 10-11; and June 14-15.

FEE SCHEDULE FOR WHITE LAKE WCA FACILITY USE

*Day Use (9 a.m. to 3 p.m.)*

\$300 - Includes one-day use of Lodge for meetings with no food or drink or additional services provided by LDWF. (For up to 15 people.)

\$300 + \$10/person - Includes one-day use of Lodge for meetings with coffee, cold drinks and bottled water provided. (For up to 15 people.)

\$300 + \$20/person - Includes one-day use of Lodge for meetings with coffee, cold drinks, bottled water and lunch provided. Lunch provided (for up to 15 people) will consist of a sandwich tray and chips or something similar. It will not include a hot lunch.

Exemptions from day-use Lodge rental fee: State agencies, local and federal agencies and universities conducting research, or educational activities, conducted in cooperation with LDWF. Costs for beverages or lunch may apply (\$10/person for drinks, \$20/person for drinks and lunch).

*Overnight Use (arrive 2-4 p.m. day 1; depart 1 p.m. day 2)*

\$400 + \$25/person/night --Includes overnight stay at Lodge with only linens provided. (For up to 12 people.)

\$400 + \$35/person/night -- Includes overnight stay at Lodge with coffee, cold drinks, bottled water and linens provided. (For up to 12 people.)

\$900 + \$35/person/night -- Includes overnight stay at Lodge with coffee, cold drinks, bottled water, meals (breakfast, lunch and supper) and linens provided. (For up to 12 people.)

Exemptions from overnight Lodge rental fee: State agencies, local and federal agencies and universities conducting research, or educational activities, conducted in cooperation with LDWF. Costs for beverages or lunch may apply (\$10/person for drinks, \$20/person for drinks and lunch).

*Skeet Range*

\$10/person/25 clay pigeons.

\$15/person/25 clay pigeons, 25 shotgun shells provided.

Exemptions – Any persons using the skeet range at LDWF-sponsored events.

*Boat Tours*

\$10/person/ride. Limited to authorized function attendees.

Exemptions: Any state, local or federal agency working in cooperation with the LDWF on cooperative initiatives or universities/conservation organizations working with LDWF on cooperative research projects, or educational activities conducted in cooperation with LDWF.

## GULF OF MEXICO RULE CHANGES

### **Gulf of Mexico Red Snapper Quota Increases and Recreational Red Snapper Season** *SMALL ENTITY GUIDE*

NOAA Fisheries Service has published a final rule implementing increases in the commercial and recreational red snapper quotas in the Gulf of Mexico from 3.542 and 3.403 million pounds (MP) to 3.66 and 3.525 MP in 2011, respectively. A recent red snapper assessment update projected overfishing (rate of removal is too high) ended in 2009, and therefore, the total allowable catch can be increased from the existing 6.945 MP to 7.185 MP. This action was evaluated in a regulatory amendment to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico. The final rule published in the *Federal Register* on April 29, 2011.

The recreational red snapper season opens June 1, 2011. NOAA Fisheries Service has projected the red snapper recreational quota will be harvested by July 18, 2011. The fishing season will close at 12:01 a.m. July 19, 2011. The 48-day season is the shortest season to date since the Gulf of Mexico Fishery Management Council chose to begin the season on June 1, and is, in part, the result of the increasing size of the fish being landed. Between 2007 and 2010, the average weight of a red snapper landed in the Gulf of Mexico increased from 3.32 to 5.34 pounds per fish. Between 2007 and 2008, there was a 29 percent increase in the average weight of red snapper landed. Between 2008 and 2009 there was an 18 percent increase in the average weight of red snapper landed. Between 2009 and 2010 there was a 5.4 percent increase in the average weight of red snapper landed. Between 2010 and 2011, stock assessment projections indicate average weight will increase by 10 percent. The observed increases in average weight appear to be tracking stock assessment projections, but at a slightly lower rate of increase. Increases in average weight are expected as the stock rebuilds and the number of older, larger fish in the population increases. For more information on how the red snapper season length was calculated, refer to a document titled "2011 Recreational Red Snapper Quota Closure Analysis" located on the Southeast Regional Office's website (see below).

This bulletin serves as a Small Entity Compliance Guide, complying with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. This bulletin provides only a summary of the information about the rule. Discrepancies between this bulletin and the rule as published in the *Federal Register* will be resolved in favor of the *Federal Register*.

Copies of the final rule are available by contacting NOAA Fisheries Service's Southeast Regional Office at 263 13th Avenue South, St. Petersburg, Florida 33701. The final rule can be obtained in electronic form from the *Federal Register* website: <http://www.gpoaccess.gov/fr/index.html> (use advanced search for final rules using "BA54" as a keyword).

### **Closed Season for the Recreational Harvest of Greater Amberjack in the Gulf of Mexico** *SMALL ENTITY GUIDE*

NOAA Fisheries Service has published a final rule to establish a June 1 through July 31 seasonal closure for recreational harvest of greater amberjack in or from the Gulf of Mexico (Gulf) federal waters. The intended effect of the rule is to maintain the rebuilding plan targets for the overfished

greater amberjack resource, reduce the likelihood of exceeding the recreational quota for greater amberjack, minimize the length of in-season quota closures for greater amberjack during peak recreational fishing months, and increase social and economic benefits for Gulf recreational fishers by maximizing the number of fishing days available to the recreational sector.

*Background:* In 2009, the recreational sector exceeded its greater amberjack quota. The recreational sector was closed on Oct. 24 after NOAA Fisheries Service projected the recreational quota was met. Final landings indicated the recreational quota was exceeded by 9 percent. In accordance with established accountability measures, the recreational quota for 2010 was reduced to account for this overage.

In response to this quota closure, the Gulf of Mexico Fisheries Management Council developed a regulatory amendment to establish a fixed closed season to the harvest of greater amberjack by the recreational sector. Based on public input, the council selected to have a seasonal closure during June and July. These are peak recreational harvesting months of greater amberjack; closing federal waters during this time frame is expected to allow recreational fishing for greater amberjack to occur in all other months of the year, without exceeding the quota before year's end.

This two month closure coincides with the open recreational seasons for other managed reef fish species, including red snapper, and provides recreational fishers the opportunity to fish for at least one of the targeted species year round (provided the recreational quota for greater amberjack is not exceeded). A closed season for Gulf greater amberjack that overlaps with an open season for Gulf red snapper is intended to minimize the social and economic impacts to recreational fishers in the Gulf.

This bulletin serves as a Small Entity Compliance Guide, complying with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. This bulletin provides only a summary of the information about the rule. Discrepancies between this bulletin and the rule as published in the *Federal Register* will be resolved in favor of the *Federal Register*.

Copies of the final rule are available by contacting NOAA Fisheries Service's Southeast Regional Office at 263 13th Avenue South, St. Petersburg, Florida 33701. The final rule can be obtained in electronic form from the *Federal Register* website: <http://www.gpoaccess.gov/fr/index.html> (use advanced search for final rules using "BA48" as a keyword).

## **2011 Recreational and Commercial Quotas for Greater Amberjack in the Gulf of Mexico**

NOAA Fisheries Service has published a rule adjusting the recreational and commercial quotas for greater amberjack, based on final 2010 landings data. Both sectors exceeded their quotas for 2010. In addition, NOAA Fisheries Service projects that the remaining commercial quota for 2011 will be met by June 17, 2011; therefore, the commercial sector will be closed at 12:01 a.m. local time, June 18, 2011. In 2008, NOAA Fisheries Service issued a final rule establishing commercial and recreational quotas for greater amberjack and accountability measures that adjust the quotas following an overage of a sector's quota.

### *Commercial Quota and Closure*

For 2010, the 503,000-pound (lb) commercial quota was adjusted to 373,072 lb to account for a 2009 overage, and the commercial sector was closed on Oct. 28, 2010, when available data indicated the quota had been met. Final 2010 landings data indicate that an additional 123,956 lb were not initially captured by the reporting system. Final landings provided by NOAA Fisheries Service's Southeast Fisheries Science Center (SEFSC) indicate 562,172 lb were landed by the commercial sector in 2010, for an overage of 189,100 lb. Therefore, NOAA Fisheries Service has published a rule to adjust the 2011 commercial quota to account for this overage, establishing a 2011 quota of 313,900 lb.

The SEFSC estimates 189,618 lb of greater amberjack was landed by the commercial sector during January and February 2011.

The commercial harvest of greater amberjack is prohibited from March 1 through May 31 to protect spawning aggregations, and the fishing season re-opens on June 1. The SEFSC projects that the remaining 124,282 lb of the adjusted quota established by this rulemaking will be harvested by June 17, 2011. Therefore, this rule will set a commercial closure for greater amberjack in the Gulf of Mexico of 12:01 a.m. June 18, 2011.

### *Recreational Quota*

For 2010, the 1,368,000-lb recreational quota for greater amberjack was adjusted to 1,243,184 lb to account for a 2009 overage. Because of the extensive fishery area closures established in response to the Deepwater Horizon MC252 oil spill, recreational fishing effort was severely curtailed during the summer period. NOAA Fisheries Service monitored recreational landings and projected that the quota would not be met during 2010. When final recreational landings data for 2010 became available, it was determined the 2010 adjusted quota was exceeded by 52,776 lb; a very high spike of landings occurred in September and October, leading to the slight overage. Therefore, this rulemaking would adjust the 2011 recreational quota from 1,368,000 lb to 1,315,224 lb.

With upcoming rulemaking to establish a June-July seasonal closure to recreational fishing for greater amberjack, NOAA Fisheries Service does not expect the recreational sector to exceed its quota for 2011. NOAA Fisheries Service will monitor recreational landings and take appropriate action if landings appear they will meet the quota before the end of the fishing year.

### **Gulf Grouper Recreational Season**

The Gulf of Mexico Fishery Management Council reminds the public that the recreational harvest of shallow-water groupers in the Gulf of Mexico federal waters reopened April 1. Please note the recreational harvest of gag grouper is still prohibited.

The annual closure of Gulf recreational shallow-water grouper fishery, which includes gag, black, red, yellowfin, scamp, yellowmouth, rock hind and red hind, runs from Feb. 1 through March 31, and it is designed to protect gag, which are often found and caught with the other grouper species. The two-month closure during spawning season helps reduce overfishing of gag and rebuild its populations so that larger annual harvests may be possible in the future.

For more information regarding federal fishing regulations, visit: [http://www.gulfcouncil.org/fishing\\_regulations/index.php](http://www.gulfcouncil.org/fishing_regulations/index.php).

### **Commercial King Mackerel Fishing to Close in the Northern Florida West Coast Subzone**

Harvest of king mackerel will be prohibited beginning 12:01 a.m., local time, April 4, 2011, for commercial vessels fishing in the northern Florida west coast subzone. NOAA Fisheries Service has determined the 2010/2011 commercial quota of 168,750 pounds of king mackerel from this subzone has been reached. The closure will remain in effect through the end of the fishing year, June 30, 2011.

The northern Florida west coast subzone is located in federal waters of the Gulf of Mexico north of 26°19.8' N lat. (a line directly west from the Lee/Collier County, Florida boundary) and east of 87°31.1' W long. (a line directly south from the Alabama/Florida boundary).

Prohibition of commercial king mackerel fishing in the Gulf of Mexico northern Florida west coast subzone complies with regulations implemented under the Fishery Management Plan for Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic and is necessary to protect the Gulf group king mackerel resource. In cooperative actions, the state of Florida is expected to close commercial harvest of king mackerel concurrently in adjoining state waters.

During the closure period, no person aboard a vessel for which a commercial permit for king mackerel has been issued may fish for or retain Gulf group king mackerel in federal waters of the closed subzone. There is one exception, however, for a person aboard a charter vessel or headboat. A person aboard a vessel that has a valid charter/headboat permit and also has a commercial king mackerel permit for coastal migratory pelagic fish may continue to retain king mackerel in or from the closed subzone under the two-fish daily bag limit, provided the vessel is operating as a charter vessel or headboat. Charter vessels or headboats that hold a commercial king mackerel permit are considered to be operating as a charter vessel or headboat when they carry a passenger who pays a fee or when more than three persons are aboard, including operator and crew.

During the closure, no king mackerel caught in the closed subzone may be purchased, bartered, traded or sold. This includes recreational and tournament-caught fish. The prohibition of sale, however, does not apply to trade in king mackerel that were harvested, landed ashore and bartered, traded or sold before the closure and held in cold storage by a dealer or processor. This bulletin provides only a summary of the information regarding the existing regulations. Any discrepancies between this bulletin and the regulations as published in the *Federal Register* will be resolved in favor of the *Federal Register*.

### **Gulf Council Conducting Public Hearings on Several Proposed Amendments**

The Gulf of Mexico Fishery Management Council has scheduled a series of public hearings on the following proposed amendments:

Amendment 18 to the Coastal Migratory Pelagic Resources (Mackerel) contains alternatives for actions to set Annual Catch Limits and Accountability Measures for Gulf group king mackerel, Gulf group Spanish mackerel and Gulf group cobia. It also contains measures to remove cero, little tunny, dolphin and bluefish from the fishery management plan, revise the framework procedure and separate cobia into Atlantic and Gulf migratory groups.

Joint Amendment 10 to the Spiny Lobster Fishery Management Plan establishes Annual Catch Limits and Accountability Measures for Caribbean spiny lobster. This amendment includes additional actions addressing modifications to the Fishery Management Unit; updates to protocol for Enhanced Cooperative Management; regulations regarding the possession of undersized lobsters as attractants for the commercial trap fishery; permit requirements for tailing spiny lobster; sector allocations; limiting spiny lobster fishing areas to protect threatened corals and requirements for gear marking of all spiny lobster trap lines.

Generic Amendment for Annual Catch Limits/Accountability Measures (ACLs/AMs) contains actions to delegate management of selected species to the other agencies; remove selected species from the fishery management plans; group species for purposes of setting annual catch limits and annual catch targets; establish an acceptable biological catch control rule, an annual catch limit/annual catch target control rule, a generic framework procedure, initial specification of annual catch limits and annual catch targets for stocks still in need of such specification, the apportionment of the black grouper, yellow tail snapper, and mutton snapper stocks between the Gulf and South Atlantic Council jurisdictions; set commercial and recreational allocation of black grouper within in the Gulf Council's jurisdiction; and establish accountability measures to keep catch levels within their annual catch limits or take corrective action if they exceed the limits.

Reef Fish Amendment 32 will establish annual catch limits and annual catch targets for 2012 to 2015 for gag and for 2012 for red grouper. The amendment contains actions to establish a rebuilding plan for gag; set recreational bag limits, size limits and closed seasons for gag/red grouper in 2012; consider a commercial gag and shallow-water grouper quota adjustment to account for dead discards; make adjustments to multi-use IFQ shares in the grouper individual fishing quota program; reduce the commercial gag size limit; modify the offshore time and areas closures; and establish gag, red grouper, and shallow-water grouper accountability measures.

The hearings will be held May 2, 2011, through May 18, 2011, at various locations throughout the Gulf of Mexico. All hearings will begin at 6 p.m. local time, and will conclude no later than 9 p.m. The meeting schedule is as follows:

Monday, May 2, 2011

*ACLs/AMs*

Hilton St. Petersburg Carillon Parkway  
950 Lake Carillon Drive  
St. Petersburg, FL

*ACLs/AMs*

Clarion Hotel  
12635 South Cleveland Ave  
Fort Myers, FL

*Mackerel*  
 Best Western  
 7921 Lamar Poole Road  
 Biloxi, MS

Tuesday May 3, 2011

*Amendment 32*  
 Hilton St. Petersburg Carillon Parkway  
 950 Lake Carillon Drive  
 St. Petersburg, FL

*Amendment 32*  
 Clarion Hotel  
 12635 South Cleveland Ave  
 Fort Myers, FL 33907

*Mackerel*  
 Fairfield Inn & Suites  
 3111 Loop Road  
 Orange Beach, AL

Wednesday May 4, 2011

*Amendment 32*  
 Banana Bay Resort  
 4590 Overseas Hwy  
 Marathon, FL

*Mackerel*  
 Boardwalk - Royal American Beach Getaways  
 9400 S. Thomas Drive  
 Panama City Beach, FL

Thursday May 5, 2011

*ACLs/AMs*  
 Banana Bay Resort  
 4590 Overseas Hwy  
 Marathon, FL

Monday May 9, 2011

*Mackerel/Spiny Lobster*  
 Sirata Beach Resort  
 5300 Gulf Blvd  
 St. Pete Beach, FL

*ACLs/AMs and Amendment 32*  
 Renaissance Riverview Plaza  
 64 South Water Street  
 Mobile, AL



*ACLs/AMs*

Boardwalk - Royal American Beach Getaways  
 9400 S. Thomas Drive  
 Panama City Beach, FL

Tuesday May 10, 2011*ACLs/AMs and Amendment 32*

Hilton  
 5400 Seawall Blvd  
 Galveston, TX

*ACLs/AMs and Amendment 32*

Best Western  
 7921 Lamar Poole Road  
 Biloxi, MS

*Amendment 32*

Boardwalk - Royal American Beach Getaways  
 9400 S. Thomas Drive  
 Panama City Beach, FL

Wednesday, May 11, 2011*Amendment 32*

Harte Research Institute  
 Conference Room  
 6300 Ocean Drive  
 Corpus Christi, TX

*ACLs/AMs and Amendment 32*

Hilton Garden Inn  
 4535 Williams Blvd  
 Kenner, LA

Thursday, May 12, 2011*ACLs/AMs*

Plantation Suites & Conference Center  
 1909 Highway 361  
 Port Aransas, TX

Monday, May 16, 2011*Mackerel*

Fisheries Research Lab  
 195 Ludwig Annex  
 Grand Isle, LA

Tuesday, May 17, 2011*Mackerel*

Hampton Inn

506 West Bay Area Blvd.  
Webster, TX

Wednesday, May 18, 2011

*Mackerel*

Plantation Suites & Conference Center  
1909 Highway 361  
Port Aransas, TX

Meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kathy Pereira at the council office five days prior to the meeting.

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 prepares fishery management plans designed to manage fishery resources in the Exclusive Economic Zone of the U.S. Gulf of Mexico.

The Gulf of Mexico Fishery Management Council met in Orange Beach, Ala., the week of April 11, 2011, to address a host of fishery issues, including the overfished status of gag, a generic amendment to address Annual Catch Limits and Accountability Measures, and grouper allocation. During the weeklong meeting, the Council took the following actions:

*Red Snapper*

The council requested that the Southeast Fisheries Science Center rerun the red snapper projections using the 2009-2010 landings data to generate an alternative acceptable biological catch for 2011. The intent of this action is to increase the acceptable biological catch for 2011 so the council can consider adding the red snapper not harvested in 2010 to the 2011 total allowable catch.

No official report was available regarding the duration of the 2011 recreational red snapper season in the Gulf. NOAA Fisheries regional administrator expects that the final numbers will be reported sometime before the end of April 2011 and informally speculated that the 2011 recreational red snapper season would last between 45 and 55 days.

*Grouper Allocation*

For several species, the council establishes commercial and recreational allocations by assigning each sector a percentage of the total allowable catch. The council previously set temporary allocations for gag and red grouper in 2009 through Reef Fish Amendment 30B. The allocation for red grouper is 76 percent commercial and 24 percent recreational; gag is 39 percent commercial and 61 percent recreational; and allocation options for black grouper are included in the Generic ACL/AM amendment. The council plans to discuss and review these interim allocations during a future meeting.

*Reef Fish Amendment 32*

Reef Fish Amendment 32 deals with the rebuilding of the gag stock and the management of red grouper. The amendment looks at management options that include changes in bag limits, size limits, seasonal closures, commercial quota adjustments, adjustments to multi-use commercial IFQ shares, time and area closures, and accountability measures for gag and red grouper. During its

April meeting, the council reviewed the draft amendment and selected preferred alternatives for each action. Amendment 32 is scheduled for public hearings in early May. For more information on public hearing dates and locations please visit [http://www.gulfcouncil.org/council\\_meetings/public\\_hearings\\_scoping\\_meetings.php](http://www.gulfcouncil.org/council_meetings/public_hearings_scoping_meetings.php).

#### Coastal Migratory Pelagics (Mackerel) Amendment 18

Mackerel Amendment 18 public hearings originally scheduled for May will be postponed until sometime shortly after the June council meeting. Amendment 18 addresses annual catch limits, annual catch targets, and accountability measures for cobia, king mackerel, and Spanish mackerel in the Gulf of Mexico.

#### Sector Separation- Review of Scenarios

In this instance, sector separation refers to the division of the recreational sector allocation into separate for-hire and private angler allocations. The Gulf council previously considered sector separation in its Generic Annual Catch Limits and Accountability Measures Amendment; however, it decided to place the issue into a standalone amendment.

At the council's request, NOAA Fisheries presented a projection model that provides the Council and the public with an opportunity to evaluate the relative benefits and tradeoffs of sector separation under a variety of scenarios. The model compares red snapper fishing season lengths with and without sector separation, and it allows for multiple variables and inputs. Twelve example scenarios were presented to the council comparing different allocations; different average red snapper weights; different percentages of state for-hire landings; and different trends in fishing participation. For each example presented, the model generates how the number of fishing days will change and how much the total allowable catch will change for each group. Overall, the results of the model indicated that the for-hire sector benefits from sector separation when their allocation is greater than 46 percent and the private sector benefits from sector separation when their allocation is greater than 54 percent.

#### Gag Interim Rule- Final Action

The council has requested that the U.S. Secretary of Commerce publish an interim rule for gag that will set the 2011 recreational gag season to begin at 12:00 am Sept. 16, closing at 11:59 pm Nov. 15. The commercial quota will be set for 2011 at a total of 430,000 pounds (including the previously released 100,000 pounds).

A 2009 stock assessment determined that gag is both overfished and undergoing overfishing. The council is mandated by the Magnuson-Stevens Act to end overfishing and develop a plan that will rebuild the stock within 10 years. An interim rule was put into place at the beginning of 2011 that set the gag recreational bag limit to zero and limited the gag commercial harvest to 100,000 pounds. This rule was put into place to temporarily end overfishing while management options for the future harvest and rebuilding of gag were developed and implemented through Reef Fish Amendment 32.

#### Greater Amberjack

In October of 2010, the council approved a regulatory amendment to close the recreational greater amberjack season for the months of June and July, and a proposed rule was published in the *Federal Register*. Following a review of the written comments received by NOAA Fisheries and public testimony received during the council meeting, the council took no action, thereby reaffirming its decision to implement a June and July closure. The intent of the closure is to avoid an in-season quota closure during peak economic fishing months.

The council also received the results of the 2010 greater amberjack stock assessment update and the Scientific and Statistical Committee report. The Scientific and Statistical Committee concluded that the update assessment represented the best available scientific information, but felt the projections were not reliable and had too much uncertainty. Based on the control rule, the Scientific and Statistical Committee did not provide specific recommendations about the status of the stock; however, based on the information contained within the assessment, the acceptable biological catch needs to be reduced from the current level. Further, the Scientific and Statistical Committee recommended an overfishing limit of 2.38 million pounds and an acceptable biological catch of 1.78 million pounds. The council requested that staff begin developing an amendment to adjust the total allowable catch.

### **Postponed Public Hearings on Amendment 18 to the Coastal Migratory Pelagic Fishery Management Plan**

The Gulf of Mexico Fishery Management Council will rescheduled a series of public hearings on Amendment 18 to the Coastal Migratory Pelagic Fishery Management Plan. Dates and locations will be announced in the near future.

Amendment 18 to the Coastal Migratory Pelagic Resources (Mackerel) contains alternatives for actions to set Annual Catch Limits and Accountability Measures for Gulf group king mackerel, Gulf group Spanish mackerel and Gulf group cobia. It also contains measures to remove cero, little tunny, dolphin and bluefish from the fishery management plan, revise the framework procedure, and separate cobia into Atlantic and Gulf migratory groups.

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### **Temporary Proposed Regulations to Reset the Gulf of Mexico Commercial Gag Quota and Set a Recreational Gag Fishing Season**

NOAA Fisheries Service announces a temporary rule to reset the commercial quota of gag, continue the suspension of the use of red grouper multi-use individual fishing quota (IFQ) commercial allocation, and set a gag recreational season from Sept. 16 through Nov. 15. The proposed temporary rule published in the *Federal Register* on April 21, 2011, with the comment period ending May 6, 2011.

Gag is considered overfished (population abundance is too low) and undergoing overfishing (rate of removal too high). The Magnuson-Stevens Fishery Conservation and Management Act requires that overfished stocks be rebuilt and that overfishing be halted. The Gulf of Mexico Fishery Management Council recommended NOAA Fisheries Service implement this temporary rule to revise 2011 commercial and recreational measures in light of the rerun of the gag update stock assessment. The council is developing a long-term plan address gag stock rebuilding through Amendment 32 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico.

### Commercial management measures

The rule proposes to increase the 2011 quota from 100,000 pounds to 430,000 pounds. The rerun of the 2009 population assessment update for gag indicated the commercial quota should be reduced from 1.49 million pounds to 500,000 pounds. However, setting the quota at this level assumes equal reductions in both landings and dead discards (fish that die after they are released). Testimony from industry indicated that although gag can be avoided when targeting the capture of other species, gag cannot be completely excluded from the catch and there will be some gag bycatch and associated dead discards. Therefore, the council recommended the quota be set at 430,000 pounds to account for discards. The original 100,000 pound quota was set by the council as they awaited a rerun of the update stock assessment. Until those results were known, the council wanted to be conservative in its actions to harvest gag.

The council asked for the initial 100,000-pound quota to allow incidentally caught gag to be landed and counted against the quota instead of being discarded. The rule also proposes to continue the suspension of the use of red grouper IFQ multi-use allocation, which could be used to harvest gag. If the suspension is not in place, four percent of an IFQ participant's red grouper allocation is converted to multi-use allocation. If the multi-use allocation is used to harvest gag, these additional gag landings would likely allow the harvest to exceed the gag quota. Note that this part of the rule would not reduce an IFQ participant's red grouper allocation. The rule would simply not allow four percent of the total allocation to be converted to multi-use allocation.

### Recreational management measures

For the recreational sector, the rule proposes a 2011 recreational season from Sept. 16 through Nov. 15. The current bag limit of two gag within the four fish aggregate grouper bag limit and the minimum size of 22-inches total length would be in effect during the fishing season. In recommending the proposed season, the council examined several options for the fishing season including summer, fall, and winter openings. They recommended a fall season as a compromise between public testimony for summer and winter seasons. In the analysis supporting this proposed rule, a shorter summer season from July 1 through Aug. 15 was evaluated. Both seasons were sufficient to reduce overfishing, but the proposed season maximizes the season length.

### Request for Comments

Written comments on any portion of the proposed rule must be received no later than May 6, 2011, to be considered by NOAA Fisheries Service. See the Addresses section for information on where and how to submit comments. All comments received by NOAA Fisheries Service will be addressed in the final rule.

Addresses: Electronic copies of the proposed rule and draft environmental assessment may be obtained from the e-Rulemaking Portal at <http://www.regulations.gov> or from NOAA Fisheries Service, Southeast Regional Office, Sustainable Fisheries Division, 263 13th Avenue South, St. Petersburg, FL 33701-5505.

You may submit comments by either of the following methods:

- Electronic Submissions: Federal e-Rulemaking Portal: <http://www.regulations.gov>. Enter the following docket number into the "Search" box: NOAA-NMFS-2011-0072. All comments received are part of the public record and will generally be posted to <http://www.regulations.gov> without change. Comments will be posted for public viewing as they are received. All

personal identifying information (for example, name, address, etc.) voluntarily submitted by the commenter, may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. NOAA Fisheries Service will accept anonymous comments. Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

- Mail: Peter Hood, NOAA Fisheries Service, Southeast Regional Office, Sustainable Fisheries Division, 263 13th Avenue South, St. Petersburg, FL 33701-5505.

Comments received through means not specified in this bulletin will not be considered.

This bulletin provides only a summary of the information pertinent to the rule. Any discrepancies between this bulletin and the rule as published in the *Federal Register* will be resolved in favor of the *Federal Register*.

### **Applicants Sought to Serve on Ad Hoc Head Boat Individual Fishing Quota Advisory Panel**

The Gulf of Mexico Fishery Management Council is seeking applicants for an Ad Hoc Head Boat Individual Fishing Quota Advisory Panel. The panel will investigate a developmental program for a red snapper and gag grouper voluntary Individual Fishing Quota pilot program. Applications will be accepted until May 27, 2011. Panel members are not paid, but are compensated for travel and per diem expenses for attendance at all meetings. Anyone interested in serving on the Ad Hoc Head Boat Individual Fishing Quota Advisory Panel should submit a letter and resume to:

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](mailto:phyllis.miranda@gulfcouncil.org). Resumes and letters should be received no later than close of business May 27, 2011.

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### **OTHER REGULATION CHANGES**

#### **Shallow-Water Grouper, Red Porgy, and Greater Amberjack Fisheries to Reopen in the South Atlantic**

Shallow-Water Grouper: A four-month spawning season closure for shallow-water grouper in the South Atlantic will end at 12:01 a.m., local time, May 1, 2011. The prohibition on recreational and

commercial harvest of gag, black grouper, red grouper, scamp, rock hind, red hind, coney, graysby, yellowfin grouper, yellowmouth grouper and tiger grouper is effective Jan. 1 through April 30 each year.

Red Porgy and Greater Amberjack : The seasonal closure for the commercial fisheries for red porgy and greater amberjack will also end May 1, 2011.

### **Vermilion Snapper to Reopen in the South Atlantic Federal Waters**

The commercial sector for vermillion snapper in federal waters of the South Atlantic from, Cape Hatteras Light, NC (35°15.19' N. latitude), to Key West, FL, will reopen, effective 12:01 a.m. (local time) May 1, 2011, until 12:01 a.m. May 8, 2011. NOAA Fisheries Service has determined the January - June 2011, commercial quota of 315,523 pounds has not yet been met.

Commercial harvest of vermillion snapper closed on March 10, 2011, because NOAA Fisheries Service projected landings would reach the quota by that time. However, an updated report shows that less fish were landed than expected. Based on 2011 daily landings rates and the pounds remaining on the quota, NOAA Fisheries Service has determined commercial harvest of vermillion snapper can reopen for seven days. May 1, 2011, was chosen as the opening day based on feedback from the fishing industry and weather concerns.

The operator of a vessel that has been issued a federal commercial permit for snapper-grouper may not fish for or possess vermillion snapper prior to 12:01 a.m., local time, May 1, 2011, and must have landed and bartered, traded or sold such vermillion snapper prior to 12:01 a.m., local time, May 8, 2011. The prohibition on sale or purchase does not apply to sale or purchase of vermillion snapper that were harvested, landed ashore, and sold prior to 12:01 a.m., local time, May 8, 2011, and were held in cold storage by a dealer or processor.

Commercial harvest of vermillion snapper will remain closed until 12:01 a.m., July 1, 2011. During the closure, all harvest and possession of vermillion snapper in or from closed federal waters of the South Atlantic is subject to the applicable bag and possession limits, and the sale or purchase of vermillion snapper taken from closed federal waters is prohibited. In addition, those bag and possession limits, and the prohibition on sale or purchase apply in state and federal waters of the South Atlantic for a vessel for which a valid federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been issued.

If you would like to receive these fishery bulletins via e-mail as soon as they are published, please e-mail us at [SERO.Communications.Comments@noaa.gov](mailto:SERO.Communications.Comments@noaa.gov).

This bulletin provides only a summary of the information regarding the existing regulations. Any discrepancies between this bulletin and the regulations as published in the *Federal Register* will be resolved in favor of the *Federal Register*.

## Updating Guidelines that Promote Safety in Fisheries Regulations

*Comments sought for improving safety at sea*

NOAA Fisheries Service is seeking public comment on an advanced notice of proposed rulemaking (ANPR) to revise the National Standard 10 Guidelines. National Standard 10 of the Magnuson-Stevens Fishery Conservation and Management Act states “Conservation and management measures shall, to the extent practicable, promote the safety of human life at sea.” The National Standard 10 Guidelines are the primary source of NOAA Fisheries guidance for the consideration of safety issues in fishery management. The ANPR filed with the *Federal Register* on April 20, 2011.

The current National Standard 10 Guidelines were published in 1998. Fishery management and fishing vessel safety science have changed and improved in recent years. NOAA Fisheries Service believes it is appropriate and timely to revise the National Standard 10 Guidelines and is seeking public comment on potential revisions to the guidelines. Through the revision of the guidelines, NOAA Fisheries Service intends to enhance consideration of safety issues in fisheries management. Upon consideration of public input that NOAA Fisheries receives during this comment period, the agency will propose revisions to the National Standard 10 Guidelines, and then will hold another public comment period.

Request for Comments: Written comments regarding the issues in the ANPR must be received by July 20, 2011. See the addresses section for information on where and how to submit comments. Also, a public meeting will be held on May 19, 2011, from 1:00 to 3:00 p.m. at the NOAA Science Center, 1301 East-West Highway, Silver Spring, MD.

NOAA Fisheries Service may hold additional public meetings at other locations around the country during the comment period.

Addresses: Electronic copies of the ANPR may be obtained from the *Federal Register's* website at <http://www.archives.gov/federal-register/public-inspection/>, the e-Rulemaking Portal at <http://www.regulations.gov>, or the NMFS website at [http://www.nmfs.noaa.gov/sfa/domes\\_fish/index.htm](http://www.nmfs.noaa.gov/sfa/domes_fish/index.htm). Written comments and information concerning the ANPR may be submitted by any one of the following methods:

- via the Federal eRulemaking Portal: <http://www.regulations.gov>, using the identifier “0648-BA74”; or
- faxed to 301/713-1193, Attention Debra Lambert; or
- submitted by mail to Debra Lambert, National Marine Fisheries Service, NOAA, 1315 East-West Highway, Room 13403, Silver Spring, MD 20910.

This bulletin provides only a summary of the information pertinent to the ANPR. Any discrepancies between this bulletin and the ANPR as published in the *Federal Register* will be resolved in favor of the *Federal Register*.

Need more information on these topics? Additional information about the National Standard 10 guidelines can be found at: [http://www.nmfs.noaa.gov/sfa/domes\\_fish/index.htm](http://www.nmfs.noaa.gov/sfa/domes_fish/index.htm).



## Public Comment on Draft Environmental Impact Statement for Spiny Lobster in the Gulf of Mexico and South Atlantic

NOAA Fisheries Service is seeking public comment on Draft Environmental Impact Statement (DEIS)/ Amendment 10 to the Fishery Management Plan (FMP) for Spiny Lobster in the Gulf of Mexico and South Atlantic. The Environmental Protection Agency announced the availability of the DEIS on April 15, 2011 (76 FR 21345).

Actions contained within the DEIS include: 1) Removal of four minor lobster species from the FMP; 2) modification of management reference points and status determination criteria; 3) establishment of sector allocations; 4) establishment of an acceptable biological catch rule, annual catch limits, annual catch targets and accountability measures; 5) update of the Framework Procedure and Protocol for Enhanced Cooperative Management; 6) modification of regulations regarding use of undersized lobster as attractants; 7) modification of regulations regarding tailing permits; 8) closure of areas to protect threatened coral species; 9) requirement of trap line markings; and 10) removal of derelict traps.

### Request for Comments

Written comments on this DEIS must be received no later than June 1, 2011, in order to be considered by NOAA Fisheries Service. See the Addresses section for information on where and how to submit comments.

### Addresses

Electronic copies of the DEIS may be obtained from the NOAA Fisheries Service website <http://sero.nmfs.noaa.gov/sf/SpinyLobsterAmendment.htm>, the e-Rule Making Portal <http://www.regulation.gov>, the Gulf Council's Web site <http://www.gulfcouncil.org>, or the South Atlantic Council's website at <http://www.safmc.net>.

For a paper copy contact:  
Sustainable Fisheries Division  
Southeast Regional Office  
NOAA Fisheries Service  
263 13th Avenue South  
St. Petersburg, FL 33701-5505

You may submit comments by any of the following methods:

- Electronic Submissions: Federal e-Rulemaking Portal: <http://www.regulations.gov>. Enter the following docket number into the "Search" box: NOAA-NMFS-2011-0106. All comments received are part of the public record and will generally be posted to <http://www.regulations.gov> without change. All personal identifying information (for example, name, address, etc.) voluntarily submitted by the commenter, may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. NOAA Fisheries Service will accept anonymous comments. Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.
- Mail: Susan Gerhart, NOAA Fisheries Service, Southeast Regional Office, Sustainable Fisheries Division, 263 13th Avenue South, St. Petersburg, FL 33701-5505

## Final Rule to Establish Compatible Closures for Queen Conch in the U.S. Caribbean

NOAA Fisheries Service has published a final rule to the Regulatory Amendment to the Fishery Management Plan for Queen Conch Resources of Puerto Rico and the U.S. Virgin Islands (U.S.V.I.) Establishing Compatible Closures. The Caribbean Fishery Management Council submitted the regulatory amendment and associated finding of no significant impacts for review, approval and implementation by NOAA Fisheries Service. The final rule was published in the *Federal Register* on April 29, 2011, (76 FR 23907) and the provisions will be effective May 31, 2011.

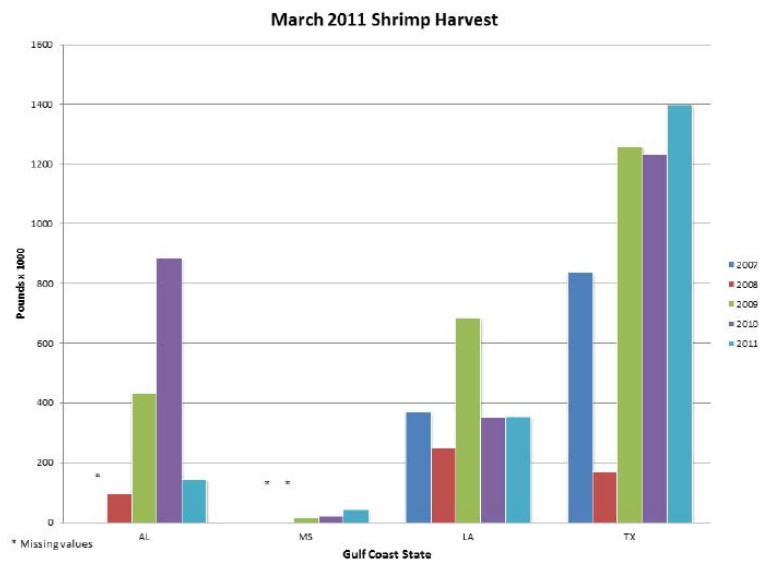
The final rule will establish compatible closures with the U.S.V.I. territorial regulations for queen conch. In St. Croix, U.S.V.I. territorial waters, queen conch is managed under a 50,000 pound quota and a seasonal closure from June 1 through Oct. 31.

Under the final rule, NOAA Fisheries Service will close the queen conch fishery after the local government has determined the quota in St. Croix has been reached. The final rule will also extend the seasonal closure in federal waters to June 1 through October 31, each year, consistent with the territorial seasonal closure.

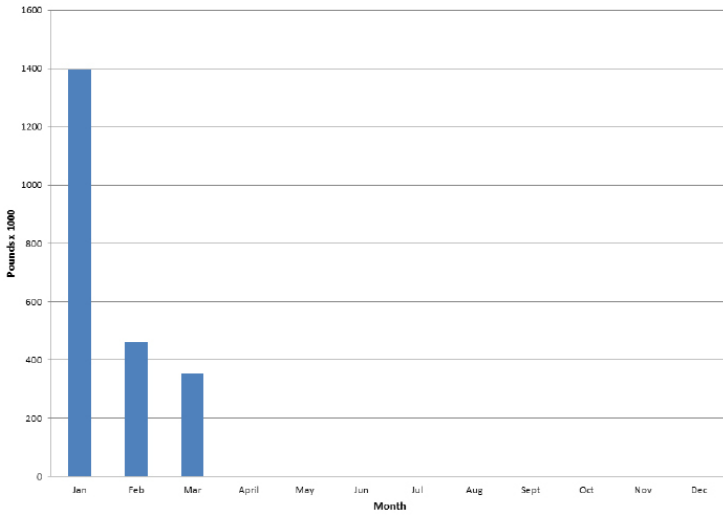
Need more information on these topics? Frequently Asked Questions: Management of Queen Conch in Federal Waters: [http://sero.nmfs.noaa.gov/sf/pdfs/Queen\\_Conch\\_Reg\\_Amendment\\_FAQs\\_April2011.pdf](http://sero.nmfs.noaa.gov/sf/pdfs/Queen_Conch_Reg_Amendment_FAQs_April2011.pdf) at the Southeast Regional Office's web page: <http://sero.nmfs.noaa.gov>.

## Louisiana Shrimp Watch

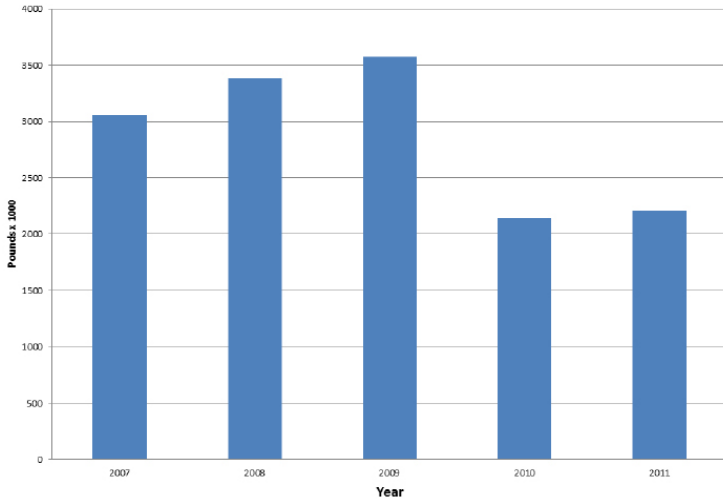
Louisiana specific data portrayed in the graphics are selected from preliminary data posted by NOAA on their website. All data portrayed are subject to final revision and approval by NOAA. Shrimp landings are ex-vessel prices, inclusive of all species harvested. Missing, inadequate or withheld reports are portrayed as "zero" in these graphics. Price graphics reflect central Gulf states only (Texas and Florida are reported independently). For more information, please refer to: [www.st.nmfs.noaa.gov/st1/market\\_news/index.html](http://www.st.nmfs.noaa.gov/st1/market_news/index.html).



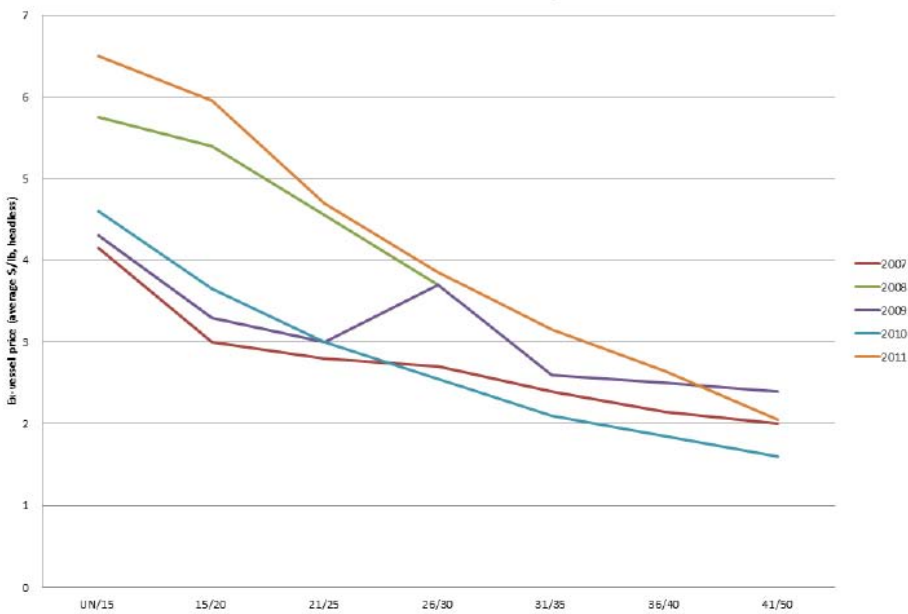
LA 2011 Shrimp Harvest



LA Year To Date 2011 Shrimp Harvest



March Northern GoM Shrimp Prices



## The Gumbo Pot

If you have a favorite seafood recipe that you would like to share, please send it to Julie Anderson [janderson@agcenter.lsu.edu](mailto:janderson@agcenter.lsu.edu) for inclusion in future issues.



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We would like to hear from you! Please contact us regarding fishery questions, comments, or concerns you would like to see covered in the Lagniappe. Anyone interested in submitting information, such as articles, editorials, or photographs pertaining to fishing or fisheries management is encouraged to do so.

**Please contact Lagniappe editor Julie Anderson at [janderson@agcenter.lsu.edu](mailto:janderson@agcenter.lsu.edu)**

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