

COASTAL CONSERVATION ASSOCIATION



Red Snapper Recovery



Briefing Document

UNITED IN CONSERVATION

ALABAMA CONNECTICUT FLORIDA GEORGIA LOUISIANA MAINE MARYLAND MASSACHUSETTS
MISSISSIPPI NEW HAMPSHIRE NEW YORK NORTH CAROLINA SOUTH CAROLINA TEXAS VIRGINIA



News Release

Coastal Conservation Association

6919 Portwest, Suite 100, Houston, TX 77024

Email: tvenker@joincca.org Website: www.joincca.org

FOR IMMEDIATE RELEASE: March 29, 2005

CONTACT: Ted Venker, 1-800-201-FISH

CCA Legal Action Demands Emergency Measures for Red Snapper

HOUSTON, TX – Convinced that current management efforts to recover red snapper stocks are destined to fail, Coastal Conservation Association (CCA) has petitioned the Secretary of Commerce to put emergency measures into effect to end the overfishing of red snapper by the Gulf of Mexico shrimp fleet.

“We are not going to get a recovery of the red snapper stock based on the existing management plans,” said CCA Government Relations Committee Chairman Fred Miller. “It simply cannot be accomplished without directly and immediately addressing shrimp trawl bycatch. The Gulf Council is aware of this, but has generally chosen to ignore the problem. The next stock assessment will make it clear that this is a problem that cannot be ignored any longer.”

Every year more than 80 percent of juvenile red snapper are caught and killed in shrimp trawls at an average size of 4 inches. Red snapper recovery plans to date have been predicated on bycatch reduction devices (BRDs) developed in the 1990s which held the promise of reducing bycatch by at least 40 percent. However, studies last spring by the National Marine Fisheries Service (NMFS) revealed that BRDs had achieved only a 12 percent reduction. Noncompliance by the shrimping industry was cited as the main reason for the BRDs’ failure to achieve the target reduction.

Given bycatch reduction of 12 percent, even the complete elimination of the directed red snapper fishery, both commercial and recreational, would fail to generate a recovery of the stock within the next 100 years. CCA’s petition is asking the Department of Commerce to exercise its authority to immediately implement a diverse and effective array of management tools, including bycatch quotas, area closures, seasonal closures and effort reduction measures, to achieve significant bycatch reduction on the order of 60-80 percent.

“Enough is enough. Recreational and commercial fishermen have adhered to their quotas, seasons and bag limits, and the shrimping industry has essentially wasted all those efforts,” said David Cummins, CCA president. “We have done all that has been asked of us to rebuild this fishery. It’s time for the shrimpers to accept some responsibility for the current situation.”

CCA has been actively involved in the management of the red snapper fishery for a quarter century and litigated to force the shrimp fleet to install BRDs in 1998. CCA’s demands that the Gulf of Mexico Fishery Management Council meet its own targets on red snapper bycatch in the shrimp trawl fishery over the past year have been ignored, leaving no option but to file the petition.

“This is not an action that we enter into lightly,” said CCA Chairman Walter W. Fondren III. “CCA has tried to work with the Gulf Council and the National Marine Fisheries Service to address the obvious lack of progress in the recovery of red snapper. We are deeply concerned that there has been no action despite our repeated requests. We feel we have no choice but to go to the Secretary and ask for emergency relief.”

###

Red Snapper: How Did We Get Here?

The management of red snapper in the Gulf of Mexico has become one of the most contentious fisheries issues in recent history. As with so many aspects of resource management, agreement among stakeholders is rare. But even within this quagmire of political posturing and bureaucratic red tape, there exist some certainties. First and foremost is CCA's dedication to the future of the red snapper fishery and the participation of recreational anglers within this fishery. To understand the evolving management of red snapper and CCA's involvement, it is important to review the past as we chart a new future.

Although it is difficult to encapsulate the history of red snapper management, there are a few highlights that help map this winding path. The earliest waypoint is represented by records from the late 1880s that show small sailing vessels used dead reckoning and handlines to fish for red snapper solely off the western coast of Florida and managed to land almost 2.5 million pounds of snapper a year.

Fast forward about 100 years and by 1979, the Gulf of Mexico Fisheries Management Council (Gulf Council) had determined that red snapper stocks were overfished. An estimated 87 percent drop in recreational harvest from 1980 to 1984 prompted the Gulf Council to create its "Reef Fish Management Plan." This program became law in 1984 and was implemented by National Marine Fisheries Service (NMFS) in the late 1980s.

The Gulf Council recommended an extensive rebuilding plan for red snapper. An integral part of this program was new and intensive restrictions on commercial and recreational catches coupled with a newfound realization that a majority of juvenile red snapper mortality was caused by shrimp trawls. The rebuilding plan set a time frame and a minimum red snapper biomass as targets for full recovery of the species.

To reach the desired stock number, fisheries managers continued to tighten the belt of commercial and recreational anglers yet were unable to implement bycatch reduction devices (BRDs) to reduce commercial Gulf shrimpers' impact on juvenile red snapper numbers. More than 80 percent of every year class of Gulf red snapper is caught and killed in shrimp trawls at an average size of 4 inches. Unfortunately, a 1990 congressional mandate prevented BRDs from being required in federal waters.

Reauthorization of the Magnuson Act into the Magnuson-Stevens Fishery Conservation and Management Act in 1996 forever changed the arena of federal fisheries management. Within this vital document are the components needed for the prevention of overfishing, addressing the issue of bycatch, and rebuilding overfished fisheries. A floor amendment allowed the Gulf Council to now treat shrimp-fishery bycatch like any other in the country.

A last-minute amendment added to the law changed the recreational red snapper “allotment” to a “quota.” The law requires NMFS to close a fishery when its “quota” is reached. Thus, this change in terminology resulted in the 1997, 1998, and 1999 recreational closures for red snapper when the total allowable catch (TAC) was reached.

By law, the rebuilding process for red snapper must not take more than 29 years. For this to be an attainable goal, NMFS had to address the problem of bycatch in the shrimping industry. In the spring of 1998, the Gulf Council passed an amendment to require BRDs for shrimp trawls in federal waters. The weight of the recovery of the red snapper fishery was now being extended to Gulf shrimpers.

With the BRD requirement in place, red snapper recovery was premised on closed seasons, commercial quotas, recreational bag limits and a 40 percent reduction in bycatch due to BRDs.

The introduction of BRDs in 1998 allowed recreational and commercial anglers to roughly split a 9.12 million-pound annual Total Allowable Catch (TAC). The only thing that curtailed an effort to reduce the TAC to 6 million pounds in 1998 was the implementation of BRDs.

Assessment work by the Gulf of Mexico Fishery Management Council over the last year indicates that these measures have not had the desired effect on red snapper stocks, despite adherence to those quotas by both commercial and recreational fishers. The average recreational catch from 2000-03 was

4.091 million pounds a year, 8 percent below the allocated 4.469 million pounds per year. Commercial landings over the same period averaged 4.663 million pounds, slightly above the 4.651 million pound annual quota.

While the quota targets have largely been met, studies last spring by the National Marine Fisheries Service (NMFS) revealed that BRDs had achieved only a 12 percent reduction in red snapper bycatch in the shrimp trawl fishery. Non-compliance by shrimpers was cited as the primary reason for this failure. This failure by the Gulf’s shrimp industry to honor their part of the red snapper recovery plan is now placing that effort in jeopardy.

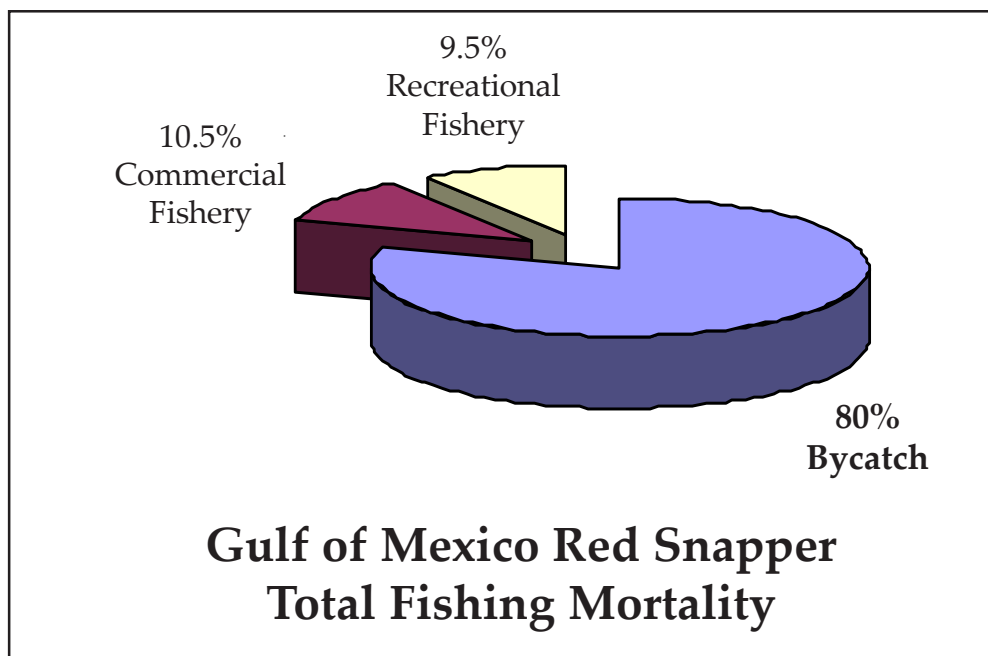
This year fishery managers will be confronted with a short list of options for red snapper that will undoubtedly include further reduced commercial quotas, tighter recreational bag limits, and shorter seasons for both recreational and commercial fishermen.

The Gulf Council has recently completed an outline for recovery of red snapper which includes strong quantitative guidelines to define overfishing and optimal yield, and lays out the pathway for a 30-year recovery effort. Coastal Conservation Association (CCA) supports this plan, but notes a significant omission – specific, enforced, bycatch reduction targets for the shrimp fleet.

Given these results and in light of the continuing decline in red snapper populations, it is apparent to CCA that the future of this stock is not tied to further restrictions on recreational or commercial harvest. Appropriate management effort and focus must be placed on red snapper bycatch in the Gulf shrimp trawl fishery.

Red Snapper Talking Points

- More than 80 percent of every year class of Gulf red snapper is caught and killed in shrimp trawls at an average size of 4 inches. From 2005 assessment results, the actual spawning potential of the remaining stock today is estimated at less than 10 percent of a healthy population.
- Management action to restore red snapper stocks decimated by overfishing and shrimp trawl bycatch has led to a total allowable catch (TAC) of about 9 million pounds for the entire Gulf of Mexico. The average recreational catch from 2000-03 was 4.091 million pounds a year, 8 percent below the allocated 4.469 million pounds per year. Commercial landings over the same period averaged 4.663 million pounds, slightly above the 4.651 million pound annual quota.
- Red snapper recovery efforts to date have been premised on a 40 percent reduction in bycatch, closed seasons, commercial quotas and recreational bag limits. While the quota targets have largely been met, studies last spring by the National Marine Fisheries Service (NMFS) revealed that BRDs had achieved only a 12 percent reduction in red snapper bycatch in the shrimp trawl fishery. Non-compliance by shrimpers was cited as the primary reason for this failure.
- The Gulf Council has recently completed an outline for recovery of red snapper which includes strong quantitative guidelines to define overfishing and optimal yield, and lays out the pathway for a 30-year recovery effort. Coastal Conservation Association (CCA) supports this plan, but notes a significant omission – specific, enforced, bycatch reduction targets for the shrimp fleet.
- It is generally acknowledged that even if the entire directed red snapper fishery was eliminated, red snapper would never recover with current shrimp trawl bycatch reduction rates.



**Coastal Conservation Association Position
The Gulf of Mexico Fishery Management Council
Red Snapper Rebuilding Plan
(Amendment 22)**

- CCA generally supports development of this formal rebuilding plan for red snapper. However, we do believe that the current estimate of maximum sustainable yield (MSY) for the Gulf red snapper fishery (41.13 million pounds) is overly optimistic and urge the Council to have this value carefully reconsidered during the coming stock assessment in 2005.
- CCA supports the proposed time frame for rebuilding the stock (32 years) and the proposals to set annual harvest limits by five year intervals.
- Because 99.5% of all red snapper bycatch is taken by the Gulf shrimp fishery, dramatic reduction of shrimp trawl bycatch should receive the highest priority from the National Marine Fisheries Service.
- Again, we note that shrimp trawl bycatch must be reduced to afford the hope of a healthy resource in the future. Amendment 22 notes this problem but does not propose any new regulations to further reduce shrimp trawl bycatch. We ask that the Council vigorously pursue this issue in Amendment 14 to the Shrimp Fishery Management Plan. We support a hard bycatch quota for the shrimp fleet to reduce juvenile red snapper bycatch.



News Release

Coastal Conservation Association

6919 Portwest, Suite 100, Houston, TX 77024

Email: tvenker@joincca.org Website: www.joincca.org

FOR IMMEDIATE RELEASE: January 31, 2005

CONTACT: Ted Venker, 1-800-201-FISH

Conservationists Demand Gulf Council Action on Shrimp Bycatch of Red Snapper

HOUSTON, TX – Coastal Conservation Association (CCA) expressed its frustration with the Gulf of Mexico Fishery Management Council’s management of red snapper in a letter demanding the Council meet its own targets on red snapper bycatch in the shrimp trawl fishery.

Every year more than 80 percent of juvenile red snapper are caught and killed in shrimp trawls at an average size of 4 inches. Bycatch reduction devices (BRDs) developed in the 1990s held the promise of reducing bycatch by at least 40 percent, but studies last spring by the National Marine Fisheries Service (NMFS) revealed that BRDs had achieved only a 12 percent reduction.

“Recreational and commercial fishermen have been kept to strict quotas, bag limits and short seasons in an effort to rebuild red snapper, yet it continues to lose ground,” said David Cummins, CCA President. “Faced with likely reductions in the total allowable catch, it is difficult for us to understand why the Council does not call for measures which will achieve the bycatch reductions. Continuing down the same path is a non-starter with us.”

CCA is urging the Council to include options in an upcoming amendment to the Shrimp Fishery Management Plan that will allow for a diverse and effective array of management tools to focus on significant bycatch reduction. Specifically, CCA is calling for increased federal funding for research on more effective BRD technology, greater enforcement of BRD regulations and stiffer penalties for violators, a formal cap on bycatch backed up by improved protection for known red snapper nursery grounds, and a federal buyback program to reduce overcapitalization in the shrimp fishery.

CCA will also enhance its own existing efforts to rebuild red snapper stocks by organizing an artificial reef program in the U.S. Gulf of Mexico to increase snapper habitat and by coordinating funding for science on recreational red snapper bycatch mortality.

“Recreational and commercial fishermen have carried their share of the load to recover this fishery. They have seen their seasons and bag limits shrink time and again, and all for naught,” said Fred Miller, chairman of CCA’s Government Relations Committee. “It is now apparent that fiddling with our quotas and seasons is akin to rearranging deck chairs on the Titanic as long as the Council virtually refuses to adequately implement measures to reduce waste in the shrimp fishery. ”

“It is the Council’s responsibility to use all the tools it has available to achieve the bycatch reductions and recover the stock,” Cummins said. “The measures in place today don’t work. It’s time to work on specific action steps that will fix the problem.”

###

January 7, 2005

Ms Julie Morris, Chair
Gulf of Mexico Fishery Management Council
The Commons at Rivergate
3018 North U.S. Highway 301, Suite 1000
Tampa, Florida 33619-2272

COPY

Dear Ms. Morris:

I would like to address two issues coming before the Gulf Council at the coming meeting. With respect to the Final Generic EFH Amendment 3, CCA supports the proposed regulations which would prohibit bottom tending gears and anchoring, and limit the size of weights used on hook-and-line gear over critical areas of coral habitat. We understand the value of such habitat types and believe that the Council's proposals are consistent with good conservation.

We are less supportive of the Council's continued inaction on the issue of red snapper bycatch in Gulf shrimp trawls. While the SEDAR process for red snapper is not yet complete, it is clear that the lack of any substantive reduction in the bycatch and mortality of juvenile red snapper will have a major, negative impact on the directed recreational and commercial fisheries. Faced with likely reductions in TAC, it is difficult for us to understand why the Council does not proceed with great dispatch to promulgate regulations which will actually achieve the bycatch reductions that have been given only lip service for the last decade. We request that the Council include options in Shrimp Amendment 13 which will allow for a diverse and effective array of management tools to focus on bycatch reduction. Such options should include bycatch quotas, area closures, BRDs, seasonal closures and effort reduction measures. We request that the Council set a firm target for bycatch reduction on the order of 60% to 80% from historic levels and achieve that target in the shortest time possible.

While the directed fisheries have been kept to strict quotas, bag limits and short seasons in an effort to rebuild this valuable stock, the Gulf shrimp fleet has ignored regulations requiring the proper installation and use of BRDs and has continued to prevent a recovery in this fishery. It is hard to understand how eight years after new mandates for bycatch reduction were included in the Magnuson-Stevens Act the Gulf Council has avoided the red snapper/shrimp trawl problem. It seems ill advised for the Gulf Council to risk the loss of their jurisdiction in these fisheries to the judicial system through continued inaction.

We look forward to positive Council action on these matters at the coming January meeting in Baton Rouge.

Sincerely,

David Cummins

February 25, 2005

Ms. Julie Morris, Chair
Gulf of Mexico Fishery Management Council
The Commons at Rivergate
3018 North U.S. Highway 301, Suite 1000
Tampa, Florida 33619-2272

COPY

Dear Ms. Morris:

CCA believes that the Gulf Council is jeopardizing the future fishery for red snapper by denying our January request to include bycatch reduction measures in Shrimp Amendment 13. This follows the Council's failure to include substantive measures to reduce juvenile red snapper bycatch mortality in shrimp trawls in Reef Fish Amendment 22. We can only conclude that the Council is choosing to ignore the bycatch reduction mandates contained in the Magnuson-Stevens Act.

The shrimp industry's improper use of BRDs and failure of BRDs to achieve anticipated bycatch reductions has jeopardized the future Gulf red snapper fishery. Previous Council action anticipating a 40% or greater reduction in bycatch from the use of BRDs has now been demonstrated to have been based on false optimism. The directed recreational and commercial red snapper fishery has sacrificed access to the fishery through closed seasons, bag limits and quotas in order to rebuild stocks to healthy levels. We now must anticipate that the necessary reductions in fishing mortality forecast for the regulations contained in the 2000 Regulatory Amendment for red snapper TACs and harvest limits have not occurred and further reductions in harvest may be necessary. Faced with the potentially disastrous impacts these reductions may have on an already decimated recreational fishery we view immediate action by the Council to reduce bycatch mortality as the only viable alternative left.

The Council must take immediate action to achieve bycatch reductions on the order of 80%. Such reductions were anticipated by the Council when it received projections from the Southeast Science Center on the potential outcome of the rebuilding strategy developed in 2000.¹ The scenarios described included the very real possibility that *even given a 40% bycatch reduction*, 80% reductions might be necessary five years into the recovery plan in order to achieve rebuilding in the requisite timeframe.

Amendment 14 must include *preferred* options to achieve such bycatch reductions on a long-term basis. These options should include: bycatch quotas to be tracked by observer data that can be developed to forecast closures; time and area closures, current and improved BRDs; and a directly mandated effort reduction program.

Yours truly,

David Cummins

¹ Powers, J., C.M. Legalt & R. Crabtree. July 2000. Updated Projections for Gulf of Mexico Red Snapper