



Louisiana State University

## **Agricultural Center**

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## **SEA GRANT PROGRAM**



### **LAGNIAPPE**

Dear Friend:

Last month I announced that the budget shortfall for the LSU Agricultural Center would put this newsletter on an every-other-month basis. Fortunately, the Jefferson Parish council at the request of the Jefferson Parish Marine Fisheries Advisory Board has provided funds to tide us over through the fiscal year. I would especially like to thank Councilman Nick Giambelluca and his recreational and commercial appointees (Woody Crews and Preston Battistella) to the Marine Advisory Board for their help.

### **GILLNET LAWSUIT**

Act 1316 of the 1995 Louisiana State Legislature eliminated or severely restricted the use of gill nets, trammel nets and seines in the saltwaters of the state. The Louisiana Seafood Management Council, an umbrella organization of the commercial fishing industry challenged the act in state and federal court on constitutional grounds. In May, Judge Janice Clark of the state court's 19th Judicial District handed down a ruling on the act. Judge Clark ruled two parts of the act unconstitutional.

The act provided for net buy-back and training provisions for commercial netters who were impacted by the legislation. Only eleven netters qualified for the buy-back program. Clark ruled that the the buy-back and training provisions of the Act are woefully inadequate and fail to justly compensate the commercial fishermen. Therefore "....by

failing to justly compensate the commercial fishermen, the state, through Act 1316 has taken property without just compensation."

Her ruling was based on the fact that under Louisiana Revised Statutes 56:640.3 (the Right to Fish Act) the state cannot make illegal the use of a legal method of harvesting fish without biological data showing damage to the species being harvested. Her ruling was that the gear "...was declared illegal without any supporting biological data showing that the gill nets were damaging a particular species of fish." Therefore, property was taken without compensation and this part of the act is unconstitutional.

Clark further ruled that the \$250 license to fish gill nets in federal waters and the \$250 traversing permit were unconstitutional because they conflicted with the Commerce Clause of the U. S. Constitution. This clause denies states the power to unjustifiably discriminate against or burden the interstate flow of articles or commerce.

Clark ruled "...that these assessments do not relate to any increase in administrative costs" and that "...these fees do not contribute in any way to the professed aims of the Act. For these reasons this court finds through these fees the state is exacting more than its just share from interstate commerce."

The court did not overturn any other part of the act because the overturned portions of the act do not prevent the general objectives of the act from being achieved. The court also ruled that the rest of act should not be overturned because the ban on the use of gill nets in state waters is a legitimate attempt by the state to meet its constitutional duty to preserve its natural resources.

According to Louisiana Management Council President, Benny Miller, this ruling will automatically be appealed to the State Supreme Court. The federal court suit over Act 1316 is still pending.

## **CATFISH TASK FORCE**

Two year ago the Louisiana Wildlife and Fisheries Commission established the Freshwater Catfish Task Force. Membership was made up of commercial and recreational catfish fishermen, seafood buyers and advisory biologists. The purpose of the task force was to study the possibility of other methods of management for channel catfish besides the current 11 inch minimum size.

Many southeast Louisiana catfish fishermen and processors would prefer a smaller size limit since farm-raised catfish provide intense market competition for larger fish and a strong specialty market for smaller fish exists on the east coast in Florida, Georgia and the Carolinas. Some other southeastern states even manage channel catfish with no minimum size limit.

The task force approved a recommendation for the creation of a special management area for smaller channel catfish in an area involving parts of St. John, St. Charles, Plaquemines, Jefferson and Lafourche Parishes.

Department of Wildlife and Fisheries biologists studied the proposal and made recommendations for modifications several months later. Unfortunately, for the next three consecutive meetings not enough people attended to make up a quorum, so the final recommendation could not be approved. This was primarily due to poor attendance by north and central Louisiana task force members who did not have strong feelings either way about the proposal.

As it now stands, the task force is officially over, the commission has not established another task force, and a final agreement on an experimental management program is done except for approval by the task force. The Wildlife and Fisheries Commission is unlikely to take any action without final task force/department agreement. It is possible that the 1997 legislature could take action if both parties continue to support an experimental program.

## **FLOUNDER BIOLOGY**

With the recent changes in southern flounder regulations more people have become interested in the biology of this fish. Its Latin name Paralichthys lethostigma literally means "parallel fish that forgot its spots." Its range in the U. S. is from North Carolina through Texas. They can be found from 100 miles up the Mississippi River in fresh water to full-strength seawater off of our coast, although most studies show that they are most common in more moderate salinities.

Research in Texas shows that southern flounders move offshore and spawn during October-December. In Louisiana the peak of spawning is in December with some occurring in January. The smallest male capable of spawning found in a Louisiana study was 6.8 inches long and the smallest female was 9.7 inches, however, most mature at a larger size. Studies in other states show different results. In Alabama, only 58% of the females over 12.3 inches were mature and the youngest was four years old. In South Carolina, researchers found that first maturity for males was 9.2 inches and 12.8 inches for females. All males were sexually mature at 12.4 inches and all females at 15.2 inches.

Female southern flounders will spawn several times in a short spawning period producing about 100,000 eggs each. Spawning appears to be triggered by water temperatures of about 56 F degrees and 9 hours of light. Spawning usually occurs between 5 and 9 am.

After hatching, larval southern flounder grow most rapidly in high salinity waters. Young flounders begin to appear in the Louisiana inshore estuaries between January and April and range in size from a 1/4-inch to 2 inches in length. Flounders, like other fish, hatch with one eye on each side of the head. Movement of the right eye to the left side of the head begins when the fish is 1/3 to 1/2 inch in length and is complete when the

fish is 3/4 -inch to 1-inch in length. At this same time the left side develops its dark color and the right side turns white.

Female southern flounders grow more rapidly than males. A study in Georgia show no males more than 16 inches long and one in Texas showed no males over 12.8 inches long. Female flounders grow rapidly their first two years and then slow down. Approximate lengths at ages for females are as follows: Age 1, 10 inches; Age 2, 16.7 inches; Age 3, 18.8 inches; Age 4, 19.6 inches; Age 5, 20 inches; Age 6, 20.4 inches; and Age 7, 20.5 inches. Few females live beyond 7 years old and almost no males make it past 3 years old.

After hatching, southern flounder larvae eat microscopic floating animals (plankton) and as juvenile fish eat bottom animals. At about 6 inches long they adopt their adult diet of fish and shrimp. One study in Lake Ponchartrain showed that 89% of their diet was fish, with 41% being anchovies (sardines). In Barataria Bay, another study showed that 94% of their diet consisted of mullets and anchovies.

In Texas they have noted it as the fish that is the dominant predator of shrimp in the spring and that most of their food was anchovies, mullets, shrimp, menhaden (pogies) and croakers. In Mississippi, southern flounders' stomachs most frequently contained fish, with 1/3 having shrimp in them. Interestingly, as flounders get larger they don't eat larger fish, they just eat higher numbers of small ones.

Recreational harvest of southern flounder was generally equal to or larger than the commercial harvest until 1991, with two especially good years in 1983 and 1986. Since 1991 the commercial harvest has been larger, although there has been no long-term downward trend in recreational harvest. Very few recreational fishermen target flounder as they do speckled trout or redfish. Louisiana has been the largest commercial harvester of flounder in the Gulf for quite a few years. The main gear used to harvest flounders commercially in Louisiana has been the trawl.

Sources: A Biological and Fisheries Profile of Southern Flounder, *Paralichthys lethostigma* in Louisiana by Gerald Adkins, Steve Hein, Paul Meier and Brian McManus - 1996. Louisiana Department of Wildlife and Fisheries, and Final Draft Southern Flounder Stock Assessment. 1996.

### **T.E.Ds ON HOOKS?**

The Texas Shrimp Association and the National Fisheries Institute have served notice to the secretaries of the Departments of Commerce and Interior that they plan to sue them for failing to protect endangered sea turtles from recreational fishing gear. They cite 46 incidences of sea turtles either hooked or entangled in recreational gear in 1980-92 and 69 incidences in 1993-94 in turtles recorded by the Galveston Lab of the National Marine Fisheries Service from northern Texas waters.

According to Wilma Anderson, Executive Director of the Texas Shrimp Association, the shrimp trawling industry is in almost total compliance with TED regulations, yet sea turtles continue to wash up on beaches. She states that the shrimp industry is getting blamed for all of them and more regulations therefore get imposed. Most recently, the National Marine Fisheries Service is proposing to outlaw soft TEDs and bottom-opening TEDs and to reduce the size try nets that can be used without TEDs down to 12 feet.

Recreational industry spokesmen deny the link between their fishery and sea turtle deaths. The Endangered Species Act is very strict, prohibiting even the harassment of an endangered species, let alone their killing.

### **CRAB TRAP ESCAPE RINGS**

A subject often discussed by crab fishermen and during last year by the Louisiana Crab Task Force is the use of escape rings or vents in crab traps to allow crabs under the hard crab legal size limit of 5 inches to escape from crab traps. An escape rings can be made of many materials but most often is simply a thin cross-cut of a PVC pipe that has a larger diameter than the mesh size of the trap. These rings are placed in the wall of the trap in one or more places. In theory, these rings should reduce the time a crabber spends in sorting his legal from his undersized catch and should allow at least some crabs to escape if the trap is lost and becomes a ghost trap.

In order to study the affects of escape rings, a Department of Wildlife and Fisheries biologist conducted several studies using 2.375 inch inside diameter rings in crab traps in Terrebonne Parish. Also tested were square 2 inch vinyl-coated wire escape vents.

The research showed that both escape rings and vents allowed the release of many undersized crabs. Approximately 80% less undersized crabs were caught in these traps compared to traps without rings or vents. In the traps without escape rings 53% of the crabs were under the minimum legal size of 5 inches. In the ones with escape rings 16% were undersize and in the ones with square vents 17% were undersized. No significant change in the catch of legal-sized crabs was seen. The study lasted from April through October.

However, one affect of the use of escape rings, was a dramatic lowering of the catch of peeler crabs, which are used to make softshell crabs. Peeler crab catches were reduced by 55-60% Red line and pink line catches were reduced more than white line. Softshell crabs are the most valuable form of crab being worth about \$18 a dozen. Hard shell blue crab prices averaged 60 cents a pound in 1994 and 75 cents (preliminary) in 1995.

Sources: An Evaluation of Escape Vents in Blue Crab (Callinectes sapidus) Traps, by Vincent Guillory, in Proceeding of the Louisiana Academy of Sciences, 52:29-34, 1989 and Effects of Escape Vents on Catch Rates of Premolt Blue Crabs (Callinectes sapidus by Vincent Guillory in Proceedings of Louisiana Academy of Sciences, 53:20-28, 1990.

## GREENPEACE AND P.E.T.A. ON FISHERIES

Greenpeace, the worldwide conservationist organization has presented a plan designed to make fishing more friendly to the environment. Some highlights from the "Principles for Ecologically Responsible Fisheries."

- \* Large-scale, intensive fishing operations would be replaced by community based fisheries that would use "ecologically safe fishing techniques."
- \* Fishing gear that damages the environment would be phased out.
- \* Governments would stop giving subsidies that increase fishing fleets.
- \* Individual transferable quotas (ITQs) would not be used in management.
- \* Fish buyers would buy seafood only from sellers who use ecologically responsible fishing methods.
- \* Everyone in the seafood industry would contribute some of their earnings to law enforcement, fish population research and to help fishermen change to new fishing methods.
- \* Bycatch on boats would be reduced to near zero. Any remaining bycatch would be brought to shore for sale or released alive.
- \* No fishery would be open or allowed to increase unless there is a scientifically based management plan in place.
- \* When overfishing has severely reduced a fish stock or greatly altered the ecosystem, fishing would be banned.

On another note, the organization "People for the Ethical Treatment of Animals: (PETA) has been active locally. In late 1995 they conducted a survey near the LSU sorority houses on the lakefront. The survey was designed to "find out exactly why people fish." The information could then be used to develop programs that switch their interest to harmless pastimes. Sample questions included:

- \* What do you think it feels like to suffocate?
- \* Do you think fish should be protected in any way?
- \* What do you think makes your pet different from fish?

In their latest release they call sportfishing a bloodsport and state that it "...survives partly because of the misconception that fish don't feel pain." They also criticize catch and release fishing stating that trout in catch and release these streams".... are likely to spend their entire short lives being traumatized and injured.

They also cite the fact that bait suffers as well. Worms produce chemicals associated with pain. Live clams, live eels, pieces of other fishes, chicken necks and bull lips are also used as bait.

They also discuss commercial fishing, calling it "ocean strip-mining" They claim that the worldwide commercial fishery kills 20,000 dolphins, 100,000 seals, whales and porpoises and a million birds a year in addition to sea turtles. They also state that "Seals, otters and dolphins who 'interfere' with commercial catches are sometimes shot."

They close their tract with the following statements "Like hunting or bull fighting, 'sport' fishing entertains at the expense of innocent animals. The fishing industry regards the animals it catches as resources rather than sensitive individuals with needs of their own. Given the suffering fishing inflicts the health hazards to humans who eat fishes' flesh and the heavy toll fishing extracts from all aquatic species and the environment, it makes sense not to fish and not to eat fishes."

Source: National Fisherman Magazine, May 1996 and PETA Fact Sheet "Fishing: Aquatic Agony."

### **OFFSHORE RECREATIONAL FISH RULES TO CHANGE**

The Gulf of Mexico Fishery Management Council is proposing several rule changes in offshore recreational limits. First, the recreational limit for amberjack will be reduced from 3 fish to 1. Also to be included under this limit will be the banded rudderfish and the lesser amberjack as well as the greater amberjack. Only one of any of the three will be allowed, not one of each. The 28 inch fork length minimum size will apply to all three species. The reason for this action, is that some fishermen from the Florida Keys feel there are less amberjack then there used to be.

Also a daily recreational aggregate bag limit reef fish species that don't have a species or species group limit is being prepared. This new limit would apply to vermillion snapper (b-liner), lane snapper, porgies, triggerfish and tilefish amongst other fishes. All other snappers and groupers already have limits. Red snappers are 5 per day. Groupers are 5 per day in aggregate for all species. Gray, mutton, yellowtail, queen, blackfin, cubera, dog, mahogany silk, school master and wenchman snappers are currently 10 per day in aggregate.

### **COUNCIL STILL WORKING ON BYCATCH**

The Gulf of Mexico Fishery Management Council is still working on Amendment 9 to the Shrimp Management Plan. This amendment deals with reduction of finfish bycatch in shrimp trawls in federal waters. The timetable for final council action is November, 1996 with the rules going into effect in May, 1997. During June, the Council's Shrimp Scientific and Statistical Committee, the Shrimp Advisory Panel and the Socioeconomic Panel will all meet onto discuss Amendment 9.

The options that they will consider include (1) not requiring bycatch reduction devices (BRDs) in any waters; (2) requiring BRDs in trawls inside of 100 fathoms only; (3) requiring BRDs only inside of 100 fathoms and west of Cape San Blas, Florida; and (4) requiring BRDs in all waters between 10 and 100 fathoms. The goal is to reduce the catch of one year old red snappers to 50% of what it was in the 1984-89 period.

## **A.S.A. INVOLVED IN NET BANS**

The American Sportfishing Association (ASA) has announced its involvement in several net ban efforts. In Mississippi, ASA will fund a lobbyist to help the Gulf Coast Conservation Association win netting restrictions in 1996. According to ASA, "Gill nets were hurting the state's red drum and mullet populations, killing mammals, birds and turtles, and driving tourists and recreational anglers away from Mississippi's coastal communities."

In Maryland, ASA helped fund a lawsuit filed by the Maryland Saltwater Sportfishermen's Association against the Maryland Department of Natural Resources because of their decision to allow eight commercial netters to use multi-ply monofilament nets in the Chesapeake Bay.

Source: ASA Update. Volume 2, issue 1. Spring 1996.

## **IMPORTS AND EXPORTS**

U. S. imports of seafood increased to a record \$6.8 billion in 1995. This is almost \$147 million more than 1994. Shrimp imports alone were \$2.6 billion (38% of the total). This was, however, down by 13,980 tons from the previous year. The biggest contribution to the increase in imports was fresh and frozen fish fillets and steaks. This is likely to continue if U. S. commercial allocations continue to be reduced due to management measures and user group disputes.

Aquaculture in this country has not picked up the slack, primarily due to high cost of production and environmental laws. Aquaculture has increased significantly in other countries, particularly in Asia and Latin America. This is due to lower land, labor and other production costs and less stringent wetlands environmental laws. Much of this production is sent to the U. S.

Exports of U. S. produced fishery products were valued at \$3.1 billion compared to \$3.0 billion in 1994. Salmon were the major fresh/frozen and canned items exported, worth over \$720 million. Unfortunately, there is a worldwide glut of salmon on the marketplace due to large increases in aquaculture over a period of years and a bumper crop of wild salmon.

Source: Imports and Exports of Fishery Products Annual Summary, 1995. National Marine Fisheries Service.

## **TED BOOKS AVAILABLE IN TWO LANGUAGES**

We have available in our office in both English and Vietnamese the publication "The Turtle Excluder Device (TED): A guide to Better Performance." The 35 page booklet has tips on reducing shrimp loss in trawls with TEDs. Call, or write or come by my office in Marrero if you would like a free copy.



## NEW LOCAL W.M.A.

The Department of Wildlife and Fisheries has leased Couba Island in St. Charles Parish and will manage it as Timken Wildlife Management Area. Hunting and recreational fishing will be allowed in this fresh to intermediate marsh area. For a copy of the proposed rules call, write or come by my office in Marrero. The department is accepting public comment until July 3.

## OYSTER LEASE MORATORIUM

The Louisiana Wildlife and Fisheries Commission has passed a moratorium on any new oyster leases until January 4, 1998. This does not affect renewal of existing leases. This was done because of the planning and constructing of several coastal restoration projects to conserve and restore coastal marshlands.

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## THE GUMBO POT

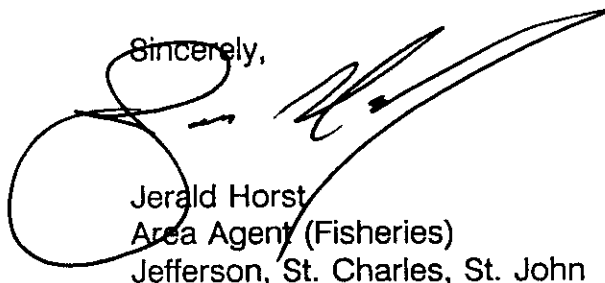
This recipe comes to us from Mark Schexnayder. Mark works as a fisheries biologist with the Department of Wildlife and Fisheries. He is also an amateur historian and chef, a gourmand, and general raconteur. The recipe is adapted from the 1933 publication "Fishes and Fishing in Louisiana" by James N. Gowanloch. I think that you will enjoy it.

### Creole Courtbouillon

3 lbs fish fillets	1 quart water
1 tbsp cooking oil	3 cloves garlic, minced
2 tbsp flour	2 tbsp parsley
1 glass cabernet sauvignon	1 tsp thyme
juice of one lemon	3 bay leaves
1 large onion, minced	salt and pepper to taste
6 large tomatoes, chopped	

Make a roux with flour and oil. Add parsley, thyme, onion and garlic. Cook over low heat till soft. Add water, tomatoes, bay leaves, salt and pepper. Cook about 50 minutes. Add fish fillets one slice at a time and lemon juice. Simmer until tender. Serve (believe it or not) over mashed potatoes.

Sincerely,



Jerald Horst  
Area Agent (Fisheries)  
Jefferson, St. Charles, St. John