



Spring 2010 State Legislation on Fisheries Topics

The following list includes some of the most pertinent new legislation (bills and resolutions) from the 2010 Louisiana Legislature that affects state fisheries. A search of keywords at the Louisiana Legislature site www.legis.state.la.us/ will turn up every document that refers to your topic of interest. We will provide updates on the legislation later in the summer.

SHRIMP

Instrument	Author	Status	Summary
HB875	HARRISON	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/SHRIMP: Creates the La. Shrimp Task Force within the Dept. of Wildlife and Fisheries WILDLIFE & FISHERIES SEC: Authorizes the secretary of the Dept. of Wildlife and Fisheries to develop certification standards for Louisiana wild fish and seafood including wild-caught shrimp
HB890	HARRISON	ASSIGNED TO HOUSE NATURAL RESOURCES	WILDLIFE & FISHERIES DEP: Provides relative to funding for a La. wild-caught seafood certification program
HB1346	DOVE	ASSIGNED TO HOUSE NATURAL RESOURCES	WILDLIFE RESOURCES: Changes the composition, and the powers and duties of the Wildlife and Fisheries Commission. (See Act)
SB341	MARIONNEAUX	ASSIGNED TO SENATE NATURAL RESOURCES	

CRABS

Instrument	Author	Status	Summary
HB45	LAMBERT	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/CRABS: Removes requirement for crab trap markers north of the saltwater line
HB953	LAMBERT	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/COMMERCIAL: Provides relative to legal finfish possession by commercial crabbers

CRAWFISH

Instrument	Author	Status	Summary
HB885	LAMBERT	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/DEVICES: Allows the use of wire nets and hoop nets for recreational fishing throughout the state
HB1288	GUINN	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/DEVICES: Allows the use of wire nets and hoop nets for recreational fishing in the freshwater areas of the state

OYSTERS

Instrument	Author	Status	Summary
HB641	HENDERSON	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/OYSTERS: Repeals the sunset date for the use of devices to prevent predation on oyster leases
HB642	HENDERSON	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/OYSTERS: Adds a member from the Louisiana Oystermen Association to the Oyster Task Force
HB643	HENDERSON	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/OYSTERS: Specifies certain conditions necessary for the issuance of a coastal use permit in certain public oyster seed ground areas
HB644	HENDERSON	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/OYSTERS: Allows the relocation of certain classes of oyster leases
HB692	WOOTON	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/OYSTERS: Extends the time within which an oyster lease renewal must be recorded

HB693	WOOTON	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/OYSTERS: Requires DHH to notify oyster harvesters and dealers of a possible state exemption from the National Shellfish Sanitation program's Vibrio management plan
HB695	WOOTON	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/OYSTERS: Allows the sale within the state of La. of oysters for raw consumption at all times of the year
HB712	WOOTON	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/OYSTERS: Provides for certain restrictions on the taking of oysters
HB876	ST.GERMAIN	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/OYSTERS: Removes the requirement for payment of a survey fee for oyster leases
HB889	ST.GERMAIN	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/OYSTERS: Authorizes the Wildlife and Fisheries Commission to promulgate rules to protect oyster habitat from harvest-related damage
HB1234	LABRUZZO	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/OYSTERS: Requires that fisherman submit trip tickets to the Dept. of Wildlife and Fisheries to document oyster harvest and sales
HB1359	WOOTON	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/OYSTERS: Provides for relocation for those oyster leases located within a public oyster seed ground
HB1451	HENDERSON	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/OYSTERS: Provides relative to the authority of the secretary of the Department of Wildlife and Fisheries to levy and collect compensation for damages to public oyster seed grounds and reservations

Lagniappe Fisheries Newsletter

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MISCELLANEOUS

Instrument	Author	Status	Summary
HB1	FANNIN	ASSIGNED TO HOUSE APPROPRIATIONS	APPROPRIATIONS: Provides for the ordinary operating expenses of state government for Fiscal Year 2010-2011
HB281	GISCLAIR	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/COMMERCIAL: Requires vessel owner information to be included on the commercial receipt form (trip ticket)
HB545	BALDONE	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/COMMERCIAL: Provides that the commercial season for speckled trout remain open until the maximum annual quota is reached
HB597	ST.GERMAIN	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/COMMERCIAL: Allows commercial fishing for shad throughout the Atchafalaya Basin Spillway
HB599	ELLINGTON	ASSIGNED TO HOUSE NATURAL RESOURCES	WATERWAYS/LAKES: Regulates the use of certain devices on Lake Lafourche in Caldwell Parish
HB600	HARRISON	ASSIGNED TO HOUSE & GOVERNMENTAL AFFAIRS	GOVERNMENT ORGANIZATION: Abolishes the Department of Health and Hospitals and the Department of Social Services and creates the Department of Health and Social Services
HB656	GISCLAIR	ASSIGNED TO HOUSE NATURAL RESOURCES	WATERWAYS/LAKES: Authorizes the Lafourche Game and Fish Commission to govern, regulate, and control Lake Long
HB883	HARRISON	ASSIGNED TO SENATE NATURAL RESOURCES	WILDLIFE & FISHERIES SEC: Allows the secretary of the Dept. of Wildlife and Fisheries to close an area to limit the spread of disease
HB885	LAMBERT	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/DEVICES: Allows the use of wire nets and hoop nets for recreational fishing throughout the state
HB887	ST.GERMAIN	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/FINFISH: Provides relative to management protocols to be followed by the Dept. of Wildlife and Fisheries for certain finfish
HB888	ST.GERMAIN	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/FINFISH: Provides for identification of certain saltwater finfish

HB953	LAMBERT	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/COMMERCIAL: Provides relative to legal finfish possession by commercial crabbers
HB1090	DOVE	PENDING HOUSE FINAL PASSAGE	COASTAL COMMISSION: Provides relative to various issues with the Office of Coastal Protection and Restoration
HB1255	A.BADON	PENDING SENATE INTRODUCTION	ANIMALS: Provides relative to voluntary surrender of illegal animals to the Dept. of Wildlife and Fisheries
HB1288	GUINN	ASSIGNED TO HOUSE NATURAL RESOURCES	FISHING/DEVICES: Allows the use of wire nets and hoop nets for recreational fishing in the freshwater areas of the state
HB1334	LAMBERT	ASSIGNED TO HOUSE NATURAL RESOURCES	WILDLIFE & FISHERIES DEP: Provides relative to fisheries management by the Department of Wildlife and Fisheries
HCR75	BILLIOT	FILED WITH THE SECRETARY OF STATE	FISHING: Requests the La. Wildlife and Fisheries Commission to adopt slot limits on bass in Cataouatche Lake and the Salvador Wildlife Management Area
SB145	THOMPSON	PENDING IN THE LEGISLATIVE BUREAU	FISH/FISHING: Provides relative to the definition of catfish. (gov sig)
SB308		ASSIGNED TO SENATE NATURAL RESOURCES	WILDLIFE/FISHERIES DEPT: Requires that all rules and regulations of the Wildlife and Fisheries Commission be subject to legislative oversight. (8/15/10)
SB339		ASSIGNED TO SENATE NATURAL RESOURCES	WILDLIFE RESOURCES: Constitutional amendment to change the composition of the Louisiana Wildlife and Fisheries Commission. (2/3-CA13s1(A)) (1/1/11)
SB498	CHABERT	ASSIGNED TO SENATE NATURAL RESOURCES	FISH/FISHING: Provides relative to fees collected from the sale of charter boat fishing guide licenses. (8/15/10)
SB573	CLAITOR	WITHDRAWN FROM THE FILES OF THE SENATE	FISH/FISHING: Prohibits the taking of red drum by certain methods. (8/15/10)
SB748	THOMPSON	ASSIGNED TO SENATE NATURAL RESOURCES	FISH/FISHING: Regulates the use of yo-yos and trigger devices on Lake Saint Joseph. (8/15/10)

- Julie Falgout

Oil Spill Updates

Due to the nature of the spill and developments, updates are coming in much more frequently than we can share through *Lagniappe*. We are posting updates on the Louisiana Sea Grant Fisheries webpage under current news www.seagrantfish.lsu.edu/news/index.html.

Also, the Gulf of Mexico Sea Grant programs have created a website for the spill. Here you can find links to the NOAA's site and BP's site as well as additional information and maps <http://gulfseagrant.tamu.edu/oilspill/index.htm>.

Economic Impacts to Fisheries and Coastal Habitat

Has Sea Grant generated any preliminary economic impact estimates of the Deepwater Horizon oil spill for commercial and recreational fisheries of the Gulf of Mexico?

No. At this point, it is too early to provide estimates of the economic losses expected to be incurred as a result of the Deepwater Horizon spill. Numerous variables must be considered when estimating the economic impact of an oil spill on natural resources. Spill-related factors that remain largely unknown include: volume of the spill and ultimate duration of the leak; extent of geographic spread; and site-specific concentrations of accumulated oil at sea and landfall locations. Fisheries-related factors that must be considered include: the intersection of traditional fishing areas (commercial and recreational) in relation to the spill and species-specific and season-specific variables related to reproduction and harvest. Finally, market-related factors must also be considered, including: potential supply disruptions and losses due to management-based closures and the potential for changes in consumer demand based on perceived consumption risks.

Will habitat and ecosystem service losses be accounted for in damage estimates?

In addition to commercial losses, impacts to habitat and ecosystem services are considered in the wake of major oil spills. Natural resource economists have developed alternative, "nonmarket" methods for estimating the replacement and service values of non-commercial flora and fauna. Much of this valuation is conducted as part of the Natural Resource Damage Assessment (NRDA) Process administered by the National Oceanic and Atmospheric Administration (NOAA). For additional information on the NRDA process, go to: www.darrp.noaa.gov/about/nrda.html.

What are the major commercial fisheries of the region threatened by the spill?

The estuarine influence of the Mississippi River makes the northern Gulf of Mexico one of the world's most productive commercial fisheries. Dockside values in 2008 for the five U.S. states bordering the northern Gulf of Mexico exceeded \$661.4 million. More than half of this value is attributable to the shrimp fishery, which accounted for more than \$366.5 million in income to harvesters in 2008. Additional fisheries of major economic importance to the region include: oysters (\$60.2 million), crabs (\$58.5 million) and menhaden (\$64.3 million). Dockside fisheries landings and values are provided by state and species in Figure 1.

What about additional losses to seafood-dependent businesses?

It is important to note that dockside harvest values are only a part of the fisheries-dependent economy. These values must be adjusted to incorporate additional economic activities along the wholesale to retail market-chain continuum. The ultimate assessment of fisheries-related oil spill impacts will require consideration of losses not only to harvesters, but also to seafood dealers, processors, retailers and the tourism sector. Economic multipliers ranging from 1.5X to 3X of dockside value are typically used by university economists to capture the broader suite of related business activities supported by domestic seafood landings.

What are the major recreational fisheries of the region threatened by the spill?

The northern Gulf of Mexico supports a large number of recreational fisheries. Dozens of inshore species are harvested, but some of the most popular coastal species include spotted sea trout, red drum and southern flounder. In offshore waters, reef-dependent species of the snapper and grouper complex account the largest portion recreational landings. Migratory pelagic species such as tunas and billfish are targeted in depths beyond 100 fathoms. According to the U.S. Fish and Wildlife Service, approximately 2.48 million anglers purchased marine fishing licenses in the five U.S. Gulf states in 2006. Many of these anglers rely on fishing guides and charter services to access coastal fisheries. In 2009, the Gulf region had more than 3,300 licensed charter boat captains. Sea Grant is currently conducting an economic survey of the recreational-for-hire sector in the U.S. Gulf of Mexico. Results of that survey will be available in late summer 2010 and should prove useful in gauging any losses resulting to this sector as a result of the Horizon oil spill.

http://library.fws.gov/Pubs/nat_survey2006.pdf

Where can I find more specific fisheries landings data?

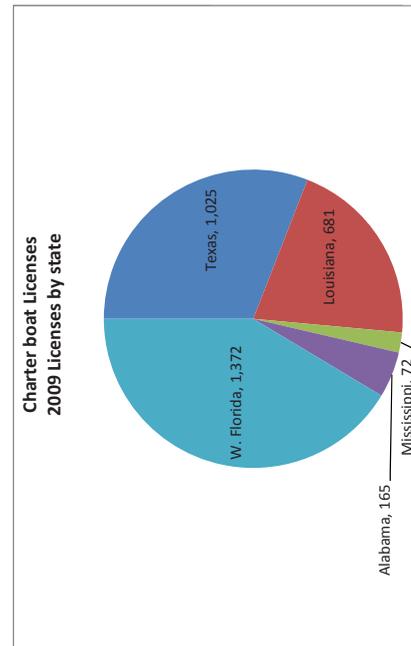
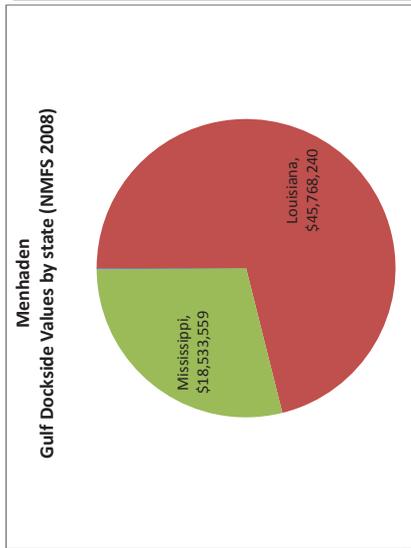
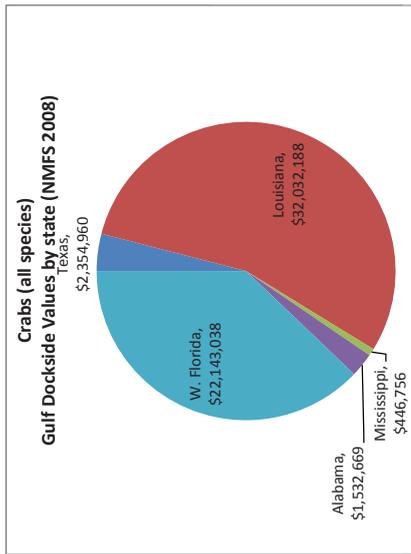
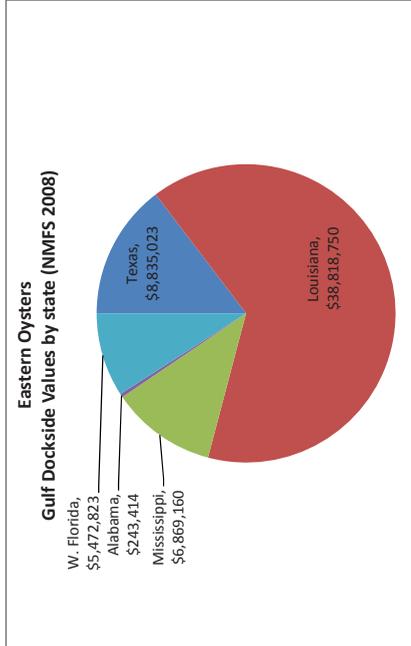
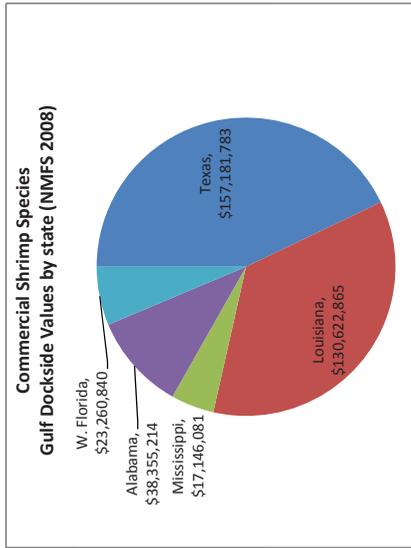
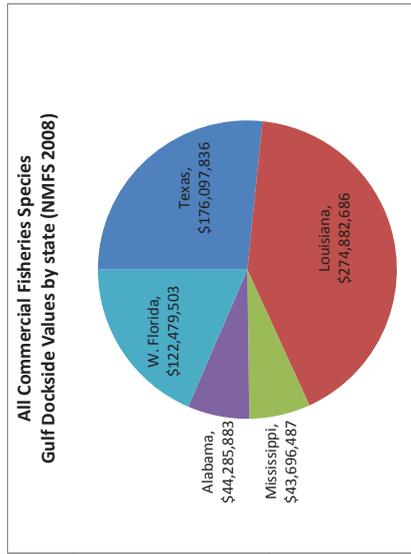
State and federal resource management agencies collect and maintain fisheries landings and license data at the county/parish level. Information for Louisiana is available through the Louisiana Department of Wildlife and Fisheries. Fisheries landings by parish are available for Louisiana through the LSU AgCenter's Summary of Agriculture and Natural Resources.

www2.lsuagcenter.com/agsummary/index.aspx

Dockside* fisheries landings by quantity and value for the U.S Gulf of Mexico (NMFS 2008)

*Harvest values only, does not include economic multipliers for value added sales

	All fisheries species		Shrimp (all species)		Eastern Oysters		Crabs (all species)		Menhaden		Recreational Fishing	
	lbs	\$	lbs	\$	lbs	\$	lbs	\$	lbs	\$	Marine Anglers**	Charter captains***
Texas	73,048,128	\$176,097,836	63,852,672	\$157,181,783	2,679,207	\$8,835,023	2,638,445	\$2,354,960	0	0	1,147,000	1,025
Louisiana	918,469,857	\$274,882,686	89,268,011	\$130,622,865	12,778,311	\$38,818,750	41,561,344	\$32,032,188	738,092,100	\$45,768,240	289,000	681
Mississippi	201,822,002	\$43,696,487	8,570,081	\$17,146,081	2,610,349	\$6,869,160	450,037	\$446,756	189,117,937	\$18,533,559	66,000	72
Alabama	24,407,153	\$44,285,883	17,154,274	\$38,355,214	72,776	\$243,414	1,798,705	\$1,532,669	267,817	\$59,245	134,000	165
W. Florida	60,008,730	\$122,479,503	9,939,087	\$23,260,840	2,501,475	\$5,472,823	8,752,313	\$22,143,038	39,288	\$15,247	1,201,200	1,372
Totals	1,277,755,870	\$661,442,395	188,784,125	\$366,566,783	20,642,118	\$60,239,170	55,200,844	\$58,509,611	927,517,142	\$64,376,291	2,837,200	3,315



* NMFS Fisheries Statistics
 ** 2006 data (USFW Survey of Hunting, Fishing, and Wildlife -Associated Recreation)
 *** 2009 data (State-based license sales)

Kemp's Ridley Update

Luis Jaime Peña, curator of Conservation Programs at the Gladys Porter Zoo in Brownsville, TX, and U.S. Operations Director for the Mexico/U.S. Binational Kemp's Ridley Restoration Project, reports the latest information on the continuing efforts from both the U.S. and Mexico to restore the population of the world's most endangered sea turtle, the Kemp's Ridley.

The Kemp's Ridley nests only in the Gulf of Mexico; mostly on Mexican beaches. As of May 12, 2010, an estimated 5,800 nests have been registered in the six sea turtle conservation camps located in the state of Tamaulipas, Mexico, and 46 nests have been found on U.S. beaches, the majority on Padre Island National Seashore (24) and South Padre Island (16). According to Donna Shaver, it is still early in the season, and more are expected to show up on U.S. beaches this summer. Massive nesting aggregations, called "arribadas" in Spanish, are expected to occur in the last two weeks of May and the first two weeks of June.

2009 was a record year with a little over 21,000 registered nests and over one million hatchlings released into the Gulf of Mexico from the six camps in Tamaulipas.

At present, the majority of the arribadas still number in the hundreds, not the thousands which are necessary for the species to survive without man's intervention. However, in 2009, there were two major nesting events recorded in the Tamaulipas coast: an estimated 5,000 nesting turtles were recorded from April 22 to April 23, with 4,300 of these turtles nesting at the Rancho Nuevo field station; and on May 17, an estimated 6,000 nesting turtles were recorded – 5,000 at the Rancho Nuevo field. For more background on the Kemp's Ridley story, visit

<http://www.seagrantfish.lsu.edu/pdfs/lagniappe/2008/01-04-2008.pdf>

Delcambre Direct Seafood Opens

The Twin Parish Port Commission, along with partners LSU AgCenter and Sea Grant, have created a marketplace where consumers are able to contact seafood producers (fisherman) directly to purchase fresh shrimp and other seafood when they arrive at the dock. Simply register online and receive an email message as to when a boat will arrive at the dock with fresh shrimp and other seafood. You can also see profiles of the fishermen and real time messages from them while they are at sea on their profile. The Delcambre Direct Seafood Marketplace is located on the South Pier at the Port of Delcambre. Boats dock at this pier and sell their catch directly to the public. Quality wild-caught American seafood, is now available on a seasonable basis. Local frozen seafood is also available if desired. www.portofdelcambre.com

Louisiana Shrimp

Louisiana is the largest shrimp producing state in the nation. Each year 90 to 120 million pounds of shrimp are landed in the bayou state. Two main species, white shrimp and brown shrimp, make up the bulk of the catch. Other shrimp species such as sea bobs, pink shrimp and rock shrimp are also caught but in much smaller quantities. Shrimp are harvested from inshore lakes and bays as well as offshore waters.

Inshore shrimp season dates are variable. The historical spring and fall seasons are managed by LDWF to correspond with shrimp life cycles, abundance and size. Louisiana is split into three shrimp management zones. Vermilion, Cote Blanche and Atchafalaya Bay systems are located in Zone 2. The Atchafalaya river discharge lowers salinity levels in this region creating ideal growing conditions for white shrimp. Brown shrimp are produced in abundance in coastal regions with higher salinity.



White Shrimp.

Photo credit: Paula Ouder, Louisiana Sea Grant

Shrimp Seasons:

Spring inshore:	May to July
Fall inshore:	August to December
State offshore:	(coast to 3 miles offshore) open all year with closures as needed
Federal offshore:	(3-200 miles offshore) open all year

Shrimp product forms:

A variety of shrimp products can be purchased locally, both fresh and fresh frozen. Whole and headless (shell on) fresh shrimp is commonly available from our local shrimp fleet. In addition, peeled and peeled-deveined shrimp are also available from local processing plants.

Fresh shrimp bought direct from commercial fishers can be either whole or headless. Most inshore boats store their catch on ice and come to port daily or every few days. Many of the local larger offshore boats bring in heads-on, individually quick frozen (IQF) frozen shrimp. These IQF shrimp are brine frozen at sea in mesh bags similar to crawfish sacks. Freezing allows for extended time (sometimes weeks) at sea. Well handled frozen shrimp is an excellent product.

Fresh Shrimp: Shrimp should have a mild sea breeze, ocean smell. Shells should hold tightly to the flesh and legs should be intact. Meat should be firm and translucent. Avoid product with any scent of ammonia. Nothing tastes better than fresh shrimp right off the boat.

Frozen Shrimp: Shrimp can be purchased block frozen from processing plants or individually quick frozen (IQF). Shrimp should be frozen solid and properly glazed to prevent dehydration and freezer burn. Many consumers prefer frozen product due to ease of handling and storage. Frozen shrimp

in most forms can be purchased by the 5-lb box or by the 50 pound case. IQF shrimp headless or peeled from the processor plants are sold in 5 pound bags or 20 pound cases. Boat frozen IQF shrimp are stored and sold in 70-75 pound bags. Frozen shrimp are available year round and the next best thing to fresh shrimp.

Shrimp Sizes: Consumers often find shrimp being sold by sizes such as large, medium and small. These categories can have different meanings and be confusing. For example medium sized shrimp at one place can be a considered large shrimp at another. Shrimp size standards have been developed to help solve this problem. Larger shrimp are usually cost more than small shrimp. Headless shrimp will also cost more than a heads-on shrimp of the same count size.

Shrimp count charts relate the size name to the number of shrimp per pound for that size. For example “Extra Jumbo” shrimp would average 16 to 20 shrimp per pound. Likewise a 61/70 is termed “Extra Small” with a count of 60 to 70 per pound.

Shrimp count will increase by two counts sizes when the head is removed and one more count size when the shell is removed. A 16/20 heads-on shrimp become a 26/30 when the head is removed and then a 31/35 when peeled.

SHRIMP COUNT CHART (headless shell-on)

SIZE NAME	COUNT PER LB	MINIMUM PER POUND	MAXIMUM PER POUND
Extra Colossal	Under 10	----	9.9
Colossal	10/15	10	15
Extra Jumbo	16/20	16	20
Jumbo	21/25	21	25
Extra Large	26/30	26	30
Large	31/35	31	35
Medium Large	36/40	36	40
Medium	41/50	41	50
Small	51/60	51	60
Extra small	61/70	61	70
Tiny	Over 70	71	----

Transporting Shrimp: Be prepared with proper sized containers and adequate ice when transporting shrimp. Most shrimpers will have ice available to keep your purchase cold but check in advance to be certain. Frozen product should not be iced but placed in ice chest or insulated container for transportation. Containers should be shaded from direct sunshine and kept as cool as possible. Make sure you have enough container space for shrimp and ice. Longer travel time and warmer temps may require more ice. Remember a full ice chest is quite heavy. Use the following general guide for transporting shrimp:

***Rule of thumb-** assume 1 quart capacity for each pound fresh shrimp plus ice

Ice Chest Size	Fresh Shrimp (lbs)	Ice (lbs)	Num 5-lb frozen	IQF frozen (lbs)
48 qt	40-45	10	10	35-40
70 qt	60-70	20	20	75

Charts courtesy Thomas Hymel

How much to buy

Boiled shrimp: Plan on ½ to 1 pound of shell-on shrimp per person for boiled shrimp. Amount needed depends on whether sides such as corn, potatoes, sausage etc are being served. Also consider appetite level. Shrimp amounts can be scaled up some for the football team party and down a bit for the ladies book club boil.

Shrimp yield: When buying heads-on shrimp remember that removing the heads will decrease total weight by 35 percent. When the shell is removed weight decreases by another 15 percent. For example, 100 pounds of heads-on shrimp will result in 65 pounds of heads-off shrimp. When shells are removed 50 pounds of shrimp flesh is the result.

- Thomas Hymel

Recreational Red Snapper Opening Date, Open Fishing Areas, and Increased Sampling of Gulf of Mexico Recreational Fisheries

Open Seasons: NOAA Fisheries Service reminds recreational fishermen that the 2010 Gulf of Mexico (Gulf) red snapper season opens at 12:01 a.m. on June 1. The season closes 12:01 a.m. on July 24. Other regulations for the recreational red snapper fishery such as the two-fish per person daily bag limit, prohibition of the bag limit for captain and crew of for-hire vessels when under charter, and 16-inch total length minimum size limit remain unchanged.

Recreational fisheries for other reef fish species are open. These include gag, red grouper, other grouper species with the exceptions of goliath and Nassau grouper, other snappers, and gray triggerfish. Greater amberjack is also open; however, preliminary projections indicate that the fishery may close by late August. Coastal migratory species including king and Spanish mackerel, cobia, and dolphin (mahi mahi) are also open.

Open Fishing Areas: Although the Deepwater Horizon Oil Spill has caused a closure of some waters in the northern Gulf to recreational and commercial fishing, most of the federal waters are still open to fishing and all Gulf states have fishing areas that have not been affected by the spill. Recreational fishing opportunities continue to be available at ports from Texas to Florida and support productive fisheries and tourism. For more information on the current status of the closure, visit the Southeast Regional Office's Web page: <http://sero.nmfs.noaa.gov>.

Increased Recreational Sampling: NOAA Fisheries Service is proposing more timely and localized monitoring of changes in marine recreational fishing effort and catch in the Gulf of Mexico. The purpose of this increased sampling effort would be to better determine the effects of the oil spill on Gulf recreational fisheries. Results from the proposed sampling would also be used to evaluate fishery closures for species such as red snapper and greater amberjack. If sampling indicates quotas are not being met prior to each closure, NOAA Fisheries Service would increase the season length if warranted.

NOAA Fisheries Service Announces Extension to Red Snapper Interim Rule in the South Atlantic

NOAA Fisheries Service published an extension to the interim rule which continues the current prohibition on commercial and recreational harvest of red snapper in the South Atlantic. The interim rule became effective on Jan. 4, 2010, and remains effective through June 2, 2010. The extension to the interim rule which published in the *Federal Register* on May 18, 2010, will be effective on June 3, 2010, through Dec. 5, 2010. The extension to the interim rule will continue the current prohibition on recreational and commercial harvest of red snapper for 186 days off Florida, South Carolina, North Carolina and Georgia. However, provisions specified in the interim rule would also apply to a person on board a vessel for which a federal commercial or charter/headboat permit for the South Atlantic snapper-grouper fishery has been issued, regardless of whether the fish are harvested or possessed in state or federal waters. The extension to the interim rule is needed to reduce overfishing of red snapper while longer-term measures to end overfishing of this species can be developed in Amendment 17A to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region. Electronic copies of the interim rule or the Environmental Assessment may be obtained from the e-Rulemaking Portal at www.regulations.gov, the South Atlantic Fishery Management Council's Web site at www.safmc.net.

Gulf Council Seeks Applicants for Advisory Panels

The Gulf Council is currently recruiting applicants for three of its Advisory Panels - the Stone Crab Advisory Panel, the Ad Hoc Reef Fish Limited Access Privilege Program Advisory Panel, and the Ad Hoc Mackerel Limited Access Privilege Program Advisory Panel. Appointments will be made during the June 14 - 17, 2010, Council meeting in Gulfport, MS.

Membership provides individuals with an opportunity to become more directly involved in the management decision-making process. Anyone interested in serving should submit a letter of interest to the council office indicating the committee and/or panel of interest. Please include a current résumé or description of qualifications. Applicants may apply to more than one panel or committee. However, appointments to advisory panels are limited to a maximum of two standing advisory panels.

Letters should be mailed to the Gulf of Mexico Fishery Management Council, 2203 N. Lois Avenue, Tampa, Florida 33607; faxed: 813-348-1711; or e-mailed: phyllis.miranda@gulfcouncil.org by June 7, 2010.

While travel expenses are reimbursed, positions are unpaid, Depending upon the level of activity for a given fishery management plan, each panel or committee may meet from zero to four times per year. For more information, please call the Gulf Council at 888-833-1844.

If You Suffer Damages Due to an Oil Spill...

For an unabridged version, please go to: <http://gulfseagrant.tamu.edu/oilspill/damages.htm>

Oil Pollution Act (OPA)

Under OPA, the party responsible for a spill from a vessel or offshore or onshore facility must respond immediately to contain the oil spill and contact the United States Coast Guard. The Coast Guard activates the spill response and damage prevention and assessment capability of federal, state, and local agencies pursuant to the National Oil Spill and Hazardous Substance Contingency Plan (NCP).

Damages and Costs Covered under 33 USC 2702

OPA provides for categories of damages and costs that can be recovered against the responsible party by individuals, businesses and governmental bodies. These damages/costs include:

- For governmental bodies
 - Removal costs incurred by the United States, a state, or an Indian tribe.
 - Damages for injury to, destruction of, loss of, or loss of use of, natural resources, including the reasonable costs of assessing the damage
 - Damages equal to the net loss of taxes, royalties, rents, fees, or net profit shares due to the injury, destruction, or loss of real property, personal property, or natural resources.
 - Damages for net costs of providing increased or additional public services during or after the removal activities, including protection from fire, safety, or health hazards, caused by the discharge or oil.
- For any claimant, including individuals, businesses and governmental bodies
 - Removal costs incurred by a person for acts taken by the person that are consistent with the National Contingency Plan.
 - Damages for injury to, or economic losses resulting from destruction of, real or personal property.
 - Recoverable by any claimant who owns or leases that property.
 - Example: damages to coastal land you own or lease when oil washes onto it.
 - Damages for loss of subsistence use of natural resources.
 - Recoverable by any claimant who uses natural resources that have been injured, destroyed, or lost, without regard to ownership or management of the resources.
 - Example: A person who relies on the consumption of natural resources to sustain his life will have a claim if the oil spill prevents him from doing so.
 - Damages equal to the loss of profits or impairment of earning capacity due to the injury, destruction, or loss of real property, personal property or natural resources
 - Example: If you are the owner of a commercial fish dock or a marina, or you are a commercial fisherman, you can file a claim for lost profits or reduced earning capacity due to the closure of a fishery.

Limits to Liability under 33 USC 2704

OPA limits the liability of the responsible party. For an offshore facility, the responsible party's liability will be limited to the total of all removal costs plus \$75 million in other damages. Therefore, the damage claims listed above against the responsible party are capped at \$75 million total for all claimants, over and above the removal costs.

The limitation on liability will not apply if the incident that resulted in the spill was proximately caused by either: 1) gross negligence or willful misconduct of the responsible party or 2) the violation of an applicable federal safety, construction or operating regulation by the responsible party. This extends to agents or employees of the responsible party and people acting pursuant to a contractual relationship with the responsible party.

The Oil Spill Liability Trust Fund & Claims for Damages

OPA created the Oil Spill Liability Trust Fund (Fund), which provides money for federal and state governments to respond quickly to spills, generally with the assistance of the party responsible for the spill. OPA describes expenses for which the fund can be used: removal costs, costs related to the assessment of natural resource damages, and costs for developing and implementing plans for the restoration, rehabilitation, replacement or acquisition of equivalent damaged natural resources.

Limitations

Under OPA, an action for damages against the responsible party must be brought in a court of proper jurisdiction within three years after either: 1) the date on which the loss and the connection of the loss with the discharge in question are reasonably discoverable or 2) in the case of natural resource damages, the date of completion of the natural resources damage assessment. An action for removal costs must be brought within 3 years after the completion of the removal action (33 USC 2717).

Louisiana Oil Spill Prevention and Response Act (LOSPRA)

LOSPRA establishes the Louisiana Oil Spill Coordinator's Office (LOSCO) in the Department of Public Safety, under the state police. LOSPRA names LOSCO, the state police and Louisiana Department of Environmental Quality (DEQ) as the primary state responders for oil spills. The state can recover oil spill prevention and response costs, and, as provided in OPA, recover loss of state public natural resources damages and loss of ecological services from the responsible party, through various state trustees. LOSCO does not, however, authorize private causes of action or increase the \$75 million dollar cap on the responsible party's liability.

– Prepared by Louisiana Sea Grant Law & Policy Program

Gulf of Mexico Red Snapper Quota Increases and June 1-July 23 Recreational Season Small Entity Compliance Guide

NOAA Fisheries Service has published a final rule implementing increases in the commercial and recreational quotas of red snapper in the Gulf of Mexico. A recent red snapper assessment update projected overfishing ended in 2009, and therefore, the total allowable catch (TAC) can be increased. As evaluated in a regulatory amendment to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico, this increase would be from the existing 5.0 million pounds

(MP) to 6.945 MP. The rule adjusts the commercial and recreational quotas to 3.542 and 3.403 MP, respectively, consistent with the 51:49 ratio for the commercial and recreational allocation of red snapper. The final rule publishes in the *Federal Register* on May 3, 2010, and will become effective June 2, 2010.

The final rule also sets the length of 2010 recreational season, which opens 12:01 a.m., June 1, and closes at 12:01 a.m. on July 24. In determining the season length supported by the 2010 quota, factors such as the increases in the average red snapper size, abundance, and catch rates were taken into account. Absent action to increase the current 5.0 MP TAC, analyses indicate the fishery would remain open just 27-34 days in 2010 to avoid exceeding the quota. However, the 3.403 MP recreational quota is estimated to support a 53-day fishing season in 2010. The closure date is defined as July 23. For more information on how the red snapper season length was calculated, refer to a document titled "2010 Recreational Red Snapper Quota Closure Analysis" located on the Southeast Regional Office's Web page.

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: www.gpoaccess.gov/fr/index.html (use advanced search for final rules using "AY57" as a keyword).

NOAA Fisheries Service Publishes Final Rule to Change Bottom Longline Regulations in the Gulf of Mexico Reef Fish Fishery

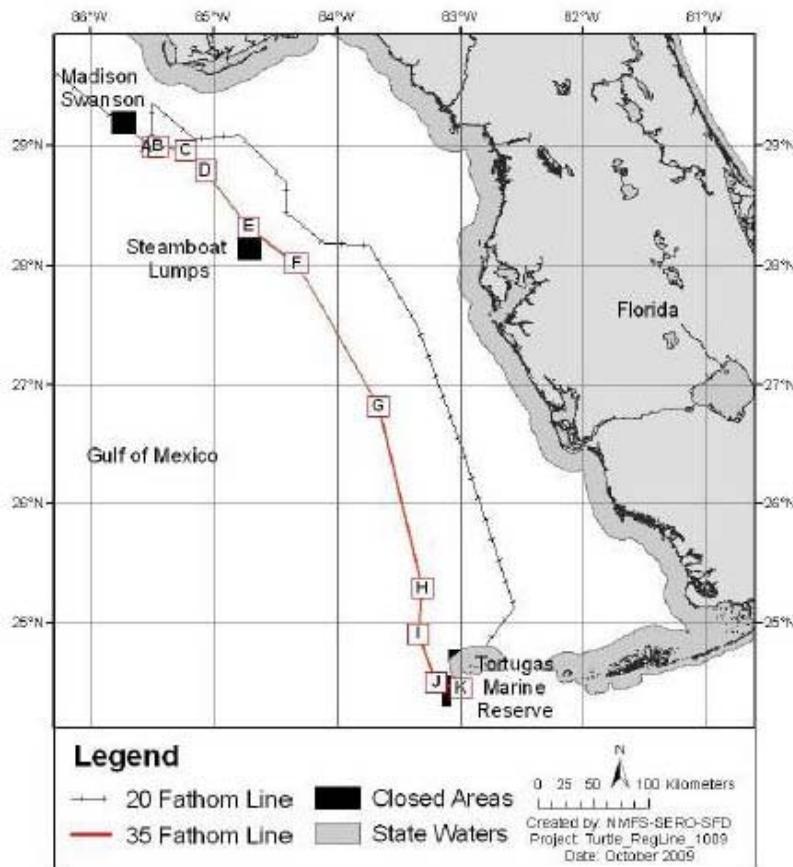
NOAA Fisheries Service published a final rule to implement Amendment 31 to the Fishery Management Plan for Reef Fish Resources in the Gulf of Mexico in the *Federal Register* on April 26, 2010. The Gulf of Mexico Fishery Management Council submitted Amendment 31 and associated Final Environmental Impact Statement for review, approval, and implementation by NOAA Fisheries Service. These provisions are effective May 26, 2010.

Measures in the rule:

- 1) Prohibit the use of bottom longline gear in the reef fish fishery east of Cape San Blas, FL, shoreward of a line approximating the 35-fathom depth contour (see map and table) from June through August;
- 2) reduce the number of bottom longline vessels operating in the fishery through a longline endorsement provided only to federally-permitted vessels with demonstrated average annual landings of 40,000 pounds of reef fish taken by fish traps or longlines during 1999-2007; and
- 3) restrict the number of hooks that may be possessed onboard each reef fish bottom longline vessel to 1,000 hooks total, only 750 of which may be fished or rigged for fishing at any given time.

NOAA Fisheries Service will mail each eligible permittee a reef fish bottom longline endorsement via certified mail by May 26, 2010. This endorsement must be renewed annually and may only be renewed if the associated vessel has a valid commercial vessel permit for Gulf reef fish or if the endorsement and associated permit are being concurrently renewed. An eligible permittee who does

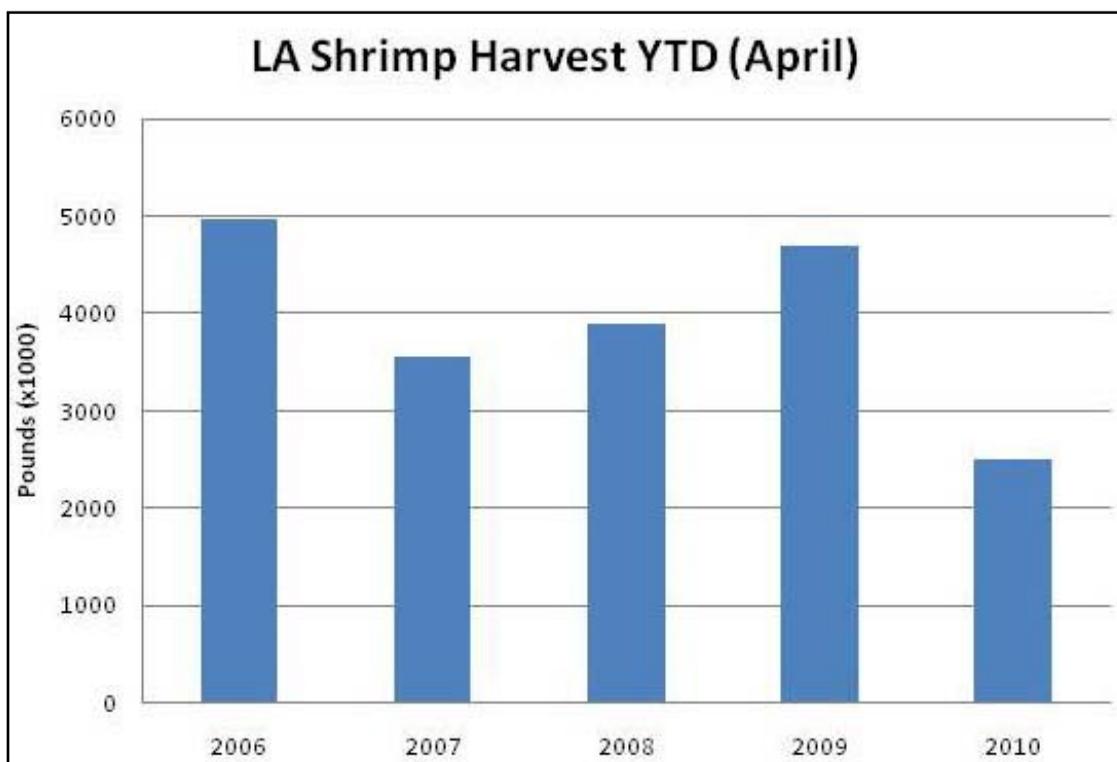
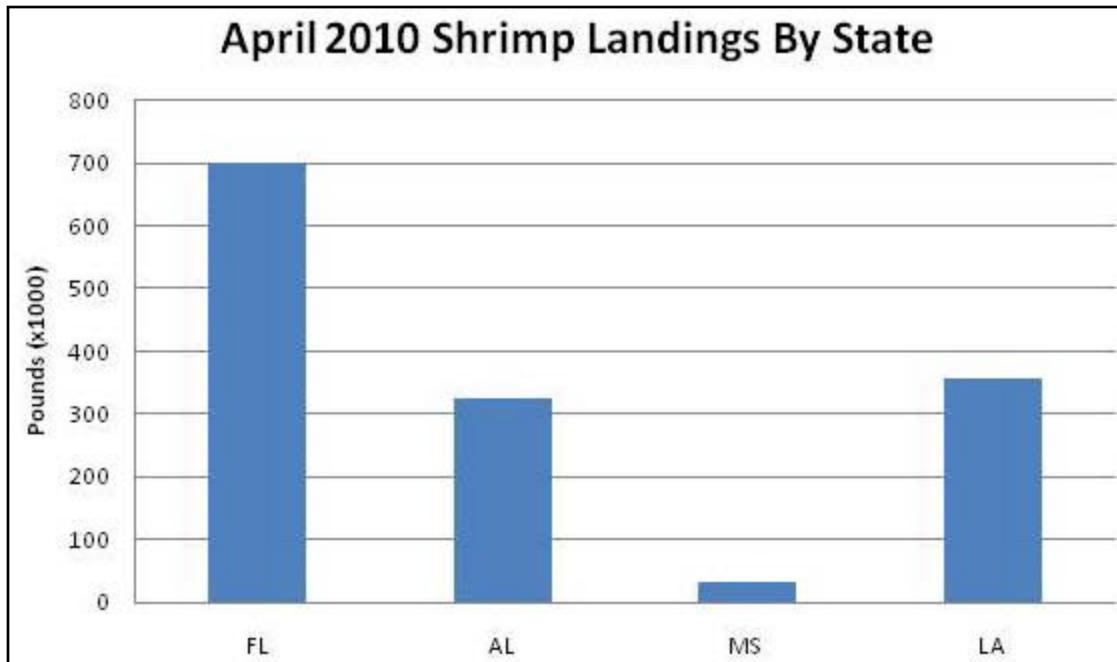
not receive an endorsement from the Regional Administrator (RA), must contact the RA no later than June 25, 2010, to clarify his/her endorsement status. The only items subject to appeal are initial eligibility for the reef fish bottom longline endorsement based on ownership of a qualifying reef fish permit, the accuracy of the amount of landings, and correct assignment of landings to the permittee. Appeals based on hardship factors will not be considered. Appeals must be submitted to the RA postmarked no later than August 25, 2010, and must contain documentation supporting the basis for the appeal. The RA will review all appeals, render final decisions on the appeals, and advise the appellant of the final decision.



Waypoint	Longitude West Degree Decimal Minute	Latitude North Degree Decimal Minute
A	85°30.00'	28°58.70'
B	85°26.70'	28°59.25'
C	85°13.80'	28°57.00'
D	85°03.90'	28°47.40'
E	84°43.00'	28°19.50'
F	84°20.00'	28°00.80'
G	83°40.00'	26°48.80'
H	83°19.00'	25°17.00'
I	83°21.00'	24°54.00'
J	83°12.30'	24°29.50'
K	83°00.00'	24°26.50'

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. For more information, please refer to: www.st.nmfs.noaa.gov/st1/market_news/index.html. Additional summaries for April will be in a future issue of *Lagniappe*.



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 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

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