UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
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Dr. Tom McIlwain, Chair
Gulf of Mexico Fishery Management Council
2203 North Lois Avenue
Suite 1100
Tampa, Florida 33607

Dear Dr. McIlwain:

This letter advises you that NOAA's National Marine Fisheries Service (NOAA Fisheries
Service) has determined the Gulf of Mexico gag stock is overfished and undergoing overfishing.
A recent Southeast Data, Assessment, and Review (SEDAR) update assessment of gag dated
August 3, 2009, indicates the 2008 spawning stock biomass is at 47 percent of the minimum
stock size threshold using the "red tide" assessment model. Because this ratio is less than one,
this indicates an overfished condition. The updated assessment also indicates the current fishing
mortality rate was 2.47 times greater than the maximum fishing mortality threshold. Because
this ratio is greater than one, this indicates overfishing is occurring.

Under the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) as
reauthorized in 2006, after the Secretary of Commerce has determined a fishery is overfished, the
Gulf of Mexico Fishery Management Council (Council) shall prepare and implement a fishery
management plan, plan amendment, or proposed regulations to end overfishing immediately and
rebuild affected stocks of fish (MSFCMA §304(e)(3)). Therefore, the Council is required to
develop a plan to end overfishing and rebuild the gag stock. This plan must be implemented
within two years.

NOAA Fisheries Service appreciates the Council's ongoing efforts to end overfishing of reef fish
stocks and manage these stocks for optimum yield. I look forward to working with you to end
overfishing of gag and rebuild this stock to a level sufficient to support a sustainable fishery.

                              Sincerely,

                              Roy E. Crabtree, Ph.D.
                              Regional Administrator