



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

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OCT 11 2006

F/SER24:AS

Mr. Robin Riechers, Chairman
Gulf of Mexico Fishery Management Council
2203 N. Lois Avenue
Suite 1100
Tampa, Florida 33607

Dear ~~Mr. Riechers~~:
Robin

NOAA Fisheries Service has determined, based upon the best available scientific information, the Gulf of Mexico gag, greater amberjack, and gray triggerfish stocks are undergoing overfishing. The Gulf of Mexico greater amberjack stock remains overfished, but the Gulf of Mexico vermilion snapper stock is not overfished, nor is it undergoing overfishing. These determinations were made based on review of the 2006 stock assessments for these species by the Southeast, Data, Assessment, and Review (SEDAR) panel and the Gulf of Mexico Fishery Management Council's (Council) Reef Fish Scientific and Statistical Committee. Final reports for each of these stock assessments can be obtained from the Southeast Fisheries Science Center's (SEFSC) Web site at: www.sefsc.noaa.gov/sedar/. A brief summary of the results of each stock assessment is provided below.

Gag - Fishing mortality rates for gag have generally fluctuated around 0.36 during the last two decades. In the past four years, fishing mortality rates have increased each year. The fishing mortality rate in 2004 was estimated to be 0.49, which is almost twice the Council's current maximum fishing mortality benchmark ($F_{30\%SPR} = 0.25$), indicating overfishing is occurring. The current fishing mortality rate is 2.1 times greater than the fishing mortality rate maximizing yield-per-recruit ($F_{MAX} = 0.23$). Because of a high degree of uncertainty in estimates of biomass-based benchmarks and the stock-recruitment relationship, stock status relative to a minimum stock size threshold (MSST) could not be determined. Therefore, overfished status is considered unknown.

Gray triggerfish - Fishing mortality rates for gray triggerfish peaked in the mid-1990s, declined until 2000, and then slowly increased thereafter. The fishing mortality in 2004 was estimated to be 0.44, which is 1.6 times greater than the Council's current fishing mortality benchmark ($F_{30\%SPR} = 0.27$), indicating overfishing is occurring. The current fishing mortality rate is 97 percent of the fishing mortality rate associated with maximum sustainable yield ($F_{MSY} = 0.45$), indicating overfishing would not be occurring if this management benchmark was adopted by the Council. The SEDAR review panel could not reach a conclusion regarding whether or not gray triggerfish were overfished, but did indicate the stock appeared to be approaching an overfished condition. Spawning stock biomass (SSB) has declined throughout the time frame of the assessment and current SSB is estimated to be 1.02 times greater than the Council's currently approved MSST



($SSB_{20\%SPR} = 1.32$ trillion eggs), indicating the stock is not overfished. Current SSB is 1.11 times greater than the SSB associated with maximum sustainable yield ($SSB_{MSY} = 1.21$ trillion eggs).

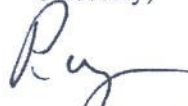
Greater amberjack - Fishing mortality rates during the mid-1990s exceeded 1.0, but declined below 1.0 after 1997, ranging in recent years between 0.70 and 0.96. The fishing mortality rate in 2004 ($F_{2004} = 0.87$) was 1.52 times greater than the Council's approved maximum fishing mortality threshold ($F_{MSY} = 0.57$). Stock biomass declined until 1997, and then increased until 2003, before declining in 2004. Stock biomass in 2004 was 48 percent of B_{MSY} ($B_{2004} = 4.24$ million pounds; $B_{MSY} = 8.87$ million pounds), which is well below the MSST of 75 percent of B_{MSY} , indicating the fishery remains overfished. Projections of stock status indicate current fishing mortality rates would not permit the stock to rebuild to B_{MSY} in the time frame specified by the rebuilding plan in Secretarial Amendment 2.

Vermilion snapper - A new age-structured production model was used to assess the status of the vermilion snapper stock. In 2001, the Reef Fish Stock Assessment Panel identified several research needs to improve the quality and reliability of future vermilion snapper stock assessments. Many of these research needs were addressed by the SEFSC. As a result, the latest stock assessment indicates vermilion snapper is not overfished and is not undergoing overfishing. However, SSB has generally declined and fishing mortality rates have generally increased throughout the time frame of the stock assessment. The fishing mortality rate in 2004 was 60 percent of F_{MSY} ($F_{2004} = 0.49$; $F_{MSY} = 0.81$), indicating overfishing is not occurring. The SSB in 2004 ($SSB_{2004} = 105$ trillion eggs) was 1.52 times greater than SSB_{MSY} ($SSB_{MSY} = 69$ trillion eggs), indicating the stock is not overfished.

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During the August 9-10, 2006, meeting of the Council's Scientific and Statistical Committee (SSC), the SSC requested the SEFSC conduct an additional sensitivity run for vermilion snapper incorporating directed fishery discard mortality. The SSC indicated if the results of this sensitivity run did not change the apparent status of the stock then they would accept the vermilion snapper stock assessment and SEDAR review panel reports as the best available science. An additional sensitivity run was conducted by the SEFSC in mid-August and did not change the status of the vermilion snapper stock ($F_{2004}/F_{MSY} = 0.59$; $SSB_{2004}/SSB_{MSY} = 1.53$).

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The Magnuson-Stevens Fishery Conservation and Management Act requires conservation and management measures be implemented to end overfishing and rebuild overfished stocks. I encourage the Council take action as soon as possible to end overfishing of these stocks and rebuild greater amberjack. I look forward to working with the Council in developing a plan to end overfishing of gag, greater amberjack, and gray triggerfish, and rebuild the greater amberjack stock.

Sincerely,



Roy E. Crabtree, Ph.D.
Regional Administrator



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
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OCT 17 2006

Paul J. Howard, Executive Director
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

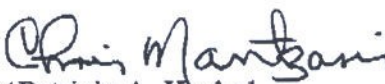
Dear Paul:

The most recent biological reference point indices for the seven species of skates that comprise the Skate Fishery Management Plan management unit were included in the 2005 Skate Annual Review Report, which was presented at the September Council meeting. This new information indicates that overfishing is now occurring on winter skates. Section 302(e)(2) of the Magnuson-Stevens Fishery Conservation and Management Act requires NOAA Fisheries Service to notify the Council that there has been a change in overfishing status and that action be taken to end overfishing in the fishery. Therefore, we recommend that the Skate Plan Development Team (PDT) meet to discuss this change in winter skate overfishing status and develop a plan for how to proceed given an analysis of viable options. This plan should also incorporate the results of the upcoming Northeast skate complex stock assessment.

In addition, the information that was presented at the September Council meeting regarding additional skate species whose status may be approaching an overfishing or overfished condition should be vetted through the PDT process for a recommendation regarding the need for action to address these potential changes in status.

If you need additional assistance, my staff is available to discuss this issue with you and to consider the next steps.

Sincerely,


for Patricia A. Kurkul
Regional Administrator

cc: Andrew Applegate, NEFMC
Dr. John Boreman, NEFSC
George H. Darcy, NMFS
Galen Tromble, NMFS





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southwest Region
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Long Beach, California 90802-4213

OCT 25 2006

150414SWR2006SF00616:MH

Mr. Donald K. Hansen, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220

Dear Chairman Hansen:

On behalf of the Secretary of Commerce (Secretary), NOAA's National Marine Fisheries Service (NMFS) hereby notifies the Pacific Fishery Management Council (Council) that overfishing is occurring on the yellowfin tuna (*Thunnus albacares*) stock in the eastern Pacific Ocean (EPO). NMFS requests that the Council take appropriate action as required by the Magnuson-Stevens Fishery Conservation and Management Act (MSA) (16 U. S. C. 1854(e)(3)) and the implementing regulations at 50 CFR 600.310(e)(3). Specifically, the statute and regulations require that the Council develop, and submit to NMFS, a plan to end overfishing within one year from the date of this notification. Action must include the preparation of a fishery management plan (FMP), an FMP amendment, or proposed regulations any of which must provide an approach to end overfishing of yellowfin tuna in the EPO.

Based on the Council's most recent Stock Assessment and Fishery Evaluation report¹, the U. S. West Coast catch for both the commercial and recreational sectors has amounted to less than one-half percent of the stockwide EPO catch between 2000-2004. Consequently, the capacity for the United States to prevent or end overfishing through unilateral action is limited. Multilateral management is essential to ensure that overfishing on yellowfin tuna in the EPO ends and this view necessitates that the United States pursue an international strategy to end overfishing specifically through the IATTC. To that end, the FMP for U. S. West Coast Fisheries for Highly Migratory Species (HMS FMP) can serve as one of the sources for the development of a U.S. position with respect to the international management of yellowfin tuna.

According to NMFS' guidelines interpreting National Standard 1, of the MSA (50 CFR 600.313), fishery stock status is assessed with respect to two status determination criteria: one is used to determine whether a stock is "overfished," and the second is used to determine whether the stock is subject to "overfishing." A stock is experiencing

¹Pacific Fishery Management Council. 2006. Status of the U. S. West Coast Fisheries for Highly Migratory Species through 2005: Stock Assessment and Fishery Evaluation. Portland, OR. 128 pp.



overfishing when the fishing mortality rate exceeds the maximum fishing mortality threshold (MFMT) for one year.

The HMS FMP, effective May 7, 2004 (69 FR 18444, April 7, 2004), explains that MFMT is exceeded when the fishing mortality rate exceeds the rate associated with maximum sustainable yield (MSY). The most recent stock assessment for EPO yellowfin tuna by the Inter-American Tropical Tuna Commission² (IATTC) indicates that the fishing mortality rate has, for at least one year, been greater than the rate associated with average MSY. That is, the recent rate of fishing mortality (F_{recent}) is likely to be in excess of the rate associated with average MSY (F_{aMSY}). Specifically, the assessment results indicate a $F_{\text{recent}}/F_{\text{aMSY}}$ ratio of 1.2.

I am aware that the Council is in the process of developing reference points to recommend to NMFS that will allow future overfishing/overfished determinations of tunas. However, because the IATTC has shown proficiency in assessing the tropical tunas of the EPO, NMFS believes that the EPO yellowfin tuna assessment prepared by the IATTC is the best available for judging the status of this tuna resource. Therefore, based on the IATTC assessment, taking into account previous years assessments, and relying on the expertise and advice of the Southwest Fisheries Science Center Director, NMFS has determined that overfishing of the EPO yellowfin tuna stock is occurring.

NMFS welcomes the Council's participation in seeking ways to end EFO yellowfin tuna overfishing including working with the General Advisory Committee to the U.S. delegation to the IATTC, with the U. S. Commissioners to the IATTC, and with NMFS to develop and implement any domestic conservation measures necessary to implement IATTC resolutions pertaining to this species.

Sincerely,



Rodney R. McInnis
Regional Administrator

cc: F - W. Hogarth, S. Rauch
F/IA - R. Lent
F/SF - A. Risenhoover
SWFSC - W. Fox
GCSW - J. Feder
PIRO - W. Robinson
DOS - D. Hogan
IATTC - R. Allen

² Hoyle, S. D. and M. M. Maunder. 2005. Status of yellowfin tuna in the eastern Pacific Ocean in 2005 and outlook for 2006. Inter-Amer. Tropical Tuna Comm., Working Group to Review Stock Assessments, 7th Meeting, May 15-19, 2006. 94 pp.