

American Littoral Society Southeast Chapter ▪ American Sportfishing Association ▪ Bayou Preservation Association ▪ Cos Way Bait and Tackle ▪ Environment Texas ▪ Fishntexas.com ▪ Fulton Harbor Baits and Seafood ▪ Galveston Bay Foundation ▪ Greenpeace USA ▪ Gulf Restoration Network • Houston Underwater Club ▪ International Game Fish Association • Lazy Pelican ▪ Marine Fish Conservation Network • National Coalition for Marine Conservation • Pelican Bait ▪ Recreational Fishing Alliance ▪ Saltgrass Bait and Tackle ▪ Sea Gun Bait Stand ▪ Sierra Club, Lone Star Chapter • Tucker & Sons Bait & Tackle ▪ TXRodNGun.com ▪ Uncle Buck's Bait Shop

March 19, 2008

The Honorable Peter M. Holt  
Chairman  
Texas Parks and Wildlife Commission  
4200 Smith School Road  
Austin, TX 78744

Re: Proposal to institute total allowable catch for menhaden reduction industry

Dear Commissioner Holt and other members of the Texas Parks and Wildlife Commission,

We thank the Texas Parks and Wildlife Commission for proposing measures to protect Gulf menhaden, *Brevoortia patronus*, from the very real threat of increased fishing pressure as the global aquaculture industry grows, and other Eastern states move to protect menhaden populations in their state waters.

The proposed catch limit on Gulf menhaden fishing in Texas state waters is a step in the right direction, but it is insufficient to deal with the serious problems associated with this fishery. For a catch limit to work, it needs to be based on science. Using a five-year average of recent catch history only locks in the status quo. The status quo for the menhaden fishery is based on decades of fishing with no science based annual catch limits, with catches regularly exceeding 1 billion pounds. In addition, no assessments have been done that take into account the needs of the ecosystem, including the needs of predators and the benefits to water quality that menhaden have based on their key role as a filter feeder. An annual cap also does not deal sufficiently with the issue of bycatch.

We propose that the proposed catch limit for the menhaden reduction industry based on 2002 – 2006 average catch be used as an interim measure to ward off increased fishing effort in Texas state waters. Within the year, Texas Parks and Wildlife should advocate for and get a formal assessment process started through the Gulf States Marine Fisheries Commission for menhaden and subsequently set a catch level that takes into account the needs of the ecosystem.

Along with the catch limit, Texas Parks and Wildlife Department needs to create accountability measures for the menhaden reduction industry. Using real time data collection of catch, fishing should stop as the annual catch limit is reached to ensure that overages do not occur. In addition, if the menhaden industry does not catch their annual quota, no part of that quota should be allowed to carry over into consecutive years. This will discourage quota hoarding until prices increase for menhaden.

Texas Parks and Wildlife Department also needs to tackle the serious problem of bycatch associated with the menhaden industry. The industry claims that their fishery is very clean with just 1 percent of the catch as bycatch. They hide behind this percentage. It masks that fact that 1 percent of 1 billion is 1 million. It is unacceptable for an industry to catch and kill 1 million pounds of sea life as bycatch with impunity.

We propose that Texas Parks and Wildlife Department require that all menhaden boats fishing in state waters carry industry-funded and government employed and trained observers to quantify the amount and species composition of bycatch. Using this data, Texas will be able to mandate improvements in bycatch reduction devices and close areas to fishing that have excessive bycatch. This data must be available in real time to fishery managers and the public.

By taking these steps, Texas Parks and Wildlife Department can ensure that the menhaden reduction industry is able to operate in Texas waters as a responsible corporate citizen, utilizing the state's marine resources without jeopardizing recreational fishing, other commercial fisheries, or the Gulf marine environment.

Sincerely,

David Bulloch  
Director  
American Littoral Society, SE Chapter

Luke Metzger  
Director  
Environment Texas

Mike Nussman  
President/CEO  
American Sportfishing Association

Captain Scott McCune  
Owner-Operator  
Fishntexas.com Charters

Mary Ellen Whitworth  
Executive Director  
Bayou Preservation Association

Tina Hoang  
Owner  
Fulton Harbor Baits and Seafood,  
Fulton

Cosme Cavazos  
Owner  
Cos Way Bait and Tackle Shop,  
Corpus Christi

Bob Stokes  
President  
Galveston Bay Foundation

John Passacantando  
Executive Director  
Greenpeace USA

Cyn Sarthou  
Executive Director  
Gulf Restoration Network

Mark Metz  
President  
Houston Underwater Club

Jason Schratwieser  
Fishing and Science Director  
International Game Fish Association

Mary Angelo  
Owner  
Lazy Pelican,  
Lake Anahuac

Bruce Stedman  
Executive Director  
Marine Fish Conservation Network

Ken Hinman  
President  
National Center for Marine Conservation

Robert Yardley  
Owner  
Pelican Bait,  
Rockport

Jim Smarr  
Chairman  
Recreational Fishing Alliance - Texas

Mike Mills  
Owner  
Saltgrass Bait and Tackle,  
Freeport

Joe Eaves  
Owner  
Sea Gun Bait Stand,  
Rockport

Andy Balinsky  
Chair  
Sierra Club, Lone Star Chapter

Mike Lane  
Owner  
TXRodNGun.com

Travis Tucker  
Owner  
Tucker & Sons Bait & Tackle,  
Galveston

Chris Funston  
Owner  
Uncle Buck's Bait Shop,  
Galveston

cc: Senator Kip Averitt, Texas Senate Natural Resources Committee  
James Balsiger, National Marine Fisheries Service  
The Honorable Lee Marshall Bass, Texas Parks and Wildlife Commission  
The Honorable Mark E. Bivins, Texas Parks and Wildlife Commission  
The Honorable J. Robert Brown, Texas Parks and Wildlife Commission  
President George W. Bush, White House  
Dr. Roy Crabtree, National Marine Fisheries Service  
The Honorable Ralph H. Duggins, Texas Parks and Wildlife Commission  
The Honorable Antonio Falcon, M.D., Texas Parks and Wildlife Commission  
The Honorable T. Dan Friedkin, Texas Parks and Wildlife Commission  
Rep. Mike Hamilton, Texas Legislature Natural Resources Committee  
Joe Hendrix, Gulf of Mexico Fishery Management Council  
The Honorable Karen J. Hixon, Texas Parks and Wildlife Commission  
Senator Mike Jackson, Gulf States Marine Fisheries Commission  
The Honorable Margaret Martin, Texas Parks and Wildlife Commission  
Dr. Larry McKinney, Texas Parks and Wildlife Department  
The Honorable John D. Parker, Texas Parks and Wildlife Commission  
Governor Rick Perry, Office of the Governor  
Michael Ray, Texas Parks and Wildlife Department  
Robin Riechers, Texas Parks and Wildlife Department  
G.P. Schmal, Flower Garden Banks National Marine Sanctuary, NOAA  
Larry Simpson, Gulf States Marine Fisheries Commission  
Carter Smith, Texas Parks and Wildlife Department  
Wayne Swingle, Gulf of Mexico Fishery Management Council