

Informal Summary of Public Comments on Snapper Grouper Amendment 35*

(* see minutes for verbatim transcript of comments)

Prepared by Myra Brouwer

March 2015

The Council approved Amendment 35 for public hearings at the December 2014 meeting. A question and answer webinar was held on January 8, 2015. Public hearings were held in Key West and Cocoa Beach, Florida and Georgetown, South Carolina. Only participants at the Cocoa Beach hearing offered comments on the record and three written comments were received. Written comments were accepted through 5:00 P.M. on February 4, 2015. Six written comments were received during the scheduled comment period.

Action 1 – Removal of Species

- Two written comments were received in support of removing the proposed species from the Snapper Grouper Fishery Management Unit.

Action 2 – Clarification of regulations for the commercial golden tilefish fishery

- Comments were received that questioned the intent of the Council in taking this action. The commenter posed the following questions:
 - What is a legitimate reason to prohibit 22 vessels with golden tilefish longline endorsements from fishing the hook-and-line quota once the longline quota has been met?
 - Why is there an issue with enforcing regulations based on gear types? That is, there are supposedly adequate means to ensure longliners don't use hook and line gear to fish for golden tilefish but not the other way around.
- One written comment was received in support of the Council's preferred for Action 2: **Preferred Alternative 3** - Revise the golden tilefish longline endorsement regulation to indicate that vessels that have valid or renewable golden tilefish longline endorsements anytime during the golden tilefish fishing year are not eligible to fish for golden tilefish using hook-and-line gear under the 500-pound gutted weight golden tilefish hook-and-line trip limit.
- A suggestion was made to allow commercial harvest of golden tilefish with hook-and-line gear from November 1 to January 1 and close harvest with this gear type when the longliners are fishing.
- A suggestion was made to place gear restrictions to aid enforcement (similar to what is in place for the wreckfish fishery).
- The Council still needs to explore ways to lengthen the commercial fishing season for longliners. The industry proposed management options to the Council (i.e., 2 weeks on/2 weeks off) but no action was taken.

- Members of the public questioned the “fairness and equity” factor of allowing one sector (LL) exclusive access to the majority of the ACL.
- Longliners stated that the proposed action is discriminatory since 22 vessels are being excluded from participating in a fishery that is accessible to hundreds of fishermen with commercial snapper grouper permits.
- At the December 2014 meeting, the Council voted to place Alternative 4 under Action 2 in the Considered But Rejected Alternatives Appendix. Alternative 4 would allow golden tilefish longline endorsement holders to fish on the hook-and line quota once the longline ACL is met. The Council removed this alternative from consideration because it did not meet the Purpose and Need of the amendment. Comments were received suggesting that the Council bring the alternative back for consideration. Commenters maintained that the Council should not have taken the alternative out before taking the amendment out for public hearings.
- Commenters stated that Alternative 2 and Preferred Alternative 3 should be rejected on the basis of not being fair and equitable.

My name is Robert Heater I hold and use a South Atlantic Snapper Grouper unlimited permit. As far as removal of the 4 species listed in Amendment 35 I have not, do not, and I don't anticipate catching any of them. Therefore removal only matters to me if it increases the ACL of another species. In action 2 I strongly support preferred alternative 3. It's not unusual to see greed in any fishery but this I would call extreme greed. The 22 longline endorsement controls 75% of the ACL already. The 500 + unlimited permit holders and the 225 sector should be able to fish the remaining 25% without competition from the 22 endorsees. I have already participated in the tilefish bandit fishery and appreciate a separate hook and line ACL. After attending the 1/21/15 meeting in Cocoa Beach I saw only one person who DIDNT support Alternative #3 and he was one of the 22 longline endorsees.

Thank You for your attention to this matter.

Robert Heater

Amendment 35 comments

What is a legitimate reason to prohibit 22 vessels with GT endorsements from fishing the hook and line quota once the longline quota has been met?

We have been told that it was the intent of the council to ensure that fishermen who historically targeted golden tile with hook and line would be given the opportunity to do so. Many of the longline fishermen are historical hook and line tile fishermen. They began using longline to make trips more economically feasible given the distance that some of these boats have to travel to fish.

We have also been told that a vessel could actually longline for tile and report it as being caught hook and line. It was suggested that these vessels remove or disengage the long line spool if participating in the hook and line fishery. We were told it would not

be feasible to enforce this. If that is the case, what enforcement is there to ensure hook and line boats are not landing tile with longline if there is not the resource to to ensure enforcement the other way? Why has adequate law enforcement become an issue regarding gear types?

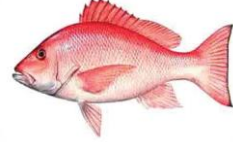
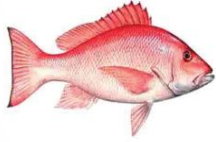
Is there any other amendment that forces you to own two different vessels to fish the same species with two different gear types?

This to me seems to be discriminatory actions against vessels with longline endorsements. They are the only snapper-grouper permit holders not allowed to fish the hook and line quota with hook and line gear.

Sherylanne McCoy

715 N Tropical Trail Merritt Island, Fl 32953

SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



EAST COAST FISHERIES SECTION (ECFS)

August 18, 2014

Mr. Bob Mahood, Executive Director
South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
North Charleston, SC 29405

**Email comments to: Mike.Collins@safmc.net
(Subject line: Amendment 35 Scoping comments)**

Re: Snapper Grouper Amendment 35

Mr. Mahood,

The Southeastern Fisheries Association (SFA), East Coast Fisheries Section (ECFS) wishes to submit this written comment about the Snapper Grouper (SG) Amendment 35 to the South Atlantic Fishery Management Council (SAFMC) about the Action to remove four SG species from the fishery management unit (FMU). SFA ECFS supports the following actions to remove these four species from the SG FMU.

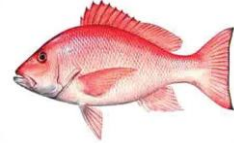
The Council is considering the following actions in Amendment 35:

Remove the following 4 species from the Snapper Grouper FMU:

- Black Snapper (*Apsilus dentatus*)
- Dog Snapper (*Lutjanus jocu*)
- Mahogany Snapper (*Lutjanus mahogoni*)
- Schoolmaster (*Lutjanus apodus*)

Jimmy Hull, Chairman
SFA ECFS

SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



EAST COAST FISHERIES SECTION (ECFS)

February 4, 2015

Mr. Bob Mahood, Executive Director
South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
North Charleston, SC 29405

Re: Snapper Grouper (SG) Amendment 35 Two Proposed Actions

Mr. Mahood,

The Southeastern Fisheries Association (SFA) East Coast Fisheries Section (ECFS) submits this written comment on the two proposed actions and the SFA ECFS Preferred Alternatives.

Action 1. Remove species from the Snapper Grouper Fishery Management Unit (FMU)

SFA ECFS Preferred Alternative 2. Remove black snapper (*Apsilus dentatus*) from the Snapper Grouper FMU.

SFA ECFS Preferred Alternative 3. Remove dog snapper (*Lutjanus jocu*) from the Snapper Grouper FMU.

SFA ECFS Preferred Alternative 4. Remove mahogany snapper (*Lutjanus mahogoni*) from the Snapper Grouper FMU.

SFA ECFS Preferred Alternative 5. Remove schoolmaster (*Lutjanus apodus*) from the Snapper Grouper FMU.

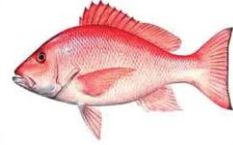
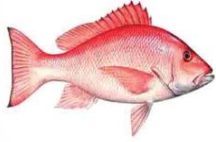
*Note this species is currently an ecosystem component species.

Action 2. Clarify regulations for the golden tilefish longline endorsement to reflect the South Atlantic Council's intent regarding to which gear-specific quota endorsement holders may fish under

Alternative 1 (No Action). Vessels with golden tilefish longline endorsements *are not* eligible to fish for golden tilefish using hook-and-line gear under the 500-pound gutted weight golden tilefish hook-and-line trip limit (50 CFR 622.191(2)(ii)).

SFA ECFS Preferred Alternative 4. Revise the golden tilefish longline endorsement regulations to indicate that vessels with golden tilefish endorsements are eligible to fish for golden tilefish using hook-and-line gear under the 500-pound gutted weight golden tilefish hook-and-line trip limit.

SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



EAST COAST FISHERIES SECTION (ECFS)

Discussion: We believe the Council choice made during the December 2014 meeting to reject Alternative 4 for Action 2 was not fair and equitable and that Alternative 4 should have been available for public comment as a choice. This entire issue began when the Council allocated 25% of the commercial annual catch limit to the hook and line sector; whereas in recent decades that sector caught about 10% of the annual landings and the longline fishery accounted for the rest of the recorded landings. This disparity in sector allocation has forced the SFA ECFS to reject the use of Alternative 2 and Alternative 3 for Action 2 and demand that the Council remove those two alternatives from SG Amendment 35.

Jimmy Hull, Chairman
SFA ECFS
111 West Granada Blvd
Ormond Beach, FL 32174-6303

Comments regarding Action 2:

After attending the public meeting in Cocoa Beach and commenting publicly, I am also sending in a written comment.

When Ben was asked for a legitimate reason to prohibit longline endorsement holders from fishing hook and line on golden tile-his response was that it was the fair and equitable thing to do. I have to question-who decides fair and equitable? It seems to me there will always be a question of fair and equitable in the fisheries-depending on what your perspective is. I don't think it is fair and equitable that red snapper is closed. I don't think it is fair and equitable that catch shares has put fishermen out of business. I don't think it is fair and equitable that we can't get stock assessments as needed. I don't think some of the science used in stock assessments is fair and equitable.

But one of the biggest inequities here is the fact that Alternative #4 was rejected. This alternative was not even allowed to go out for public comment. Alternative 2 and Alternative 3 should be rejected if fair and equitable are going to be a legitimate reason for this action. This issue needs to be re-addressed and Alternative 4 re-introduced.

To repeat what was said in my public comment-if law enforcement is an issue in ensuring that longline is not being used to hook and line-why is it not issue to ensure longline quota is not being caught by hook and line?

Also in regards to the comments that council did this preserve quota for historical hook and line fishermen-most of the longliners are historical hook and line fishermen. They fish for snapper and grouper the rest of the year with hook and line. They are multiple gear users.

Out of all the unlimited S/G permit holders-it does not make sense to me that the council is worried about 22 endorsements holders get more than their share of the quota.

This action item needs to be re-addressed.

Sherylanne McCoy
Cape Canaveral Shrimp Company

Feb. 4, 2015

To Whom It May Concern:

Referencing Golden Tilefish/Snapper Grouper Amendment 35:

What type of a business model is this?

Business-Fishing Vessel Ownership

Primary Usage-Harvest of Commercial Fish for resale to the public

Barriers-Endorsements, Permits, Quotas, Crew, Captain (Expertise)

Operation Expense-Fuel, Repairs,



This is a snapshot of the concept of operating a commercial fishing vessel. As long as an owner or owner/operator can afford to purchase all the necessary permits, licensing and gear, crew, etc. to keep their boat operating year round why would this council and or the Federal government look to dictate what or when this boat can operate and fish for. If this system is interested in a fair and equitable fishing effort for all then we would not have management tools such as endorsements, catch shares that are issued by the Federal Govt. picking who gets to fish in the first place. We would only issue quotas , limit months based on spawning cycles of a species, look at migration patterns, etc. Letting whoever can meet all the criteria set forth including paperwork requirements, etc. enter this industry.

Then to take an issue to the public for comment and eliminate one of the alternatives:

Alternative 4. Revise the golden tilefish long line endorsement regulations to indicate that vessels with golden tilefish endorsements are eligible to fish for golden tilefish using hook-and-line gear under the 500-pound gutted weight golden tilefish hook-and-line trip limit.

If the council had a productive reason for limiting the ability of a fishing vessel to fish year round then they should be forth coming with that information. If the council has members that are protecting their personal business model then they should recuse themselves from the vote. With over 500+ Snapper Grouper permits that can fish Hook & Line for Golden Tilefish how would 22 additional endorsement holders be a problem for the fishery?

Thank you,

Jeanna Merrifield
Wild Ocean Seafood

February 4, 2015

ATTN: Robert Mahood, SAFMC

Ref:Snapper Grouper Amendment 35

Mr. Mahood-

I have been a commercial fisherman for 30 plus years-fishing off the southern east coast of the US. I do not consider myself a longline fisherman, a pot fisherman or a hook and line fisherman. I am a fisherman that provides seafood to the public. I use all types of allowable gear to provide a sustainable market to the fish houses and the non-boating public. I am one of 22 golden tilefish longline endorsement holders, although I fished golden tile with hook and line for years. I feel the fact that Alternative 4-an option to allow me to fish hook and line and longline- being thrown out by council to the reject archives is discriminatory to one group of people-22 endorsement holders. Out of 560 unlimited snapper grouper permit holders-22 fishermen are being singled out. How is this fair and equitable? How was it fair and equitable to go to endorsements to begin with? How was it fair and equitable that the hook and line quota got 25% of the quota when longliners were catching 90% of the quota?

If you are worried about me using longline to fish on the hook and line quota-require all vessels participating in the hook and line quota to remove the longline spool when fishing hook and line.

It seems to me that not allowing the public to comment on any alternative other than prohibiting me to use hook and line is allowing a pre-determined agenda to take place. How fair and equitable about that?

I feel Alternative 4 should be reinstated and taken out to public comment. Alternative 2 and Alternative 3 should be thrown out on the basis of not being fair and equitable.

James M Story

F/V STILL FISHING