

Juan Antonio Paan, Jr.

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May 10, 2012

Mr. David Cupka, Chairman
South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
N. Charleston, SC 29405

Re: South Atlantic Golden Crab, Individual Fishing Quota (IFQ), Expression of Interest

Dear Mr. Cupka,

I would like to express my extreme dissatisfaction with the manner in which the South Atlantic Council is conducting business regarding a possible catch shares program (IFQ's) in the golden crab fishery of the South Atlantic. At the Council's March 2012 meeting in Savannah, GA, 4 of the 7 current golden crab permit holders stated very matter-of-factly they had no interest in a catch shares program in the golden crab fishery. For the record, they are: Nuno Almeida, Robert Palma, Tony Coppa (by proxy e-mail due to illness) and I.

Since then, the Council appears to have altered their approach to Amendment 6 in an effort to minimize any opposition to catch shares. Several weeks after the meeting, on March 28, 2012, the Council sent letters to select permit holders requesting an "Expression of Interest" in an Individual Fishing Quota (IFQ). Not only was the terminology changed from *catch shares*, used extensively throughout Amendment 6, to *IFQ's*, the Council also introduced control dates and landings requirements in order to qualify for voting, thereby eliminating 2 of the opposition votes. This contrasts sharply with language in Amendment 6, Action 1, in which the only requirement for eligibility to participate in a catch share plan was a valid commercial golden crab permit.

I have been a golden crab fisherman for the past 13 years and have had substantial landings including 98,000 pounds in 2011, yet I am not being given the opportunity to participate in this survey regarding an "Expression of Interest," to which I would have whole-heartedly responded, "NO" to an Individual Fishing Quota (catch shares) in the golden crab fishery.

The current annual quota is 2 million pounds and the most the entire fleet has ever landed in a single season has not exceeded 800,000 pounds with no single permit holder landing more than 400,000 in any fishing year. Yet under Amendment 6, one permit holder would be granted 49% of the annual quota and nearly 1 million pounds of the allotted 2 million pound harvest. This is patently unfair and I would think violates anti-trust measures established in the Magnuson Act.

In addition, I believe the Golden Crab Advisory Panel members have been biased in their decision making. Three of the AP members are closely affiliated and pro-catch shares positions beneficial almost exclusively to them have been the norm. Furthermore, the Council has allowed a known pro-catch share advocate and lobbyist to act as counsel to the AP Chair during testimony before the Council.

Meanwhile, another AP member, critical of catch shares, was not reappointed to the AP at the end of his term even though he had re-applied.

This is a very healthy fishery and instead of restricting effort, the South Atlantic Council should be encouraging increased participation. It has taken years to develop enhanced marketing methods and holding techniques to improve product quality. Now that industry has been successful in resolving those issues, fisheries managers would limit the majority of the permit holders to minuscule catch levels, forcing us to either buy or lease from others, should we hope to grow our businesses.

There is no biological purpose justifying a catch shares program in this fishery. There are no gear conflicts, no user conflicts, no overfishing, not over-fished and most importantly 4 of the 7 permit holders are on record opposing any type of catch shares program in the golden crab fishery. Mr. Cupka, I urge you and the Council members to vote "NO" on any catch shares program in the golden crab fishery.

Sincerely,

Tony Paan

Juan "Tony" Paan, Jr.
Permit GC-7

C: Con. Mario Diaz-Balart
Con. Walter Jones
Con. David Rivera
Con. Ileana Ros-Lehtinen
Con. Steve Southerland
Mr. Todd Zinser, Inspector General, U.S. Dept. of Commerce
Mr. Robert Mahood, Executive Director, SAFMC
Dr. Roy Crabtree, Regional Administrator, NMFS/SERO