

CONGRESSMAN BILL POSEY (FL-15)
STATEMENT
Golden tilefish, spiny lobster, golden crab
FEDERAL FISHERIES PUBLIC HEARING
January 31, 2012

On behalf of the thousands of commercial and recreational fishermen in my district and across the state, I voice my strong opposition to further proposed limits to the golden tilefish and broad area closures and gear markings for the commercial spiny lobster fishery and a catch share program for the harvest of golden crab **unless they are requested, developed, modified or agreed to by the fishing industry** working in conjunction with the South Atlantic Fishery Management Council.

These measures will impact both commercial and recreational fishermen who fish in federal waters between 3 and 200 miles offshore ranging from North Carolina to the Florida Keys. It is critical that we work together to create the right kind of balance for golden tilefish, spiny lobster fisheries and golden crab.

The current process often fails to consider the unintended consequences resulting in a disastrous impact on many individuals and businesses, such as those commercial and recreational fishermen who may be put out of business.

The South Atlantic Fishery Management Council needs to take into account the socioeconomic impact of regulations on fishermen and fishing communities as stipulated in the Magnuson-Stevens Act. This provision of the law has been all but ignored in recent federal rulemaking processes.

Florida, one of the states hit hardest by the current economic downturn, depends heavily on the fishing and tourism industries to provide employment for our residents and to generate tax dollars for the state. In fact, in Florida alone, the saltwater fishing industry contributes more than \$5 billion a year of economic output, resulting in nearly \$380 million in federal tax revenues per year.

Last year's oil spill in the Gulf negatively impacted the lives of those in Florida who depend on the ocean for their livelihood. Further needless limitations on those same Florida fishermen will further harm our economy.

We must continue to secure accurate information on the health and status of these federally managed species. The Council and the National Marine Fisheries Service needs to move toward **“Cooperative Management”** by working with the fishing industry to conduct economic impact assessments for the communities affected by further proposed restrictions. Putting fishermen in the unemployment line based on faulty or incomplete science is simply wrong.

These fisheries directly employ several thousand specialized workers with many locally based jobs and businesses that depend on these important fishing industries. Many in our community are struggling to keep their doors open, and it is important that any decisions that adversely affect jobs are made based on sound reasons and the best science.

It is important to conserve fish species for the future, but we can and must do so in such a way that also preserves the fishing industry and economic livelihood of many thousands of Floridians.

A better line of communication between Federal officials at NOAA and the communities who are suffering is critical in solving this problem. There has been a lack of attention on the part of the Federal government to ensure that they are using solid science, which is a major point of contention. Also, there seems to be a real disconnect and I don't think Federal officials truly understand how devastating their decisions have been to local fisherman, their families and our economy in general. Hopefully we can work together to reach agreements that satisfy everyone's concerns but as of right now the current state of management is unacceptable.

I ask that the Council listen to the views and input from the affected communities and individuals. Take those into consideration and work with them to implement wiser policies.

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Public Comments for the January 26, 2012 SAFMC Hearing and Scoping Meeting

My name is Chris McCaffity. I am a commercial fisherman who has been offering common sense solutions that would mitigate many of the severe negative impacts associated with federal fishery laws that violate NEPA and the Magnuson-Stevens Act. Please consider these comments with an open heart and mind.

Amendment 18B is designed to take the vast majority of permit holder's freedom to participate in a fishery that is covered by our federal snapper/grouper permits. The SAFMC seems to be trying to create small groups of permit holders in specific fisheries that will be willing to embrace a catch share scheme that benefits them to the detriment of their fellow fishermen and our freedom. I oppose endorsements in the Golden Tilefish fishery or any other fishery. I support modifying the trip limits. The quota should be split into 6 month seasons. The trip limits should be set at 1,000 pounds until approximately 75% of the seasonal quota has been caught. The trip limit should then be adjusted to a level that fills the quota without any long closure.

Any area closures in Amendment 11 should be offset with equal areas of new Artificial Reefs.

The Comprehensive Ecosystem-Based Amendment 3 has the potential to really help the fish, fishermen, and consumers. Unfortunately, the council has once again come up with a plan that will waste our resources, restrict our access to American seafood, and take away a little more of our God-given freedom. Why would divers not be allowed to use powerhead gear to kill the fish quickly? Why would you force them to use less effective gear that allows some wounded fish to escape? I am OPPOSED to the Precautionary Principal power grab associated with the expansion of deepwater coral habitat areas of concern. I am equally OPPOSED to the Precautionary Principal power grab associated with the establishment of mid-shelf Marine Protected Areas. Any MPAs should be limited to small key areas and be offset with equal areas of new Artificial Reefs. I OPPOSE the Florida Keys MPA. I OPPOSE a minimum size limit for Hogfish and Trigger Fish. I support modifications to commercial and for-hire reporting requirements. The landings data should be available to the public without identifying individual fishermen. The data should be used to MANAGE possession limits so our fisheries remain open. Permit holders should have final approval of any new Amendments with a 2/3 majority vote.

We should be looking at ways to enhance our resources rather than restricting access to them. We should be looking at ways to feed more people rather than trying to create more waste. We should be looking at ways to advance liberty rather than writing new laws that restrict it. We should be showing other fishery managers by example how they can manage their fisheries in ways that rebuild stocks without destroying jobs or the proud heritage that goes with them. We should be practicing the Golden Rule in fishery management and all that we do.

I would like to use the rest of my time to explain why Endorsements and Catch Shares will increase the amount of Regulatory Discards in our fisheries. Endorsements will allow a few permit holders who overfished the most to harvest the majority of our quotas and leave our fisheries shut down for long periods of time which creates even more Regulatory Discards. Endorsements for specific gear types would not be so bad if a targeted fishery was shut down when approximately 75% of the quota has been harvested and the Trip Poundage Limit was set at a level that would fill the quota without having to close the fishery early. Having the fishery open all year would give consumer's access to seafood that would have been discarded dead or alive if the fishery were shut down. Endorsements should never exclude any permit holder in the effected fishery from targeting an Endorsement Species with hook-and-line gear during the open season. By-Catch Allowances for permit holders without endorsements would allow fishermen to keep any endorsement species we accidentally catch while targeting other fish.

Catch Shares have many unintended and intended consequences that cause some severe negative impacts. They create targeted fisheries in multi-species fisheries and cause fishermen to have to throw away all of the fish they do not have any shares for. Catch Shares reward the permit holders who overfished the most. Catch Shares have a well documented history of consolidating fisheries down into the hands of a few big corporations. Catch Shares are not so much a management tool as they are an allocation tool. Catch Shares will create many more Regulatory Discards than they might prevent. Catch Shares waste fish and destroy jobs.

You could achieve all of the honorable goals of Catch Shares and Endorsements by simply MANAGING the quotas with Split Seasons and Trip Poundage Limits (TPLs) that are adjusted to levels that fill the quotas without any long closures at a predetermined time or after a set amount of a quota has been caught. Any overages should be deducted from the next seasonal quota and any leftover quota should carry over to the next season. Fishermen could target fish with high TPLs while still keeping the fish with reduced TPLs that we accidentally catch. This would give consumers access to a dependable supply of local seafood and allow fishermen to work all year without having to discard tons of dead and dying fish.

Why is it so hard for our fishery "managers" to manage the reduced quotas? Why do our fishery "managers" seem to feel absolved of any responsibility when the laws they pass compromise our safety and even KILL fishermen? Why are we discarding tons of perfectly edible fish in the name of conservation even though the "managers" know that many of those discarded fish will slowly die and go to waste? The fishery "managers" allocate as much as 100% of a quota to dead discards. Why are we wasting all of this food when there are so many hungry people? We should be looking at ways to limit waste and enhance our resources rather than always looking for new ways to mandate waste and limit our freedom to access our public resources.

Artificial Reefs are the perfect union of Aquaculture and commercially or recreationally harvested fish. They greatly increase the total bio-mass an area can support by increasing the amount of food and shelter available. We could feed many more people than we do now and also help other things like turtles and corals at the same time. Artificial Reefs can be very cheap and effective if they are made and used properly. This would benefit everyone with no negative impact on anything.

I once again challenge Environmental Defense, Oceana, South Atlantic Fishermen's Ass., and all SAFMC members to a public debate about how we should manage our fisheries. Please contact me if anyone is willing to have an open and honest debate. freefish7@hotmail.com Thank you.

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December 12, 2011

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Mr. John V. O'Shea (voshea@asmfc.org)
Ms. Deirdre Warner-Kramer (warner-kramerdm@state.gov)

RE: Snapper Grouper - Amendment 18B – Golden Tilefish

Dear Council Members:

It has come to my attention that the South Atlantic Fisheries Management Council (SAFMC) has decided that future participation in the long line sector of the golden tilefish fishery will be determined by past landings. It has been decided that they will look at 2008, 2009 and 2010. During those three years you must have 30,000 pounds in total landings.

I have the right to remain in this fishery. I entered the fishery in 2011 and I am the owner *and* operator of the *F/V Die Trying* (Vessel Number 559583). I am also the owner of all of the permits used onboard this vessel. I have invested a large amount of money in the required South Atlantic snapper-grouper unlimited permit. I have also spent a significant amount of money on the required gear for this fishery. There is no reason that the SAFMC cannot look at the last two years (2010 and 2011) of landings in lieu of the last three. You should be considered an *active participant* of the fishery if you have landings in either 2010 or 2011, regardless of the number of pounds landed. There are other less restrictive alternatives that the SAFMC can implement. For example, rather than limit participation in the fishery, the SAFMC could reduce trip limits. This would accomplish the same goal of extending the season.

The SAFMC has made a decision which favors corporate boats rather than individuals who own their respective vessels. It is not reasonable to allow corporate boats to continue in the fishery and at the same time to preclude owner operators from making a living. It stands to reason that you are an *active and participating* fisherman if you have landings in the past two years. I am an *active and participating fisherman*. I own and operate my vessel on a daily basis. I fish using my own permits. Boats such as *King Seafood* and *Wild Ocean* are corporate boats. The permit holders of those corporate boats are never onboard. They *do not actively participate* in the fishery. The SAFMC will be punishing individual owners if allowed to continue this way. As an alternative, the SAFMC could require that the permit holder must be onboard at least a certain percent of the time that the vessel is actively working the fishery.

Our country is already suffering from extremely difficult economic times. Individuals and business owners are suffering economic hardships at record rates. It begs the question, *Why put more hard working Americans out of business?* The SAFMC can help ensure jobs. The SAFMC can help have a positive impact on our economy and on the future of this long line fishery by using the last two years (2010 and 2011) in its decision making process. I am asking that the SAFMC look at and apply less restrictive alternatives in making its decision.

At twenty nine years old, I am one of the younger fishermen. With that said, I have worked countless hours to get where I am as a commercial fisherman. I know what it takes to "make it" in this industry. I have proven that I am willing to put in the effort. I look forward to fishing every day. I know how fortunate I am that I have a career that I love. I look forward to fishing for many decades to come. I hope to one day be a part of the Council that makes these decisions. I see my future in this industry. I am recently married and want nothing more than to provide a good life for my wife and hopefully a family one day. I hope and pray that you do not take this away from me.

In advance, thank you for your time and consideration.

Sincerely,



CHADWICK S. ENGLERT

cc: *Via Electronic Mail*
Mr. Robert Mahood (robert.mahood@safmc.net)
Mr. Gregg Waugh (Gregg.waugh@safmc.net)
Ms. Kim Iverson (kim.iverson@safmc.net)

-----Original Message-----

From: Katie <katiesteed@aol.com>

To: Robert.Mahood <robert.mahood@safmc.net>

Sent: Wed, Dec 14, 2011 9:09 pm

Subject: Tile fish qualifying options

Dear Mr. Mahood,

I am writing to let you know that under the current proposed tilefish permit qualifying option I will be excluded from a fishery that I have participated in beginning as early as 1983 .

I have been a Commercial Fisherman **exclusively** since 1981 and have come to rely on tilefish for a substantial part of my annual income .

I own and operate my own vessel and in the 2010/2011 fishing seasons caught 32,000 lbs of tilefish at an average price of \$3.00 per lb . I have invested \$14,000.00 in tile fish gear and have one employee who will not be needed without the benefit of this permit .

Loosing my tile fish permit would be a disastrous outcome for me and my family as well as that of my first mate and his family.

Due to fisheries regulation I have had to become a multi-species fisherman in order to meet my financial obligations .

I was given to understand that I would qualify for a tile fish permit under the 2006/2007 preferred qualifying option therefore I did not feel it was necessary to attend the appropriate meetings in this matter .

It has come to my attention recently that the option for qualifying for this permit has been or is being reconsidered . Under the new terms explained to me I will no longer be eligible.

Apparently the terms of qualification have been proposed to change so that 1 corporate vessel can qualify . (I am strongly opposed to this line of thinking and will discuss this matter as a separate issue in the near future) .

May I strongly suggest that you stay with the original proposed preferred option or include 2011 tile fish landings in your permit qualifications option .

I have worked hard all of my life to acquire the necessary permits to sustain my family and my business - it would be a darn shame to lose this permit and render useless all the gear I've invested in .

Your attention in this matter would be so greatly appreciated .

Sincerely , David Steed

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