

SUMMARY OF AMENDMENT 15B/DEIS COMMENTS

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I. Summary

The Council/NMFS solicited comments on Snapper Grouper FMP Amendment 15B in November 2007. The comment period ended on January 11th, 2008. Nine public hearings were held in November and December 2007; the table below outlines the attendance at each meeting. The Council received 73 written correspondences in the form of letters, faxes, and e-mails. This document presents a general overview of the comments received from commercial and recreation fishermen, state and federal governmental agencies, environmental organizations, fishing organizations, and County Commissioners. It does not intend to provide a detail report of all the comments and viewpoints received.

Date	Location	Attendance
11/13/07	Marathon, FL	11
11/14/07	Fort Lauderdale, FL	5
11/15/07	Cape Canaveral, FL	15
11/16/07	Jacksonville Beach, FL	10
11/27/07	Pooler, GA	6
11/28/07	N. Charleston, SC	14
11/28/07	N. Myrtle Beach, SC	6
11/29/07	Wrightsville Beach, NC	40
11/30/07	Manteo, NC	3
12/3/07	Atlantic Beach, NC	34

II. Summary of Comments

The majority of comments on Amendment 15B were in relation to the proposed actions to establish allocations, alter the requirements for the sale of fish, implement a plan to monitor and assess bycatch, and require gear onboard commercial and for-hire vessels in order to reduce impacts to sea turtles and smalltooth sawfish if hooked. Some individuals suggested additional alternatives for the Council's consideration, while others recommended a change to the preferred alternative (Table 1).

Table 1. Recommendations for additional alternatives and for new preferred as recommended by the public.

Actions	Change/Establish Preferred
Snowy grouper allocation (current preferred=95%/5%)	1 recommendation for Alternative 4 (88% comm./12% rec.) 1 recommendation from EPA for 3 (93%/7%) 1 recommendation for either 3 (93%/7%) or 4
Red porgy allocation (current preferred=50%/50%)	2 recommendations, one from EPA, for Alternative 3 (44% comm./56% rec.) 2 recommendations for Alternative 4 (50%/50%) 1 recommendation for either 3 or 4
Golden tilefish MSST	1 recommendation for retaining No Action
Eliminating the sale of recreational caught fish	1 recommendation for Alternative 3 (require charter/headboat permit OR commercial vessel permit to sell) 1 recommendation to be able to sell bag limit with any federal permit (such as a King Mackerel Permit)
Extending the permit renewal	1 recommendation to extend it to two years 1 recommendation to apply retroactively for one year period

Allocations

Several representatives from the Coastal Conservation Association supported the use of the allocations in Amendment 15B as interim allocations and supported the development of a new methodology devised to better allocate South Atlantic fish stocks. They felt that allocation

decisions should not be solely based on past catch histories; rather decision-makers should also evaluate economic value and impact comparisons of the recreational and commercial fisheries.

The North Carolina Division of Marine Fisheries (NCDMF) felt that the current fishery management system is unable to monitor when the recreational allocations would be met. They believed without some form of real time monitoring of the recreational fishery and given the small quota for the recreational sector, it is highly likely there will be recreational overages in the landings of snowy grouper. They felt that rebuilding schedules will be compromised until the Council can put into place an adequate method of accounting for recreational landings as close to real time as possible. As possible methods, they suggested a trip ticket system for the for hire segment or a tag system for anglers not unlike those already in use in the blue fin tuna fishery.

Requiring a Federal Snapper Grouper Permit to Sell Catch

The majority of the comments received during scoping for Amendment 15B pertained to the measure that would require a federal commercial Snapper Grouper Permit in order to sell harvested fish. The Environmental Protection Agency (EPA), NCDMF, and some individuals supported the measure. EPA concurred that fish caught from charters should not be sold or purchased as this may be registered as commercial landings. NCDMF believed that eliminating the sale of the recreational bag limit could effectively extend a shortened season for these species and insure the fishermen who have shouldered much of the regulatory burden will be able to share in the rewards of rebuilt stocks. Some individuals felt that recreational fishermen are competing with commercial, professional fishermen and this action would reduce the incentive for recreational anglers to catch the bag limit under circumstances where they might otherwise discontinue fishing. One comment highlighted the potential for further restrictions in the coming years and felt that maintaining this financial incentive to continue harvest seems inappropriate for the recreational sector. Others believed that recreational sale comprises the accuracy of the data as they felt that fish caught under the recreational bag limit could count against the commercial quota.

The majority of those that commented on this issue, however, were against the Council taking action to require a commercial federal permit in order to sell catch, as they felt that it would create economic hardships. Some fishermen, despite not having a Federal Snapper grouper permit, have state commercial licenses and believed that they should be able to sell their harvest up to the bag limits. These fishermen consider themselves commercial fishermen, as most of their income is from fishing activities. Some hold other federal permits (King and

Spanish Mackerel, Dolphin/Wahoo) and augment their income with the sale of snapper and grouper species. For example, one fisherman reported that he typically offsets a trip with low landings of king mackerel with catches of groupers. Some felt that this regulation would lead to the reduction in small businesses, tackle shops, boat dealers, marine supply stores, and other marine business.

Charterboat operators, particularly in the Florida Keys, also anticipate economic hardships with the requirement for a federal commercial permit to sell catch. They reported that the ability of charter/headboat vessels to sell their recreational catch is a historic practice in the South Atlantic region and their crews are financially dependent on the practice as are local restaurants. They report that this income is crucial to the existence of their business, particularly with a weakening economy and rising fuel prices.

One individual believed that state-permitted fishermen will enter the black market if recreational sales are eliminated. He believed that these illegal sales will further deteriorate law enforcement standards. In turn, unlawful sales activity will not be unaccounted for thereby distorting the accuracy and usefulness of legally harvested fish totals.

Some individuals felt that the economic analyses in the amendment were incomplete as did not account for the major groups that it will affect: those who currently sell their catch but do not have a federal commercial permit. One commenter felt that the amendment fails to describe the economic and social impacts to the local fishing communities, including the loss of revenue from decreased tourism.

Golden Tilefish MSST

The Ocean Conservancy disagreed with the Council's preferred alternative to define MSST at $SSB(MSY) \cdot (0.75)$ for golden tilefish, and would instead suggest the Council set the reference point for MSST at alternative 1, which links the biomass threshold with the natural mortality of the species (using $SSB(MSY) \cdot (1-M)$).

Implement a Plan to Monitor and Assess Bycatch

EPA stated that the FEIS should indicate when the ACCSP guidance would be ready for adoption. They asked if any research has been conducted on the success of this methodology for these species (i.e., survivorship of discards).