### SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

### **Shrimp Amendment 7 Scoping**

# Radisson Resort at the Port Cape Canaveral, Florida

**November 15, 2007** 

#### **Summary Minutes**

Mr. Geiger: Good evening, ladies and gentlemen. My name is George Geiger and tonight, I'm acting as chairperson on behalf of the South Atlantic Fishery Management Council. Again, thanks for taking the time to come out this evening. We've got three issues that we're going to talk about tonight.

The purpose of this scoping meeting, the first one we're going to talk about is Amendment 7, Shrimp Amendment 7. The purpose of this scoping meeting is to give you the opportunity to comment before the council develops a position on an issue. Scoping meetings are part of the pre-management plan and amendment process.

Scoping meetings are different from public hearings in that the council does not have a position yet on a particular issue prior to scoping meetings. This scoping meeting is to allow you to comment on the council's approach to Shrimp Amendment 7. Your comments will be considered by the council during discussions of this issue.

This scoping meeting will be conducted in the following manner. First, Rick DeVictor, to my right here, of the council staff will present an overview of the issues and any potential options that may be already identified. Then you will be invited to comment on the issues, including any potential options that you may have developed as options of your own. All comments will be recorded by the staff and shall become part of the permanent record. Your comments will be supplied to the council for their consideration.

We as council members will get a CD of all your comments and in addition, we get a videotape and we have the opportunity -- Each council member has an opportunity to review those comments, both on the CD and via video. Rick DeVictor of council staff will now make a presentation on an overview of the material.

Mr. DeVictor: Thank you, George. Why are we here tonight? First, as George said, we're going to talk about scoping for Amendment 7 for the Shrimp FMP Amendment 7. It's important to note that scoping is less formal than say a public hearing, which we'll have public hearings for Amendment 15A and 15B for snapper grouper, but this is more informal. We're just talking

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scoping at this point. The council is seeking comments right now on proposed actions. Decisions have not been made at this point and that's important to note.

Some background on this, on Shrimp 7, is that Shrimp Amendment 5 created rock shrimp endorsements and these endorsements went into place on July 15, 2003. Endorsements are required to fish off the coast of Georgia and Florida for rock shrimp.

To get this permit, two things would have to occur. First of all, you would have to have had a federal rock shrimp permit on or before December 31, 2000. Also, you would have landings of rock shrimp from the South Atlantic of at least 15,000 pounds in one of four years between 1997 and the year 2000. Those were the two requirements at that time to get the rock shrimp endorsement.

As most of you know, your endorsement was not renewed if there were no landings of at least 15,000 pounds in one of four consecutive years that started in 2004. What will happen is NMFS will look at landings between 2004 to 2007 and to retain that endorsement to shrimp off the coast of Georgia and Florida; you would have to have landings out of one of those four years of at least 15,000 pounds.

Why is the council taking Shrimp 7 out to scoping at this time? The council has looked at data, along with NMFS, and saw that data through July 6<sup>th</sup>, 2007, it appears that only around seventy-nine vessels, out of 138 with endorsements, have landed 15,000 pounds or greater between the years 2003 and 2006.

Again, as I pointed out in the previous slide, they will eventually use 2004 through 2007, but right now, 2007 is not available, the landings. They are looking at 2003 to 2006 and found that people will not meet that 15,000 pounds and endorsements will be lost. They're taking this idea out on what to do about this.

They've received information from the Rock Shrimp AP and looked at the landings data and this may be in part due to low abundance of rock shrimp, for example. Also, we heard from the Rock Shrimp AP that Hurricane Katrina occurred and possibly big ships didn't come around here at that time to land rock shrimp. That's what we heard from the Rock Shrimp AP as to why people aren't meeting the 15,000 pounds, possibly.

Now I'll go through certain actions that the council is thinking about. Again, we're just at scoping and these are just ideas that have come forward and we are seeking comment at this time and the council will look at these comments. No action, of course, is one alternative. That's required by law. This would retain that 15,000-pound requirement.

Alternative 2 is to take away this 15,000-pound requirement and again, the Rock Shrimp AP when they met, they endorsed this option. Alternative 3 is to extend this time period by no more than two years and so they're thinking about what if we extend it from 2004 and not just to 2007, but to 2009. You would have to land 15,000 pounds of rock shrimp for one year. Then the

council also is going to talk about to allow an application as an inactive endorsement holder.

Unidentified: (The question is not audible on the recording.)

Mr. DeVictor: That was brought up by the council and I'll be totally honest with you at this point that I don't know what that means and the council has to talk about it further, on what that means. Again, we're talking endorsements versus permits. You're not going to lose your permit if you don't meet that, but it's the endorsement.

Again, the council met and they told us to take that alternative out. I don't fully understand it and they have to further flesh that out. I hope that helps, but I don't exactly know what that means and they still have to work it out. Again, it's just ideas for scoping at this time.

Topic 2 is endorsements lost from not meeting the 15,000-pound landing requirement by December 31, 2007. No action could result in one-half of the endorsements not being renewed or an alternative that they're thinking of is if you reinstate those endorsements lost due to not meeting the 15,000-pound requirement and the Rock Shrimp AP endorses this.

Topic 3 is endorsements lost due to failure to renew. From what I understand, you have to renew the permit each year and also the endorsement each year. We heard from the Rock Shrimp AP that they didn't realize, some of them, that you have to renew that endorsement each year also and so they lost, some people brought before the council, their endorsement, because they failed to renew. They asked the council to consider renewing those endorsements lost that were failed to be renewed.

Topic 4 is require all shrimp permit holders to provide economic data if selected. Right now, the council has to work up a document with actions and alternatives, and look at the social, the economic and the biological impacts. A lot of times, they don't have the proper economic impacts to look at the management regulations that they put into place and so in certain data that they would require, cost of bait and cost of fuel, such as that information that would help them assess the economic impacts of the rock shrimp fishermen.

Those are four topics that the council is putting out there at this time for public comment. Scoping is occurring now until January of 2008. Comments on these actions are due January 18<sup>t,</sup> 2008, by 5:00 P.M. There will be public hearings and so, again, this is just the first start of the process to gain input from the public.

There will be hearings, more formal hearings, later on with alternatives that will be further fleshed out. That will be in August and September of 2008 and with an intent to have the regulations in place by April of 2009.

You saw that there's a handout over there of scoping. Where they're being held is on page 7. The members of the council are listed on page 9. You can certainly contact them with comments or questions. We have a council website right there and where you email your comments on

these issues is right there or you can also fax or mail your comments to the council.

Mr. Geiger: Thank you, Rick. We'll now open the meeting up for public comment. I know Julie does a good job of making sure that everybody fills out one of these comment cards. If you happen to have slipped in and didn't fill out one of these cards, please do so if you choose to speak. Even if you choose not to speak, you can indicate that, but it gets you automatically on our mailing list for South Atlantic Updates and newsletters, et cetera.

Again, it's a scoping meeting and we're looking for ideas. Some of the ideas that Rick showed up here were developed as a result of AP input, advisory panel input, from industry. Again, you have an opportunity to take these comments home with you and if you don't have any comments verbally tonight, you can submit them in writing before the cut-off date. The first person up is Mr. David Bates.

Mr. Bates: Good evening, Mr. Chairman. Thank you for the opportunity to speak. I own a couple of boats that do have rock shrimp endorsements. In the beginning, when these endorsements were issued, it was -- A lot of us if we had rock shrimp permits, we automatically had the endorsement and so I understand where there might have been some confusion as far as renewing those endorsements and so I stand in agreement to renewing those and the council taking a look at it and renewing those endorsements for people -- Where was I?

Mr. Geiger: You were talking you were in agreement with the endorsement process.

Mr. Bates: I am. I've talked to several different guys that failed to renew their endorsements. Like myself, I really didn't realize we needed a separate endorsement initially and so I am in agreement for the council or the South Atlantic or National Marine Fisheries to renew those for the people that failed to do that initially.

As for removing this 15,000-pound limit or criteria to have your rock shrimp endorsement renewed, we've had four years to get that. I know we've had bad weather and we've had one thing after another, but my boats and the people that -- The eighty boats or seventy-nine boats that have come over here and worked that fishery in order to maintain their permits, I think they should be given consideration, also. Other people have also had that opportunity.

Why put these restrictions and stuff in place or these requirements in place if the council isn't going to back them up? That was required to 15,000 pounds from 1997 to 2001 or to 2000 was required to get the permit initially and why should it change? If we extend the thing for two years, possibly it would help, but for people to keep their permits in force, it would just throw an additional burden on the industry out here now. We haven't had any rock shrimp to speak of anyway, but I think it should be taken into consideration.

Mr. Geiger: Let me make sure I understand you, because I want to make it perfectly that you have your comments on the record. Are you in support of the 15,000-pound?

Mr. Bates: I'm in support of leaving it intact.

Mr. Geiger: Leaving it in place or --

Mr. Bates: Or one other alternative. Anyone that came over here, whether they got 15,000 pounds or not, and fished for rock shrimp -- If they had a thousand pounds of rock shrimp, accept it, but if they had no landings, then they don't get their permit. Again, I would like some clarification on what that inactive permit might be.

Mr. Geiger: That's a recommendation from the advisory panel and it's not clear the exact intent, but because it came from the advisory panel as a scoping comment, it was included in the document. You're not a member of the AP, correct?

Mr. Bates: No, sir. I have been. I served on that AP in the past, but not at present.

Mr. Geiger: What I'll ask you to do is after the meeting if you can stay or Rick maybe, when we're taking other comments, you can provide a contact at the office and he can talk to Gregg and see if we can get a better answer for you. I can't answer the question.

Mr. Bates: Okay. Also, on the Issue 4, I stand in support of Alternative 2, to require that all rock shrimp permit holders submit information if selected. Thank you for your time.

Mr. Geiger: Thank you, Mr. Bates. How many boats do you own?

Mr. Bates: Two.

Mr. Geiger: Two?

Mr. Bates: Yes.

Mr. Geiger: I would encourage you to try and get back on the AP, if you can.

Mr. Bates: Thank you.

Mr. Geiger: Thank you. Next is Laurilee Thompson. Good evening, Laurilee.

**Ms. Thompson**: Good evening and I appreciate the opportunity to comment. First, I have a question though, for Richard. I was reading the history and after Amendment 5 was passed, limited access rock shrimp endorsements were issued to 155 vessels and right now, there's a total of 138 vessels that have active rock shrimp endorsements or their endorsements have expired, but they still are within the time period to renew.

What has happened to the seventeen permits? Is there a pool? Is there a set number of permits that will always available? Those seventeen permits that have expired, are they out there

available for new vessels to apply for or --

Mr. DeVictor: No.

Ms. Thompson: What has happened to them? What is going to happen to the rock shrimp fishery? As these permits are lost, are they lost forever and then the fishery is just going to keep getting smaller and smaller and less and less boats?

Mr. DeVictor: Again, we're talking about endorsements and not permits. The permits would not be lost. We're talking about endorsements and being able to fish off of Georgia and Florida would be lost. That's an important distinction to make. We're talking about losing endorsements and not losing permits.

Ms. Thompson: How many rock shrimp permits are there? Does that include the Gulf boats too then, rock shrimp permits?

Mr. DeVictor: Yes.

Ms. Thompson: You have to have an endorsement to fish in the Atlantic and just a permit to fish in the Gulf then? Let me rephrase my question. What is going to happen to the seventeen endorsements that have been lost?

Mr. DeVictor: They're lost.

Ms. Thompson: They're lost?

Mr. DeVictor: The council is considering alternatives to reinstate endorsements, possibly, but as of now, they would be lost.

Ms. Thompson: My concern is that we've had at least two bad years, where there were very, very low rock shrimp landings and my concern is that if there's -- If you can't catch a lot of shrimp, then the Gulf boats aren't going to -- They can't afford the fuel to drive over here to catch 15,000 pounds of rock shrimp to keep their endorsements.

As these endorsements are lost, then my concern is that the Atlantic fishery is just going to keep getting less -- To where there's less and less boats, to where there's finally nothing left and so if that's the case, then if you are -- If the endorsements are gone forever, if they're not retained by the vessels, then I support getting rid of the 15,000 pounds.

I know it's painful for those that have work to get the 15,000 pounds and keep it, but I personally don't want to see the fishery just dry up and blow away, which is what appears, is happening. I think I would support doing away with the 15,000-pound landing requirement or, as Mr. Bates indicated, if somebody has made an effort to try and catch any rock shrimp at all within the time frame, then they should be allowed to keep their endorsement, but it has been tough, between

fuel and low catches. It's been rough.

Then as far as the permits that are lost through the failure to renew them, then go ahead and let those people keep their permits. I think we should do everything we can to keep this a viable fishery. That's my opinion. Thank you.

Mr. Geiger: Thank you, Laurilee. Next is Mr. Michael Merrifield. You didn't indicate whether you wanted to speak or not, but --

Mr. Merrifield: I didn't, but I will speak. Thank you. I assume that the -- My name is Michael Merrifield, with Cape Canaveral Shrimp Company. I assume that the reason for the endorsements in the first place was to limit the access to the fishery and is that a correct assumption or --

Mr. Geiger: Any time that endorsements are limited, it's an attempt to limit access to the fishery. I think that's an accurate statement. There are other requirements as well in addition to the permit and the endorsements. There's a VMS requirement on rock shrimp vessels as well and the number of vessels that have installed that VMS is significantly less than the number of vessels that are permitted.

Mr. Merrifield: That's a different issue, but I won't go into that one. If there's a set number of endorsements that are just dwindling over time, it just seems that it's -- If you wanted to control the access to the fishery, you should say this is a set number of endorsements that we want out there on that fishery at any given time and so any given year -- If they have a banner year, we want to allow this many people to have access to that fishery or if it's a bad year, you don't have to worry about it. You're going to have to worry about it less and less as fuel prices go up and the fleets diminish anyway.

My thought is if you can get a set number of endorsements and you say this is how many we want at any given time, whether it's a hundred or 155 or 130, whatever it is, there's that set number. Those are issued based upon landings.

If somebody has landed in the last year, they will get first option for an endorsement, so it's easy -- If you're on this coast or based on this coast and you rock shrimp, it's not a problem for you to get an endorsement. If a boat wants to come over for a year from the Gulf, they can apply for that. If there are endorsements available, they can have it.

I think that having the 15,000-pound limit over four years and the fact that they roll off and they've never available once they're gone is causing people to hold on to them tight. They may come over here and get their 15,000 pounds and go back and then they don't have to come back for another four years and so they're going to hold that endorsement and it's not available to somebody that actually wants to fish the fishery.

I guess my comment would be that they should reinstate the endorsements once they roll off.

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There should be a set number that are allowed and those should be granted to those that apply for them, based upon landings. I don't think that you're going to have anymore the situations where you've got fleets of boats coming here to work that fishery. I think given the history of the low landings in the past and the cost of fuel that you're just not going to see what we have seen in the past. That would be my comment.

Mr. Geiger: Thank you, sir. Anybody else who filled out a card and indicated they didn't want to speak, have you changed your mind on the rock shrimp issue?

Mr. Bates: My name is Robert Bates and I'm a captain of a shrimp boat. I do this for a living. I have a lot of friends in the Gulf and the main reason why they're not coming over here is fuel and there hasn't been a whole lot of rock shrimp this year, but I got my 15,000 pounds, because this is my home and -- The price of fuel, I can't make it to the Gulf this year. They had a good season. They had a good year and so it was foolish for them to come over here.

I don't think it's fair that I should have to get my 15,000 pounds and then them not get theirs and get an extension. This is my home and the eighty boats that are going to get theirs; this is their home, too. That's all I've got to say.

Mr. Geiger: Thank you, sir. Anybody else? Okay, the Amendment 7 portion of the hearing is closed.

Mr. Bates: David Bates. In 2006, last year, we had a fairly decent rock shrimp season out here. My boats had caught as much as a hundred to 150 baskets of shrimp a night, which equates to sixty to seventy-five boxes, or 6,000 to 7,500 pounds in a given night. Boats could have caught their 15,000-pound limit.

The reason we didn't catch more rock shrimp last year wasn't due to the fact that the product wasn't here, but it was due to the fact that every time we brought a load of rock shrimp to the dock, the price kept falling, falling, falling.

It started out at roughly around \$2.00 a pound and within a couple of months, the price was down to \$1.05. Other people take advantage and I'll leave it at that point, but that was the reason that no more rock shrimp were landed last year than what was. We decided if the price was going to continue to fall on rock shrimp that we weren't going to go catch them for that cheap price. Also, there will be endorsements available.

Like other fisheries, if you want to get into the sea scallop fishery, I can get into that fishery if I want to go buy one of those permits and it will be the same thing in the rock shrimp fishery. If we continue to hold up these guys, slackers, in our fishery, that they're not concerned with the regulations as they're set down and the requirements to maintain their permits, then our permits will never be worth anything. I'm still dead against doing away -- Unless someone makes an honest attempt to come and catch product. Thank you.

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SG Amend 15A SG Amend 15B	Shrimp 7 Scoping
LOCATION OF MEETING (CITY & STATE)  Cape Canaveral, FL	November 15, 2007
YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Steve MATLEWS	386 214 7760
MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)	NC 27403
BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)	
DO YOU WISH TO MAKE A STATEMENT? (PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)  YES	✓ NO



	X Shrimp 7 Scoping
LOCATION OF MEETING (CITY & STATE)  Cape Canaveral, FL	November 15, 2007
YOUR NAME (PLEASE PRINT)  DAUTO BATES  MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)	TELEPHONE NUMBER (& AREA CODE)  301-453-4146
	AKIT IS, PT 32953
CAPT BORRY B CAPT South B.	
DO YOU WISH TO MAKE A STATEMENT? (PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)  YES	□ NO



	Shrimp 7 Scoping
Cape Canaveral, FL	November 15, 2007
YOUR NAME (PLEASE PRINT) ROBERT BATES	(321) 403-6514
MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)	Island, M 32953
BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)	
DO YOUWISH TO MAKE A STATEMENT? (PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)  YES	NO NO



SG Amend 15A SG Amend 15B	Shrimp 7 Scoping
Cape Canaveral, FL	November 15, 2007
Michael Merrifield	TELEPHONE NUMBER (& AREA CODE)  321-383 = 8885
MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)	
Eape Canaveral Shring Co	
DO YOU WISH TO MAKE A STATEMENT? (PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)  YES	□ NO



SG Amend 15A SG Amend 15B	Shrimp 7 Scoping
Cape Canaveral, FL	November 15, 2007
YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
CAURILEE THOMPSON	321-268-5000
MAILING ADDRESS (PLEASÉ INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)	
Dixie Crossroads Restaurant 1475 GARDEN St. Titu	suille. FL 32796
BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)	
Dixie Gross roads Seafood Restaurant	
DO YOU WISH TO MAKE A STATEMENT? (PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)  YES	□ NO



SG Amend 15A SG Amend 15B	Shrimp 7 Scoping
Cape Canaveral, FL	November 15, 2007
YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Rodrey Thompson	321-267-3202
MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)	
860 Singleton Ave Titusuille, FC 3.	2796
BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)	
Cape Capareral Shrimp Co	
DO YOU WISH TO MAKE A STATEMENT? (PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)  YES	NO



SG Amend 15A SG Amend 15B	Shrimp 7 Scoping
Cape Canaveral, FL	November 15, 2007
YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)  94 518 -1558
MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)	
BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)	
DO YOU WISH TO MAKE A STATEMENT? (PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)  YES	NO NO



SG Amend 15A SG Amend 15B	Shrimp 7 Scoping
LOCATION OF MEETING (CITY & STATE)  Cape Canaveral, FL.	November 15, 2007
YOUR NAME (PLEASE PRINT) SUSA N (FALANT	TELEPHONE NUMBER (& AREA CODE)
MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)  263 13 14 Aug 5 54 Rate 33704	
BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)	
DO YOU WISH TO MAKE A STATEMENT? (PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)  YES	NO NO



SG Amend 15A SG Amend 15B	Shrimp 7 Scoping
Cape Canaveral, FL	November 15, 2007
YOUR NAME (PLEASE PRINT)  LISA BATES	TELEPHONE NUMBER (& AREA CODE)  321 483-4146
MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)  700 CLOSE NAMED RJ MGUET	Island, 17 32953
BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)  (A) + 5 Cott	
DO YOU WISH TO MAKE A STATEMENT? (PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)  YES	NO
	7