

From: Jenny Badman [mailto:jenny@patpropllc.com]
Sent: Thursday, February 21, 2008 4:40 PM
To: Kim Iverson
Subject: Allocation Amendment Feedback

Hi,

We attended the scoping meeting in Charleston yesterday and wanted to send you our feedback. The market for fresh, local, sustainable seafood in Charleston continues to grow each year. As a Charleston restaurant that's been in business for 7 years, we watched with enthusiasm as the culinary industry and its patrons began embracing products that are grown and harvested locally. **What is vital to the continued success of our business is a steady stream of fresh, local and sustainable seafood.**

We understand and support all efforts to protect and manage the fish populations. We are proud members of the Sustainable Seafood Initiative at the South Carolina Aquarium and proponents of the Slow Food Movement.

We'd like to go on record as stating that the restaurant and hospitality community will be directly impacted by changes in allocation. If our commercial fisherman have to start charging double the price to make their trips worth taking, we will also have to raise our prices. Suddenly, eating local, sustainable seafood is not something everyone can afford. Making smart, environmentally conscious decisions don't have to be cost-prohibitive if the planning is thoughtful and the dialogue remains open.

Thank you for your time.

Jenny Badman and Executive Chef Nico Romo

50/50. I do not believe that charter boats or headboats should be considered commercial interests.

I believe any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both the recreational and commercial sectors. I strongly encourage the SAFMC to immediately begin data collections and studies to determine the relative landings of the two sectors, to ensure all future management is based on accurate scientific measurements, not historic or estimated models.

I encourage the SAFMC to adopt regulations to ban all long line fishing for any purpose. There is no logic for continuing this unsustainable method of indiscriminate fishing.

Sincerely,
Matt Badolato

I STRONGLY encourage the SAFMC to adopt Alternative 3 as set forth in Table 20. The 50/50 allocation is the only fair and equitable alternative. It is the only one that complies with both the spirit and requirements of the Magnuson-Stevens Act.

I would like to point out that almost ALL species have a larger percentage taken by the commercial fishermen than the recreational fishermen. Since there is very little data on recreational catches, it would be much easier to manage to just split the TAC in half. If the fishery is still being over fished, then just cut equally from each group. I would also STRONGLY encourage an effort to collect recreational catch numbers so that fisheries management can get a better understanding of that group, and to use real numbers in the management of the fisheries. The recreational fishery data is spotty at best, and the MERFFS system, by their own admission, is not designed to be used for the purpose of state-by-state allocations, even if all the data was there. Since unwise, misinformed decisions, and actions have been taken in the past, SAMFC does not have the support or confidence of the fishing community. Without this support, it will be very difficult for SAMFC to have the compliance of the fishing community, and SAMFC certainly has not had either the resources, ability, or motivation to enforce current regulations. Illegal longline activity, size and bag violations are common, and recent law enforcement activities in the last month have shown this, from both recreational and commercial fisheries. Enacting new rules will have NO effect if they are not enforced. Managing/adjusting allocations by assuming compliance of existing regulations is just as irresponsible as managing with missing flawed data. THE SYSTEM IS BROKE, OR AT THE LEAST, FATALLY FLAWED. Until this can be fixed, the only reasonable solution would be to let science determine the TAC's, and just split them in half, and adjust from there.

There have been many changes in the recreational demographic in the last couple of years with the price of gas doubling, and the cost of boating increasing. The traditional family offshore experience is disappearing, and fishing pressure through all segments of the recreational and charter fisheries is lower than it was 5 years ago. The historical data being used to fill in the holes does not take into account these recent trends. There is a crucial social and economic value of the family anglers that far exceeds the average 2 dollars a pound commercial value. I would suggest that family bag limits be established, when allocating these resources. In addition, I would suggest that local anglers be given larger bag limits or sustenance allocations, in excess of those given to out of state or charter anglers.

I would also like to point out, that I am not aware of any fishery in Florida, or for that matter, anywhere else, that is experiencing over fishing, that is utilized exclusively by recreational fishermen. Net bans have brought back MANY of the inshore species, and the king mackerel fishery is doing very well without the nets in the water. Removing nets from the redfish and trout have brought them back too. The common thread is anywhere commercial fishing has decreased, or stopped altogether, species have rebounded, quickly. The cost and retention of a pound of fish is not the deterrent factor for the recreational angler, it is the experience. In the commercial world, it is just pounds

of fish for dollars, and naturally, they are going to be more focused on harvesting, not the angling experience.

I oppose the inclusion of commercial fishing operators such as Charters, guides and head boats within the allocation of Recreational anglers. These vessels are commercial enterprises and can only be properly placed within the commercial allotment. I also oppose the splitting of the allocation into three sectors. The Magnuson-Stevens Act requires equal allocation between the recreational and commercial interests. This 3 sector allocation gives the recreational anglers 1/3 of the allotment not the required 50% of the allocation.

I believe any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both the recreational and commercial sectors. I strongly encourage the SAFMC to immediately begin data collections and studies to determine the relative landings of the two sectors, to ensure all future management is based on accurate scientific measurements, not historic or estimated models.

I encourage the SAFMC to adopt regulations to ban all long line fishing for any purpose. There is no logic for continuing this unsustainable method of indiscriminate fishing.

Sincerely,
John Barber

Dear Council,

With all due respect I understand that commercial fishing is a business and has to be supported, however; I grew up fishing on the Atlantic Ocean with my father and brother. Some of my best memories with them is pulling in that big bull dolphin and enjoying eating it later. Please be considerate of those who fish recreationally and don't let the commercial fishers take more than necessary or use unfair tactics to do so.

Thank You,

Matt Benvegna

CCA Comments on Allocation Issue

I. CCA supports a new forward looking approach to allocation, primarily based on requirements in the MSA, and minimizing past catch history. We believe:

- Allocations are not required under the Act except in fisheries under rebuilding plans or where harvest levels are reduced.
- Whenever rebuilding plans are implemented or harvest levels reduced, the Act requires the Secretary and the Council to analyze the economic impact of the proposed conservation and management measures on all of the participants in each of the sectors of the fishery.
- While the process requires the use of economic information for analysis, the use of historical data is optional.
- The obligation is ongoing---the failure to address the distribution of benefits and restrictions by both the Secretary and the Council is a fatal procedural flaw.
- The final product of the generic allocation plan ought to include a series of considerations (economic impact, historic catch, demographic shifts, impact on coastal communities, impact on fishing communities, etc.) and a process that allows the importance of each consideration to be weighed.

II. A new allocation paradigm is needed for the following reasons:

- The human population along the Atlantic coast has increased significantly in the past 20 years, presumably causing an increase in the number of anglers wanting access to the marine fishery resource.
- There are changes in habitat that may have affected fish populations.

- The primary data used to compare the recreational harvest to the commercial harvest is the Marine Recreational Fishing Statistic Survey data, whose accuracy is unknown.
- There have been many changes in regulations during the past 20 years, affecting either sector's ability to harvest fish within the complex, the effect of those changes are not reflected the proposed allocations.
- It does not take into account the economic value of either sector.

Most importantly, the use of past landings data to set future allocations is inherently a backward looking management measure that does not account for future changes within the fishery. We would prefer to set allocations which reflect how managers and fishermen would like the fishery to look in the future.

III. We are asking that NMFS follow the law as follows:

- Prepare economic documents and then use them in the deliberations.
- Review and renew allocation decisions every time they impose new harvest restriction or derive benefits from a rebuilding plan.
- Anytime the total allowable landings are reduced in any fishery, NMFS must require the relevant council to review the impacts on the sectors and reallocate the resource to meet the goals of the plan and the best economic outcome from the use of the resource.

(6) At any time when a Council determines it appropriate to consider new information from a State or Federal agency or from a Council advisory body, the Council shall give comparable consideration to new information offered at that time by interested members of the public. Interested parties shall have a reasonable opportunity to respond to new data or information before the Council takes final action on conservation and management measures.

99-659, 104-297

Reference: Revised method of Fishery Management. Commercial & Recreational

Historically fishermen fished for the greatest financial reward with the least effort or they fished on the most abundant species for the greatest ~~financial~~ ^{FINANCIAL} reward.

A proposal is being made that fishery managers set a dollar value for regulated species according to vessel length. (allotted dollar amount the vessel can land & sell) All species must be landed and sold if a market exist. Gear selectivity will be an important factor in this proposal for vessels. Trawl, Pot, Hook or what ever gear utilized.

Under the proposal if a vessel landed 50% of the dollar value allotted or greater from species considered stressed or in need of recovery then the vessel could only land up to the pre set dollar value. On the other hand if the vessel lands less than 50% (or a set percentage) of stressed species then the vessel could land additional dollar value from non stressed species.

In theory all species would be sold, no regulatory discards would exist, no discards of any species. Vessels could maximize landings during the year for the greatest dollar return, species would be on the market through out the year from either by-catch or targeted fishing.

Dehydration plants would offer a minim price for non-Sale-able harvested marine life, better science, total utilization. Protein for world hunger.

Fishermen would be rewarded for harvesting non- stressed stocks. Managers would receive reliable data on catch and landings as all landings would be sold. Targeted fisheries *would not* require gear size regulations. Vessels holding targeted permits like scallops or ITQ's Clams would receive same dollar allocations for these species, substantial recovered resources like clams could be harvested by non traditional vessels to obtain dollar value. (Resource valued accessible to any vessel.)

With a dollar value established vessel owners would find borrowing money for repair and upgrade in the size class simpler.

Environmental groups would see, Elimination of by catch, greatest dollar return on species (in theory) less pressure on stressed species. less bottom contact time, less gear fished by the commercial sector.

Recreational fishing: fisherman would be allotted a given number of fish and a pound limit; They keep all fish caught until the number is reached or the pound limit is reached. NO HOOK and release. when the Pound limit is reached or the number, fishing stops.

Using this approach all fish are utilized; fishermen would be encouraged to use larger hooks with refined angling methods to harvest desirable fish for food. Vessels would be discouraged from fishing for marlin sail fish or other stressed species. (one fish equals the entire limit for all on vessel) with no hook and release all fish would be landed. Fishing in EEZ would require operator permits and log book landing reports. (recreational) This arrangement would lessen the possibility that recreational fishing management is currently chumming sharks closer to shore with stressed discards that may have up to 20% dead fish. Atlantic States Marine Fisheries Commission could then comply with Article 1 ("by the prevention of the physical waste of the fishery from any cause.") of it's charter.

If adopted by the states; those fishing from the bridges and shore would be assured a given number of fish for food.

THE DOLLAR VALUE FOR COMMERCIAL VESSELS FROM 20 Ft.. WOULD INCREASE IN 10 FT INCREMENTS? (Rule of thumb the vessel must stock the purchase price each year to be profitable / support crew / vessel repair).

WHAT WOULD THE RECREATIONAL CATCH NUMBER (of fish or pounds retained) BE IN GIVEN AREAS / STATES OR COAST WIDE POUNDS & NUMBER OF FISH?

BENEFITS:

Environmental-groups, elimination of discards full utilization of harvested resource. regulated species would not be fished on the spawning grounds during spawning seasons.

Atlantic States Marine Fisheries Comply with Article 1

Fishery Management councils Compliance with ALL sections of Magnuson Act.

Commercial Fishermen ability to plan fishing year, reward for not fishing stressed species. Ability to gain economic utilization of all species caught. Dollar value based on original length thus vessel size & safety of upgrades would be determined by fishermen.

Consumers (public) all species in market during entire year, price fluctuations due to abundance. Ability to fish for food,

No chumming sharks near shore with catch & release discards.

Recreational; keep what you catch all fish would be utilized. All fishermen would have equal access to fish for food, regardless of size or area being fished.

Science better data, ability to use same model,

public benefit price fluctuation so low income can afford seafood from plentiful stocks, less dependence on imported fish & seafood. Advances in aquaculture (no longer against the law to have live fish less than length limit as no length limit would exist for any fishing sector.

Fax Comments to United National Fishermen's Association fx 252-473-4969 ph 252-473-3287

123 Apple Rd Manns Harbor NC 27953

I STRONGLY encourage the SAFMC to adopt Alternative 3 as set forth in Table 20. The 50/50 allocation is the only fair and equitable alternative. It is the only one that complies with both the spirit and requirements of the Magnuson-Stevens Act.

I oppose the inclusion of commercial fishing operators such as Charters, guides and head boats within the allocation of Recreational anglers. These vessels are commercial enterprises and can only be properly placed within the commercial allotment. I also oppose the splitting of the allocation into three sectors. The Magnuson-Stevens Act requires equal allocation between the recreational and commercial interests. This 3 sector allocation gives the recreational anglers 1/3 of the allotment not the required 50% of the allocation.

I believe any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both the recreational and commercial sectors. I strongly encourage the SAFMC to immediately begin data collections and studies to determine the relative landings of the two sectors, to ensure all future management is based on accurate scientific measurements, not historic or estimated models.

I encourage the SAFMC to adopt regulations to ban all long line fishing for any purpose. There is no logic for continuing this unsustainable method of indiscriminate fishing.

**** I would just like to make a general comment regarding all of the above and commercial fishing in general. If you look at the bi-catch/kill rate on non targeted species due to longliners, I think you would see where the recreational fisherman is coming from. I have seen pictures that have actually made me nauseous. I have heard stories of how good the swordfishing was back in the late 70's until the commercial fishermen came in and almost depleted the species. They have been banned for a while now and look how well the population has rebounded. I know plenty of fishermen including myself that release legal size fish just to help these creatures thrive. Now there is talk about letting the longliners back in just to deplete it again. It makes no sense at all. The snapper and grouper are another species that are getting wacked. I think there should be strict limits for everyone (recreational & commercial) to let these species population bounce back to where they were 15-20 years ago. I feel very strongly about this. I hope one day when I have kids of my own that they will have a chance to catch these fish and share the same experiences I have had on the water.

Thanks,
Eugene Bowers

Sincerely,
Eugene Bowers

Council, As a recreational fisherman I am shocked at your lack of knowledge about the fishery situation on the east coast. I am against these new regulations proposed and as a voting resident I and the over three thousand people I work with will be keeping track of how you vote on these issues.

I am saddened by the turn out of the recreational anglers at the last meeting however keep in mind most of them are middle income folks who can not afford to take a day off work to attend. Should have held the meeting at a time when more folks could attend I believe you might have seen a difference.

The three words I wish for you to remember is "WE THE PEOPLE" and the recreational fisherman make up MOST of those people. Thanks for reading and please don't shut down or hobby. With a watchful eye, Jeff Brown

Fish are publicly owned resources. Commercial fishermen do not have an inherent right to utilize this resource for sale, despite historical allocations. The public interest should come first and, if there a resource leftover, then commercial catches may be allowed. The NMFS is mandated by the Magnuson Act to allow fair and equitable use of these resources. Therefore, the public (recreational fishermen) should be allocated at least 50% of these resources at a minimum. Hey, things change, hopefully for the better. I don't get to do it the way grandfather did because the scenario has changed and that scenario does not work today.

Robert C. Burton, President
Palm Beach Reporting Service, Inc.
1665 Palm Beach Lakes Blvd., Ste. 1001
West Palm Beach, FL 33401

561-471-2995

Chairman, Spiny Lobster Advisory Panel, SAFMC

**To whom it may concern:
BB&T bank does not make loans for fishing allocations as this is not a
tangible asset.**

***Keren Callari
Retail Service Officer
Southport/Main
910-457-1414 p
910-457-1402 f
233-01-01-00
kcallari@bbandt.com***

Coastal Conservation Association Comments
South Atlantic Fishery Management Council
DRAFT
Allocation Amendment

Coastal Conservation Association is a grassroots organization with more than 96,000 members in 17 state chapters along the Gulf, Atlantic and Pacific coasts dedicated to the conservation, promotion and enhancement of the present and future availability of coastal resources for the benefit and enjoyment of the general public. CCA has been active in local, state and federal fishery management issues for more than a quarter century.

CCA considers allocation in federal fisheries management one of the key issues facing anglers and managers in the coming decades, and we would like to express our appreciation for the opportunity to comment on this allocation amendment.

CCA supports a new, forward-looking approach to allocation, primarily based on requirements in the MSA, and minimizing past catch history. We believe:

1. Allocations are not required under the Act except in fisheries under rebuilding plans or where harvest levels are reduced;
2. Whenever they occur, the Act requires the Secretary and the Council to analyze the economic impact of the proposed conservation and management measures on all of the participants in each of the sectors of the fishery;
3. The obligation is ongoing---the failure to address the distribution of benefits and restrictions by both the Secretary and the Council is a fatal procedural flaw;
4. The process allows the use of historic data but the use of the economic information is required;
5. The final product of the generic allocation plan ought to include a series of considerations (economic impact, historic catch, demographic shifts, impact on coastal communities, impact on fishing communities, etc.) and a process that allows them weighed.

A new allocation paradigm is needed for the following reasons:

1. The human population along the Atlantic coast has increased significantly in the past 20 years, presumably causing an increase in the number of anglers wanting access to the marine fishery resource;
2. There are changes in habitat that may have affected fish populations;

3. The primary data used to compare the recreational harvest to the commercial harvest is the Marine Recreational Fishing Statistic Survey data, whose accuracy is unknown;
4. There have been many changes in regulations during the past 20 years, affecting either sector's ability to harvest fish within the complex, and the effect of these changes are not reflected the proposed allocations;
5. It does not take into account the economic value of either sector.

Most importantly, the use of past landings data to set future allocations is inherently a backward-looking management measure that does not account for future changes within the fishery. We would prefer to set allocations which reflect how managers and fishermen would like the fishery to look in the future.

We are asking that NMFS follow the law and prepare economic documents and use them in the deliberations. They must also review and renew allocation decisions every time they impose new harvest restriction or derive benefits from a rebuilding plan. Any time the harvest levels go down in any fishery, NMFS must get the councils to review the impacts on the sectors and reallocate the resource to meet the goals of the plan and the best economic outcome from the use of the resource.

RATIONALES TO CONSIDER FOR A NEW ALLOCATION PARADIGM

POPULATION GROWTH

Overall population growth and a continuing shift to coastal communities will exacerbate inequities between commercial and recreational anglers in the decades to come.

According to a NOAA publication on population growth: "Total coastal population between the years 1980 and 2003 increased by 33 million people or 28 percent, roughly consistent with the nation's rate of increase. Coastal population within the Pacific region showed the largest gain during this time with almost 12 million people, followed by the Northeast with 8 million people. The Southeast region, however, exhibited the largest rate of change with a 58 percent increase, followed by the Pacific at 46 percent, and the Gulf of Mexico at 45 percent. The rate of growth in the Northeast and Great Lakes regions was considerably smaller with 18 percent and 6 percent increases, respectively.

The Southeast has increasingly become a leading destination for retirees and job-seekers. Between the years 1995 and 2000, the Census Bureau reported that the highest levels of migration were to states that fall within the Southeast region and the Gulf of Mexico region, particularly to Florida, Georgia, and North Carolina.

More significantly, "Coastal counties constitute only 17 percent of the total land area of the United States (not including Alaska), but account for 53 percent of the total population."

PARTICIPATION IN MARINE RECREATIONAL FISHING

It is clear that more and more people will be moving to the coasts and that trend is unlikely to abate in the foreseeable future. Recreational fishing is a popular sport, and is frequently cited as

an important reason many choose to relocate to coastal areas. We can expect participation and demand for access to recreational fishing activities to continue to rise:

“The total number of resident participants in marine recreational fishing in the Southeast region has averaged approximately 4 million residents during the 1990s. Florida has had the largest number of resident participants followed by North Carolina and Louisiana. Based on the survey results and Census Bureau population projections, it is expected that the number of participants in the region will increase at an average annual rate of 1.34 percent through 2025.

The total number of participants in the region would increase to approximately 5.5 million in 2025 with Florida, North Carolina and Louisiana continuing to have the largest number of resident participants. This increase in the number of participants is due to a general increase in the population throughout the Southeast. Despite this overall increase, the participation rate for marine recreational fishing is expected to decline as individuals in the prime participation cohort groups (white males ages 26 to 55) become a smaller proportion of the total population in each coastal state in the region.” (**Current and Future Participation in the Marine Recreational Fishing in the Southeast U.S. Region** J. Walter Milon, NOAA Technical Memorandum, NMFS-F/SPO-44 September 2000)

Additionally, data from the Marine Recreational Fishing Statistics Survey reveal increasing participation in marine recreational fishing:

Marine Recreational Fishing Participation By Region



Finally, the recently released U.S. Fish and Wildlife Service Survey (conducted every five years) showed a slight decline in the number of saltwater anglers in recent years, but a large increase in the effort (fishing trips) and expenditures generated by the reduced number of

anglers. In the future, we can expect more people to participate in recreational fishing and expect some portion of the total allowable catch.

LEGAL UNDERPINNINGS TO ALLOCATION

Allocation is inevitable in most fisheries in the United States. Marine biologists, resource economists and sociologists have all written volumes on the factors and the philosophy underlying the decision to allocate. Many would argue that allocations should involve consideration of past, present and future uses. Some would argue that allocation criteria include consideration of interests beyond the fishing industry, like consumers of fish and the interests of the public in knowing healthy resources are available to them even though they have no intention of using them.

CCA's view is more limited. It focuses on the specific criteria outlined in the Magnuson-Stevens Act and in the existing guidelines published by NMFS.

The issue of allocation is a complicated and, if done properly, a multi-faceted consideration. Generally it involves the distribution of fishing benefits among users with disparate degrees of dependence on the resource itself. In some cases, fishery management plans and managers come to the fishery with the allocation already in place as a result of geography, historic use or economics.

Most of the initial allocations under the Magnuson Act were made to preserve the status quo among the existing users. Some of these allocations were among commercial gear types (longlines vs. hook and line vs. purse seine in the bluefin tuna fishery). Some fisheries have been allocated through the use of sector quotas without any recognition that there has been an allocation (gag grouper and most of the North Pacific stocks).

Lastly, in many cases fisheries have been conducted without any regard to allocating fishing privileges among user groups (inshore and offshore shrimp fisheries). The spectrum of allocation ranges from fisheries where no allocations exists (shrimp) to ones where virtually every gear type and sector has its own quota (bluefin tuna).

There are three instances when allocation is necessary:

1. When it is specifically called for by the statute (16USC 1883(D)). The red snapper fishery is such an example, although this has never happened.
2. When a fishery needs to be rebuilt and either the benefits of the rebuilding or the restriction need to be redistributed to ensure that the various sectors are being treated fairly and equitably.
3. Where the implementation of the new provisions of the Act addressing accountability necessitates separation of sectors in a single fishery. This is in no way mandatory but may be necessary to treat different sectors fairly.

The principles and obligations for making allocations are spelled out in the Act, which requires the following:

1. National Standard number four requires all conservation and management measures to not discriminate between residents of different States;

2. Allocations shall be fair and equitable for all fishermen; reasonably calculated to promote conservation; carried out in such manner that no individual, corporation, or other entity acquires an excessive share of such privileges. (16 USC 1851(a)(4)) This is one of the original provisions of the Act and has been expanded on in the national standard guidelines (50 CFR 600.325) and by a number of law suits. Two parts of this provision are notable:

- The first sentence applies to all residents and repeats a long standing constitutional requirement that the regulations can not discriminate between residents of different states. A provision that restricted the sale of fish to the residents of New Jersey might not be approvable if the same resource could be sold anywhere.
- The second provision deals directly with allocations. If it becomes necessary to allocate fishing privileges, the allocations must be fair and equitable to all fishermen---not the public at large or the national interest. Fairness and equity is determined by the record upon which the allocation is made. The record must support the logic of the decision being made and must have reflected a breadth of considerations when being made. An allocation to one sector without consideration of the historic catch pattern, social implications, impact on coastal communities, or the economics of other sectors is unlikely to be found as fair whereas an allocation that resulted after a reflection of all of this might be.

In 1996, the Act was amended to require the Secretary (in fisheries that are overfished) to adopt regulations that allocate both overfishing restrictions and recovery benefits fairly and equitably among the sectors of the fishery (16 USC 1854 (e)(4)(B)). This requirement only applies to fisheries with rebuilding plans, but generally reflects the same kind of analysis in National Standard 4. NMFS clearly views this as an affirmative obligation and included such a measure in the recently approved red snapper regulations.

We should stress that this is an affirmative obligation and that, in addition, it is an ongoing requirement. Every time the benefits and restrictions change there ought to be a reconsideration of whether they are fair or not. The simple “one time decision” in a plan like red snapper without any consideration of the improvement of the stock is not approvable. The distribution of the benefits among the directed and bycatch fisheries is the ongoing responsibility of the Council throughout the rebuilding plan.

How the decision of fairness will be made was addressed in the 2006 amendments to the Magnuson Act. Fishery Management plans must include a description of the commercial, recreational and charter fishing sectors, including its economic impact and, where possible, quantify trends in landings (16USC1853 (a)(13)). [The purpose of this language was to give the Council economic information on the impacts of management measures when it developed them.]

A similar analysis is required of the Secretary when he approves a plan or amendment but it is not factored into the Council's early decision process. In addition to this requirement, Congress added a specific requirement for plans that allocate amongst sectors:

"To the extent that rebuilding plans or other conservation and management measures which reduce the overall harvest in a fishery are necessary, allocate, taking into consideration the economic impact of the harvest restrictions or recovery benefits on the fishery participants in each sector, any harvest restrictions or recovery benefits fairly and equitably amongst the commercial, recreational and charter fishing sectors in the fishery" (16USC 1853 (a)(14).

The provision is quoted accurately, leading one to ask, "what does this section mean?" The last clause seems to put the same obligation on the Council as is presently on the Secretary, namely the fair distribution of restrictions and benefits. The first part can be read to say that whenever harvest levels are decreased the Council must allocate taking into consideration the participants in each sector.

The two-plan requirements and the obligation of the Secretary requiring redistribution of benefits and restrictions ought to be read together. Taken that way, then the obligation to allocate is mandatory in rebuilding fisheries and possibly in any fishery where harvest levels are reduced for any reason. If this interpretation is correct then any time a Council or the Secretary puts in new catch limits in a rebuilding fishery, they have to look at the economics of the fishery to determine if the distribution of the recovery benefits or restriction is fair. Then they can also look at other factors, like historic catch levels, although they are not required to.

There are no requirements in the Act to use historic catches, vessel size, race, color or creed in allocation criteria. Most of the elements used in plans so far have been established by the managers to make sure the allocation met the fair and equitable requirement of National Standard four:

1. Allocations are not required under the Act except in fisheries under rebuilding plans or where harvest levels are reduced;
2. Whenever they occur, the Act requires the Secretary and the Council to do an analysis of the economic impact of the proposed conservation and management measures on all of the participants in each of the sectors of the fishery;
3. The obligation is ongoing---the failure to address the distribution of benefits and restrictions by both the Secretary and the Council is a fatal procedural flaw;
4. The process allows the use of historic data but the use of the economic information is required;
5. The final product of the generic allocation plan ought to include a series of considerations (economic impact, historic catch, demographic shifts, impact on

coastal communities, impact on fishing communities, etc.) and a process that allows them to be weighed.

ECONOMICS IN ALLOCATION

Broadly defined, economists use two different metrics to examine the implications of policy decisions on society; **economic value** and **economic impacts**. The first, economic value, also known as economic benefit or welfare, monetizes the value society places on resources or activities. Economic value should be the metric used to decide between one course of action and another (Freeman 1993, Edwards 1990, and others).

Comparing value estimates between two proposed allocation schemes answers the question, is society better or worse off as a result of a particular allocation?

The second metric, economic impacts, examines the flow of expenditures on fishery resource activities and products as that spending moves through a community. While economic impact measures should not be used to choose a course of action, they can be used to examine what particular sectors in the economy are hurt or helped by a particular policy and by how much.

Economic impact analysis examines the distribution of value changes identified when comparing benefits, making both types of analysis complementary, and, as will be shown below, quite necessary when data on value cannot be obtained.

For both the recreational and commercial sectors, **total value** is the sum of **consumer surplus** and **producer surplus**. Producer surplus is measured by examining the supply curves for commercial producers of seafood, including harvesters, processors, wholesalers, and distributors, as well as the supply curves for recreational service providers such as charter and head boat operators. Essentially, producer surplus is the difference between the cost of producing the good and the dollar value generated by the sale of the good.

Consumer surplus is measured by examining the demand for goods at the consumer level, including the demand for fish at markets and restaurants and the demand for recreational fishing trips. Consumer surplus is the difference between the amount society would be willing to pay for the good in question, and what consumers actually paid for the good in the marketplace.

Value is not static across all allocations and, as any consumer obtains more of a good, the marginal value of obtaining the next unit of that good falls. That is, there are diminishing returns to additional consumption of any good and this is a fundamental tenet of consumer demand, which has important implications for allocation decisions.

A similar tenet exists for producers, but does not always hold true depending on the character of the industry. **Table 1** includes a brief example for a hypothetical fishery. For example, the current allocation between commercial and recreational users is 50/50. An economist measures the commercial sector value to be \$50 million, the recreational value to be \$75 million, and total value of fishery to be \$125 million (sum of commercial and recreational value). This does not mean that the recreational sector should get 100 percent of the allocation. Because of the economic property of diminishing marginal returns described above, the total value of a 100 percent recreational allocation in this example is \$110 million, or less than the 50/50 allocation.

While this example above suggests that allocation should be changed in favor of the recreational sector, how much should it be increased? Economists say that society's benefit will be greatest when the allocation is set such that the marginal value, or the value of the next fish in the allocation, is equal across the two sectors. In the example shown in Table 1, total value is

maximized when the allocation is set at 25 percent commercial and 75 percent recreational, or where the two marginal values are both \$4/fish caught.

Table 1. Value Table for a Hypothetical Fishery.

Allocation		Commercial Sector		Recreational Sector		Total National Value (Millions \$)
Commercial	Recreational	Marginal Value	Total Value (Millions \$)	Marginal Value	Total Value (Millions \$)	
0%	100%	\$6	\$0	\$3	\$110	\$110
25%	75%	\$4	\$30	\$4	\$105	\$135
50%	50%	\$3	\$50	\$5	\$75	\$125
75%	25%	\$2	\$60	\$6	\$50	\$110
100%	0%	\$1	\$80	\$8	\$0	\$80

For the recreational sector, total value or net benefits, is the sum of the consumer surplus from recreational fishing participants and producer surplus from charter and head boat operators. For the commercial sector, total value is the sum of consumer surplus from the purchase of seafood products in markets and restaurants and the producer surplus from harvesters, processors, wholesalers, and distributors of those fishery products.

Estimating consumer surplus entails estimating demand curves for both the angling experience and for consumer purchases of seafood. On the recreational side of the equation, estimating consumer surplus involves specialized surveys of anglers. Work is needed to increase the number of fisheries covered by these types of surveys. On the seafood consumer side, data on the prices and quantities of seafood purchased in markets and restaurants is needed.

Unfortunately this type of data does not currently exist.

Estimating producer surplus requires data on the costs and earnings of all the various businesses involved in the production and sale of seafood or recreational services. Very little of this type of information exists, making the calculation of producer surplus difficult at best and impossible at worst. This is where economic impact models can provide some needed information, albeit imperfect.

Economic impact models use business transaction data collected annually by several agencies within the U.S. government to create a map of economic activity occurring in the economy between consumers and suppliers. These models produce three measures of economic performance: output, value added, and employment. In the absence of value, value added or contribution to gross domestic product (GDP) is an acceptable stand-in, but one that typically overstates true value across recreational and commercial sectors (Kirkley et al 2000).

Unfortunately, commercial fishing and charter and head boat businesses are typically poorly represented in the national data.

Very few studies of this type have been conducted for saltwater recreational fishing. One particularly good study was conducted by Kirkley, et al. (2000) regarding striped bass allocation in Virginia. The study used a specialized survey of recreational anglers and a cost and earnings survey of commercial fishermen. Using the commercial cost and earnings data and the recreational survey data, the study concludes that a 100 percent allocation to the recreational sector maximized net benefits to Virginia at a value of \$27.6 million. However, changing the split to 50/50 only reduced total value to \$24.6 million. The authors felt a sensitivity analysis was necessary to explore this result further.

One method to examine this sensitivity is to highly inflate the commercial value and ratchet down the recreational value, a type of least/most analysis. As a result, the team chose to use the value added of all sectors on the commercial side (most estimate) while using just the angler demand model and ignoring the for-hire sector on the recreational side (least estimate). Under this scenario, benefits to society would be maximized with a 75 percent allocation to the commercial sector. However, to support this level of benefit on the commercial side, the retail price of striped bass would have to exceed \$32/pound. After this and other types of sensitivity analysis the team concludes that the 100 percent allocation result is sound.

In 2000, NMFS estimated the value added of all recreational expenditures to be \$12 billion. NMFS is currently updating these estimates for 2006 and they look to be much larger. Annually, NMFS publishes the value added of all economic activity related to the seafood industry in Fisheries of the United States. For 2000, the seafood industry in the U.S. generated \$27.9 billion in value added (FUS 2000). That estimate includes the processing, wholesaling, distributing and retailing of imports and also includes industrial species and other species with no recreational component. Currently it is possible to calculate value added for any commercial or recreational fishery.

Recent calculations of value added in the **summer flounder fishery** indicate that the current allocation is not efficient or in the best interest of society at large. In 2006, the value added generated by anglers targeting or catching summer flounder was \$669.3 million using MRFSS directed effort and expenditure and impact estimates from NMFS (Gentner et al. 2001, Steinback et al. 2001, Steinback et al. 2004). Taking the commercial summer flounder landings from FUS and using the NMFS value added model, the value added of all commercial activity from harvester to consumer was \$79.7 million or more than eight times less than the recreational contribution to this country (FUS 2006).

Kirkley et al. also notes that it is important to examine social consequences. Large changes in allocations can lead to community impacts, labor displacement and loss of infrastructure that should be incorporated into an analysis. Additionally, their report did not examine substitutes in any meaningful way. That is, consumers might not change their fish protein purchase decisions, but instead switch to another species of fish. This would have the effect of lowering the value of the commercial side.

In summary, in order to complete the most rudimentary allocation analysis using commercial and recreational value added, recreational and commercial fisheries economic impact models are needed. On the recreational side, estimates of angler expenditures and impacts are available from either the USFWS estimates or NMFS estimates with both agencies having 2006 estimates available. On the commercial side, NMFS currently has the value added model used for FUS. NMFS is also in development of a national-level commercial model that includes everything through the retail sector thereby updating the FUS model created in the early 1980s. It is widely acknowledged, however that this type of technique overstates actual value in each sector. Additionally, it is a static methodology that does not capture angler or harvester behavior.

Ideally, then, specialized surveys of recreational anglers would be necessary in each fishery to develop marginal values. The surveys exist for red snapper, grouper, summer flounder, and salmon, rockfish, and halibut in Oregon, Washington, and Alaska. Additionally, cost and earning data would need to be collected for the commercial fisheries involved. Currently, few fisheries are covered by cost and earnings surveys.

Detailed consumer seafood purchase data would also be needed. Unfortunately, it is unlikely that species-specific information of this type will ever be collected forward of the harvester.

Instead, economic impact models will be necessary to calculate the value added from the processing sector through to the consumer as a proxy for value. When specialized data on either side does not exist, it may be possible to use the least/most type of sensitivity analysis to examine allocations, but caution must be exercised when applying mixed methodologies.

As coastal populations increase, recreational angler values should increase as well. Recreational mortality will surely rise with rising participation, increasing the necessity to address allocation for the health of the stocks. Additionally, reliance on domestically caught fish for protein will continue its downward slide, reducing the importance of the commercial industry in supplying U.S. protein needs. Other resources uses have gone the same direction, as can be demonstrated by current freshwater fishing, hunting, and public forest usage.

MANAGEMENT FOR THE CITIZENS OF THE UNITED STATES

The U.S. is a steward of all of its natural resources---sunfish, ducks, deer, and striped bass--all of them. The concept that a private commercial enterprise is necessary to provide the public with the enjoyment of those resources by selling them to consumers so they can eat them was rejected by the federal government and state wildlife managers before 1900. There is no basis in any federal common law, any wildlife law or the constitution for such a proposition.

I have been fishing Florida waters all my life. I am now 24 years old and hope to stay in Florida, in large part due to the wonderful fisheries we have here. I am concerned about how recreational data is being tallied. In my honest opinion there is absolutely no possible way that the recreational fisherman were able to catch approximately 40% of the total catch in 2006. I would like to know exactly how these studies are being done. This is a fishery that occurs in more than 250ft of water and with the exception of South Florida and the Keys; it is not a heavily pressured fishery due to the cost involved in pursuing these fish. In my experience a snowy grouper are a by-catch species while fishing for red snapper or gag grouper. I support a seasonal closure of this fishery to allow the fish to spawn. A six month closure is unwarranted, unreasonable, and will have a detrimental impact on thousands of businesses. These businesses start with the directly impacted such as charter and headboat operations, followed by the smaller tackle businesses. After which the effects will be felt by the major tackle companies. If the limits are so stringent that a fun day of recreational fishing cannot be justified, everyone loses. Florida's economy is drastically impacted by recreational fisherman. Look at the Bahamas last two fisheries changes in the past 2 years. The economical impact far outweighs the few extra dollars the commercial fishery gains.

If you were to ask any fisherman, commercial or recreational what the overall fishery is compared to 5 or even 10 years ago, you will find that the fish are making a come back. The current regulations in place allow for the population of red snapper to continue to grow. There are literally hundreds of 1000s of 18-19 inch red snapper out there out of port Canaveral currently. I have seen more gag grouper than ever in the past few years, which means they are finally making a come back. The swordfish are finally starting to come back and I had never heard of one caught until just a couple years ago. Now a good night has 5-10 bites. This is due to the prohibited longline gear. I support keeping longline gear prohibited in all federal waters. I am stunned at the kingfish fishery. Once amazing, then depleted and now booming, shows that the restrictions put in place are in fact working.

Mortality rates of recreational fish caught from 0 to 250ft are estimated beyond 25%. How was this number obtained? A properly vented demersal reef fish has a very good chance of making back to the bottom alive and well. While there is no way to measure delayed mortality rate, I do believe it is far less than this number. Teaching recreational fisherman how to properly vent a bottom fish to allow it to swim back down greatly reduces this rate. I, whom I consider an educated angler, personally had no idea how to vent a fish *properly* until approximately 5 years ago when I joined a fishing club. What does this say about the average educated angler?

Out of all recreational fishermen, I highly doubt that any come close to catching their trip limit of any given species every trip. To be blatantly honest, overall, the recreational sector already spends more money to catch less fish and is happy with what they have. We are seeing increases in fish populations and that is good news. The kingfish are coming back and thus the commercial fishermen who hold Snapper/Grouper permits are not using them, thus helping to continue building the snapper and grouper fisheries off the coast of Florida.

Amendment 17:

Red Snapper are not currently over fished. The bag limit should remain the same and increase TL to 22"

Greater Amberjack are here in more numbers than I have seen over my entire life. The limits are fine.

Mutton Snapper are not currently over fished. Take a single recreational trip to either the Dry Tortugas or the Bahamas. These are the spawning points for our mutton snapper stock.

Snowy grouper are not currently overfished by recreational fisherman. The ability to target these fish is not in the cards for most recreational fisherman

Golden Tilefish are not currently overfished by recreational fisherman. The ability to target these fish is not in the cards for most recreational fisherman

Black Sea Bass recreational limits should change TL to 12" and reduced bag limit to 10 per person per day. I also support the restriction of use of pots for Black Sea Bass.

Speckled Hind and Warsaw grouper, like the Snowy grouper, are both deepwater grouper and currently are not targeted by recreational fishermen. They are a nice bycatch species, but not a specific target.

How will recreational data be improved? I will be asking both of my fishing clubs for information regarding every trip they take, what their total take is, how many fish released, whether or not J hooks were used, the amount of money in tackle used and/or lost as well as how much gear was left on the bottom. Even in this small type study I doubt you will see anything like the amount of fish that former studies believe the recreational fishermen caught.

SAMFC is on a good track to restoring what once was a tremendously successful fishery and you all are doing a very good job. The majority of these proposed amendments, however take us back 10 years. Most recreational fisherman now are also conservationists and believe in keeping the fishery alive and well. We are happy. Please keep it that way.

Thank you,
Sean Cheaney

Directed Shark Fisheries, Inc.
(DSF)
A Consulting Company

Gregg Waugh
Deputy Executive Director
South Atlantic Fishery Management Council (SAFMC)
4055 Faber Place Drive Suite 201
North Charleston, SC 29405
FAX 843-769-4520

February 22, 2008

Re: Scoping comment on the Comprehensive Allocation Amendment options

To: Gregg Waugh,

The king mackerel fishermen who use hook & line to fish from the Florida east coast have asked Directed Shark Fisheries, Inc. (DSF) to submit a written comment. This comment is on the scoping process for the Comprehensive Allocation Amendment.

The scoping for the comprehensive allocation amendment should go forward to prepare for the future. Needed is consideration to reallocate unused portions of the king mackerel total allowable catch (TAC) from the recreational component to the commercial fishing sector. It has become apparent that the recreational allocation percentage of 62.9% is too large, while the 37.1% for the commercial sector is too small.

Based on recent history, the recreational sector has stayed steady, catching about half of their allocation, while the commercial sector has increased to the level of catching most of their commercial catch. Reallocation should be a 50% TAC split between the recreational and commercial sectors to begin with. If the recreational sector fails to catch their allocation, then perhaps a 55% portion of the TAC like the Spanish mackerel commercial allocation could go to the fishermen.

By the time the king mackerel SouthEast Data, Assessment and Review (SEDAR) workshops are complete late this summer, the SAFMC should have a good idea of how to reallocate the TAC to the two user groups.

Rusty ;-)

Russell H. Hudson, President

Directed Shark Fisheries, Inc. (DSF)
PO Box 11604
Daytona Beach, Florida 32120-1604

(386) 239-0948 Telephone
(386) 253-2843 Facsimile
DirectedShark@aol.com

Shark Specialist
Seafood Coalition (SFC) member
National Marine Fisheries Service (NMFS) Highly Migratory Species (HMS) Advisory Panel (AP) member
Atlantic States Marine Fisheries Commission (ASMFC) Coastal Shark (CS) AP Chair commercial member representing Florida
South Atlantic Fishery Management Council (SAFMC) Marine Protected Area (MPA) AP commercial member representing Florida

PO Box 11604
Daytona Beach, Florida 32120-1604
(386) 239-0948 Voice (386) 253-2843 Fax
DirectedShark@aol.com

Directed Shark Fisheries, Inc.
(DSF)
A Consulting Company

Gregg Waugh
Deputy Executive Director
South Atlantic Fishery Management Council (SAFMC)
4055 Faber Place Drive Suite 201
North Charleston, SC 29405
FAX 843-769-4520



February 22, 2008

Re: Scoping comment on King Mackerel preliminary allocation options

To: Gregg Waugh,

The king mackerel fishermen who use hook & line to fish from the Florida east coast have asked Directed Shark Fisheries, Inc. (DSF) to submit a written comment. This comment is on the scoping process for the preliminary options of allocation of the Atlantic migratory group king mackerel commercial quota.

DSF clients are taking the position that any further discussion of changing the commercial allocation of king mackerel pertaining to State, region or season is immature. SAFMC needs to wait until the SouthEast Data, Assessment and Review (SEDAR) workshops for king mackerel (SEDAR 16) are concluded. The complete SEDAR 16 final report is due to the Councils September 12, 2008. Allocation scoping should resume after that deadline.

The king mackerel mixing zone that exists from November 1-March 31 may enter into the final debate once the scientific assessments are concluded. Allocations could become altered as a result. Status quo is the best choice until after the SEDAR 16 process ends.

Rusty ;-)

Russell H. Hudson, President
Directed Shark Fisheries, Inc. (DSF)
PO Box 11604
Daytona Beach, Florida 32120-1604
(386) 239-0948 Telephone
(386) 253-2843 Facsimile
DirectedShark@aol.com

Shark Specialist
Seafood Coalition (SFC) member
National Marine Fisheries Service (NMFS) Highly Migratory Species (HMS) Advisory Panel (AP) member
Atlantic States Marine Fisheries Commission (ASMFC) Coastal Shark (CS) AP Chair commercial member representing Florida
South Atlantic Fishery Management Council (SAFMC) Marine Protected Area (MPA) AP commercial member representing Florida



PO Box 11604
Daytona Beach, Florida 32120-1604
(386) 239-0948 Voice (386) 253-2843 Fax
DirectedShark@aol.com

1/1

Gentlemen,

In regards to the proposed options for allocating the TAC amongst all user groups, I would like to offer my thoughts.

The allocation of public resources can be handled morally and legally in no other way than in a fair and equitable nature. To allow a sector to reap the benefits of a public resource just because they choose to exploit that resource for profit is unfair at best. As mandated by the Magnuson-Stevens Act "a fair and equitable" distribution of resources must be made.

On the surface nothing could be more fair than a 50/50 split between the primary two competing interests, commercial and recreational user groups. This however could also be taken apart further and looked at in more detail. The council and law makers of this country need to make a determination as to the validity of one user groups claim to a share of the public resource vs. another. I would present to the council that far more of the public for which the resource is owned, are represented by the recreational sector than the commercial sector.

Allocation of stocks should be looked at in such a way as to provide the greatest benefit to the largest number of individuals that make up the public interest. The council needs to use accurate and measurable data to determine economic impact as well as the broader accessibility of the resource to the most public individuals.

I find it hard to understand how historical catch records can become the primary mechanism used to determine allocation for one group or the other. First off, I suspect that the data is flawed. This is pretty much supported in that a new Marine Recreational Fishing Statistic Survey is being developed to address the flaws which exist in the current survey. I'm a computer guy and know that you put garbage in you get garbage out.

Historical data just shows how the allocation was done in the past. It doesn't mean it was right. It doesn't reflect facts like regulation which limits the take of a species by a user group. It doesn't reflect changes in fishing effort, gear used or changes in access to a species. It would seem to me that we should be making future allocations based on how we wish the future to look rather than how it currently is, or how it was in the past. Way to many things have changed in fishing and will continue to change to rely on the past data as a primary source of information.

I've been fishing for most of my 45 years. I'm also fairly rare in that I've lived and fished the same areas for the entire time. I think I have a very good perspective on how changes in techniques, gear and technology have effected the fishery in my area. I can relate to the days when we used a lot of trial and error to locate fishing spots. It was much harder to locate a spot on the ocean floor that held fish and then return to that exact spot time and again. I can remember many times hearing a boat call over the radio just looking for the heading too return to port. Nowadays you don't here that much. Most anybody can shell out \$99 to buy a handheld GPS and return time and again to a spot. In all this time I

have never once been surveyed. 45 years and thousands of hours on the water and never once asked what did you catch!

The point is that the past is the past and has little to do with what the future will or should be. I believe that the council should choose the only acceptable path as spelled out by law and by common sense. Make the allocations based on sound data, greatest economic impact and manage the resource for the greater number of public individuals. Regularly review the allocations to determine how recovery of a species or level of effort have changed the end goal. Everybody needs a FAIR share. Let's work together to get it.

Thank you for consideration.

Sincerely

Chuck Ellis
Oviedo, Florida

I am a recreational angler that lives in Melbourne, Florida. I keep a 26' boat at Port Canaveral. I bottom fish every time I go out. We keep in strict compliance with all the laws there are and would not keep any fish even if it is 1/4" short. I believe this is true for just about all anglers. I keep 2 Red Snappers per month and 2 Groupers per month on average. I would hate to see a closed season for these fish since it is one of my favorite fish to catch.

I don't think that the recreational angler is killing off the population of these fish, however it is the shrimpers who are. They kill the fish as by catch. Please think long and hard before creating a closed season. Maybe you could lower the limit per person rather than stop the fishing all together. I moved to this area of Florida after retirement for the great fishing in the area. Please don't take that away.

Thank you,

John FitzGerald
1392 Payette Lane
West Melbourne, Fl 32904

I STRONGLY encourage the SAFMC to adopt Alternative 3 as set forth in Table 20. The 50/50 allocation is the only fair and equitable alternative. It is the only one that complies with both the spirit and requirements of the Magnuson-Stevens Act.

I oppose the inclusion of commercial fishing operators such as Charters, guides and Headboats within the allocation of Recreational anglers. These vessels are commercial enterprises and can only be properly placed within the commercial allotment. I also oppose the splitting of the allocation into three sectors. The Magnuson-Stevens Act requires equal allocation between the recreational and commercial interests. This 3 sector allocation gives the recreational anglers 1/3 of the allotment not the required 50% of the allocation.

I believe any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both the recreational and commercial sectors. I strongly encourage the SAFMC to immediately begin data collections and studies to determine the relative landings of the two sectors, to ensure all future management is based on accurate scientific measurements, not historic or estimated models.

I encourage the SAFMC to adopt regulations to ban all longline fishing for any purpose. There is no logic for continuing this unsustainable method of indiscriminate fishing.

Sincerely,
Robert Bradley Londeree

Sincerely,
Captain Randall S.
Austin

Sincerely,
Brett Duncan

Sincerely,
Mark Kowalski

Sincerely,
Kevin S. Reynolds

Sincerely,
Paul Golub

Sincerely,
Corey Bartlett

Sincerely,
jeff deloche

Sincerely,
Dave Megregian

Sincerely,
John D Bauman Winter
Haven, Fla

Sincerely,
Karl Pappas

Sincerely,
Patrick J Magrady

Sincerely,
Tod Howard

Sincerely,
linsey h Johnson

Sincerely,
James M. Frink

Sincerely,
Dennis J. Whitted

Sincerely,
Patrick Murphy

Sincerely,
Lee Alexander

Sincerely,
Matt Carter

Sincerely,
Tony Ford

Sincerely,
Terry Winn

Sincerely,
Capt. Jim Brown

Sincerely,
Mark W. Galloway

Sincerely,
Mel Waters

Sincerely,
Jorge Perez

Sincerely,
Michael Read

Sincerely,
rolf kurt fischer

Sincerely,
daryoush payman

Sincerely,
Jim Benard

Sincerely,
Stephen H Wolfe Jr

Sincerely,
Dale R. Badgett
President
Florida Sport Fishing
Association

Sincerely,
jeffrey A page

Sincerely,
Francis Martin

Sincerely,
Dale L Worth
Weighmaster for
Central Florida
Offshore Anglers

Sincerely,
James Mosier

Sincerely,
Tim Turner

Sincerely,
John M. Carney
Sincerely,
Walter F. Eismann

Sincerely,
Kimberly Duncan

Sincerely,
Robert McKinney III

Sincerely,
Rodney Sahr

Sincerely,
Ray Hutchinson

Sincerely,
Don Newhauser
Verniece Newhauser

Sincerely,
Leon G. Vetsch

Sincerely,
Bart Free

Sincerely,
Michael Seay

Sincerely,
Greg Oropeza

Sincerely,
Raymond J. Campbell

Sincerely,
Lauren DeLucia

Sincerely,
Carlos Nugen

Sincerely,
Nicholas S Odom

Sincerely,
Paul Ramirez
Sincerely,
Brian Frye

Sincerely,
Melissa Guzman

Sincerely,
John Jervey

Sincerely,
Greg Cordle

Sincerely,
William Hyatt

Sincerely,
Raymond R. Hiltz

Sincerely,
Jay farris

Sincerely,
Marcus Bradley

Sincerely,
Eric Kubes

Sincerely,
Steve Collins
Florida Sport Fishing
Assoc.
Vice President

Sincerely,
james Thompson

Sincerely,

Gregory Snack

Sincerely,
David Eicher

Sincerely,
Robert Sutton

Sincerely,
Thomas A Tison
Sincerely,
Travis Anderson

Sincerely,
Glenn M. Smith

Sincerely,
brian rimer

Sincerely,
John Wacha

Sincerely,
Michael Charbeneau,
I agree with the views
of this site

Sincerely,
Robert Holt

Sincerely,
David Conway

Sincerely,
Jon Scholtens

Sincerely,
Orson Tarver

Sincerely,
Joseph Thomas Stegner

Sincerely,
John FitzGerald

Sincerely,
John E Mountford

Sincerely,
Buddy Padgett

Sincerely,
Richard McCormick

I STRONGLY encourage the SAFMC to adopt Alternative 3 as set forth in Table 20. The 50/50 allocation is the only fair and equitable alternative. It is the only one that complies with both the spirit and requirements of the Magnuson-Stevens Act.

I oppose the inclusion of commercial fishing operators such as Charters, guides and head boats within the allocation of Recreational anglers. These vessels are commercial enterprises and can only be properly placed within the commercial allotment. I also oppose the splitting of the allocation into three sectors. The Magnuson-Stevens Act requires equal allocation between the recreational and commercial interests. This 3 sector allocation gives the recreational anglers 1/3 of the allotment not the required 50% of the allocation.

I believe any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both the recreational and commercial sectors. I strongly encourage the SAFMC to immediately begin data collections and studies to determine the relative landings of the two sectors, to ensure all future management is based on accurate scientific measurements, not historic or estimated models.

I encourage the SAFMC to adopt regulations to ban all long line fishing for any purpose. There is no logic for continuing this unsustainable method of indiscriminate fishing. This practice kills young fish that are the backbone of restoring any species that is overfished. By allowing longlining you are also going to decimate the young thus destroy the species.

Sincerely,
Damien McDermott

John Mines	Michael K. Hughes	Christopher Hudson
Wesley Toth	Sean Halsey	Brad Latraverse
Luis Casals	Deirdre Halsey	terry lee ravenscraft
Casey Lee Smith	Zach Metts	Richard Rasey
Greg Gammage	Jeff Holliday	Fred R. Harrell
Liz Gammage	Greg Trefz	Susan Wilkerson
Troy Denson - Owner Mount This Fish Company	Jim Bassford	John D. Hannan
edgar mayorga	Brady E. Gaughan	Dennis Blacwkell
Joseph Bivona	tyler foster	Capt. Jimmy Dolan
Trevor A. Melderis	John Moscarillo	William E. Stewart
Chad Troncale	Paul Klett	L.L.TREFZ
kevin f Johnson	Jeff Sevor	Matthew Weisberg

Ken Yancey

Jordan Jinright

jeff theroux

Janie Kowalski

Wade F. Liles

John Olszewski

Bruce Lane

Krista Trefz

Charlie McCullough

John E. Mitchell

Richard Brosseau

Tom Hargrove

jim bozung

Thomas G. Floyd

Michael Schimmack

George D. Bolton

Denny Topper

Derek Pederson

Mark Filichia

I STRONGLY encourage the SAFMC to adopt Alternative 3 as set forth in Table 20. The 50/50 allocation is the only fair and equitable alternative. It is the only one that complies with both the spirit and requirements of the Magnuson-Stevens Act.

I oppose the inclusion of commercial fishing operators such as Charters, guides and head boats within the allocation of Recreational anglers. These vessels are commercial enterprises and can only be properly placed within the commercial allotment. I also oppose the splitting of the allocation into three sectors. The Magnuson-Stevens Act requires equal allocation between the recreational and commercial interests. This 3 sector allocation gives the recreational anglers 1/3 of the allotment not the required 50% of the allocation.

I believe any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both the recreational and commercial sectors. I strongly encourage the SAFMC to immediately begin data collections and studies to determine the relative landings of the two sectors, to ensure all future management is based on accurate scientific measurements, not historic or estimated models.

I encourage the SAFMC to adopt regulations to ban all long line fishing for any purpose. There is no logic for continuing this unsustainable method of indiscriminate fishing.

Sincerely,
richard e. foster

Jerry Fedel	LP	Steven M. Lehning
brian eichenlaub	Robert Nieman	andrew cancelmo
THOMAS P MCDONOUGH	Brenton Malchow	David Rounds
Mark Lusa	Dennis Vocelka	James Scott Bradford
James F. Grebey, Jr.	Joe McDermott	Willam Scott Schermerhorn
Jason Burt	Travis Michael Culp	Shawn Grezaffi
Jeff Brown	Christopher Collins	James Carling
Chris Kindig DMD	David S. van der Meulen	Randy Siegel
Ian Romero	John F. Church	Matt Silvey
Randall S. Lang	Clark Lacheik	Bill Netto
Tara Shea	Chad Starling	Walter Borowski
Steve Quincy	Josh Huff	Jane C. Magrady
Mark Harrison	rick pino	STEPHEN C SMITH

Paula L. Cowart, President
Southern Printing, Inc.

John H. Riedel

Mark Whitmire

Dennis Parker

Robert and Anne MacKichan

William Kirtley

Lucy Vanderwall

Michael Travis

GARY PHILLIPS

Jack Curry

Ernest Stallings

Felix C Beruvides

Randy Larson

Scott Brooke

Denise Brooke

Megan Ross

denise brooke

scott brooke

Darryl J. Braun

Gary Rauch

Bradley P Grant

Michael Colter

Randy Smathers

S. Todd Tharp
Clint Symons

Captain Ron Wright

Charlie Stephens JR

gary price

Markham D Bowman

Al Rapaport

Captain Michael A. Cochran

John M. Knight

Dan Dunwoody

Scott Giles

I STRONGLY encourage the SAFMC to adopt Alternative 3 as set forth in Table 20. The 50/50 allocation is the only fair and equitable alternative. It is the only one that complies with both the spirit and requirements of the Magnuson-Stevens Act.

I oppose the inclusion of commercial fishing operators such as Charters, guides and head boats within the allocation of Recreational anglers. These vessels are commercial enterprises and can only be properly placed within the commercial allotment. I also oppose the splitting of the allocation into three sectors. The Magnuson-Stevens Act requires equal allocation between the recreational and commercial interests. This 3 sector allocation gives the recreational anglers 1/3 of the allotment not the required 50% of the allocation.

I believe any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both the recreational and commercial sectors. I strongly encourage the SAFMC to immediately begin data collections and studies to determine the relative landings of the two sectors, to ensure all future management is based on accurate scientific measurements, not historic or estimated models.

I encourage the SAFMC to adopt regulations to ban all long line fishing for any purpose. There is no logic for continuing this unsustainable method of indiscriminate fishing.

Sincerely,
Mr Gerard Fogarty

Elizabeth Barber

C. Edward Albine

Robert Nakada

Michael Edmiston,

George S. Gaston

Andy Johnson

Scott Miller

Jeff Coutant

Louis Sanchez

R. Williamsen

Richard Yates

Brandon W. Blackmon

John B. Jolliff

Robert Beliech

Trina M. Polkey

Roger Kershaw

matt meyer

Steve Wilcox

James Ashcraft

Joseph w Huebner Sr

WARD A. BEMISS

Hans DeKoning

Joe Kaile

SEAN KOBYLARZ

Frank J Kowalski

Randy Pearce

Don Naber

Steven Edmiston

Robert E Carter

John Laskowitz

Edward J. Higgins

Joey Rodriguez, Sr.

Leigh Davis

Paul R. Ewing

Noah M. Williams

Eric Fosbender

Donna Golub

William Hunter Thompson

Matthew E. Pitman

James L Drake

Jessica Barber Brown

KEVIN JOHNS

Richard F Miller

John William

Henry A. Gowing Jr.

mike greene

perry greene

Jason Joyce

Zack Forrestal

Brian Mather

alexander leach

Tim Steuber

Paul Schumacher

Jason Velleff

Darryl Dotherow

Robert P. Sallas III

Harvey N. Moss

Michael J Beckmann

Tim totaro

G L Spears

Michael Murphy

G. Stephen Hiers

Donald S. Trauthwein

I STRONGLY encourage the SAFMC to adopt Alternative 3 as set forth in Table 20. The 50/50 allocation is the only fair and equitable alternative. It is the only one that complies with both the spirit and requirements of the Magnuson-Stevens Act.

I oppose the inclusion of commercial fishing operators such as Charters, guides and head boats within the allocation of Recreational anglers. These vessels are commercial enterprises and can only be properly placed within the commercial allotment. I also oppose the splitting of the allocation into three sectors. The Magnuson-Stevens Act requires equal allocation between the recreational and commercial interests. This 3 sector allocation gives the recreational anglers 1/3 of the allotment not the required 50% of the allocation.

I believe any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both the recreational and commercial sectors. I strongly encourage the SAFMC to immediately begin data collections and studies to determine the relative landings of the two sectors, to ensure all future management is based on accurate scientific measurements, not historic or estimated models.

I encourage the SAFMC to adopt regulations to ban all long line fishing for any purpose. There is no logic for continuing this unsustainable method of indiscriminate fishing.

Sincerely,
joshua bessette

Lori Bessette

Alexander Crandall

John Crickenberger

Aaron Kunsberg

David Barber

Lori Barber

Peter Fatizzi

Jean Gasperoni

GARY PHILLIPS

Karl P Pappas

Kendall W. Allen

Javier Sandoval

Paul Parson

Dawn and Paul Partlow

I STRONGLY encourage the SAFMC to adopt Alternative 3 as set forth in Table 20. The 50/50 allocation is the only fair and equitable alternative. It is the only one that complies with both the spirit and requirements of the Magnuson-Stevens Act.

I oppose the inclusion of commercial fishing operators such as Charters, guides and head boats within the allocation of Recreational anglers. These vessels are commercial enterprises and can only be properly placed within the commercial allotment. I also oppose the splitting of the allocation into three sectors. The Magnuson-Stevens Act requires equal allocation between the recreational and commercial interests. This 3 sector allocation gives the recreational anglers 1/3 of the allotment not the required 50% of the allocation.

I believe any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both the recreational and commercial sectors. I strongly encourage the SAFMC to immediately begin data collections and studies to determine the relative landings of the two sectors, to ensure all future management is based on accurate scientific measurements, not historic or estimated models.

I encourage the SAFMC to adopt regulations to ban all long line fishing for any purpose. There is no logic for continuing this unsustainable method of indiscriminate fishing.

Sincerely,
Robert W Knight

Donald Henley

Paul Westmoreland

Mikal Hale

Michael R. Ansay

I STRONGLY encourage the SAFMC to adopt Alternative 3 as set forth in Table 20. The 50/50 allocation is the only fair and equitable alternative. It is the only one that complies with both the spirit and requirements of the Magnuson-Stevens Act.

I oppose the inclusion of commercial fishing operators such as Charters, guides and head boats within the allocation of Recreational anglers. These vessels are commercial enterprises and can only be properly placed within the commercial allotment. I also oppose the splitting of the allocation into three sectors. The Magnuson-Stevens Act requires equal allocation between the recreational and commercial interests. This 3 sector allocation gives the recreational anglers 1/3 of the allotment not the required 50% of the allocation.

I believe any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both the recreational and commercial sectors. I strongly encourage the SAFMC to immediately begin data collections and studies to determine the relative landings of the two sectors, to ensure all future management is based on accurate scientific measurements, not historic or estimated models.

I encourage the SAFMC to adopt regulations to ban all long line fishing for any purpose. There is no logic for continuing this unsustainable method of indiscriminate fishing.

Sincerely,

Erica L. Byda

Larry Hirt Jr

scott Maresca

ames daniel keonitzer

Robert C Minotti Deland, FL

Chris O'Kelley

John Donaldson

Jack Bergquist

I STRONGLY encourage the SAFMC to adopt Alternative 3 as set forth in Table 20. The 50/50 allocation is the only fair and equitable alternative. It is the only one that complies with both the spirit and requirements of the Magnuson-Stevens Act.

I oppose the inclusion of commercial fishing operators such as Charters, guides and head boats within the allocation of Recreational anglers. These vessels are commercial enterprises and can only be properly placed within the commercial allotment. I also oppose the splitting of the allocation into three sectors. The Magnuson-Stevens Act requires equal allocation between the recreational and commercial interests. This 3 sector allocation gives the recreational anglers 1/3 of the allotment not the required 50% of the allocation.

I believe any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both the recreational and commercial sectors. I strongly encourage the SAFMC to immediately begin data collections and studies to determine the relative landings of the two sectors, to ensure all future management is based on accurate scientific measurements, not historic or estimated models.

I encourage the SAFMC to adopt regulations to ban all long line fishing for any purpose. There is no logic for continuing this unsustainable method of indiscriminate fishing. I have and many others pulled up disguarding long line gear still killing fish from the bottom out of Port Canaveral. Not to mention the long line boats operating along the 27 fathom line in a prohibited area. We find them early in the morning before they can get their gear back on board and run. Some of these vessels are foreign, and when we call it in we are told that the area is too far from port to patrol, so take pictures and send them in, this does nothing to protect the resource.

Sincerely,
claudio Garalde

South Atlantic Fisheries Council,

My name is Bill Greer. I own Star Seafood in Holden Beach, North Carolina, a fish packing house on the Intracoastal Waterway. I also own 5 snapper/grouper fishing vessels using bandit reels as gear, with 5 corporate federal permits for snapper/grouper. The 50 foot boat started bandit fishing in 2005. The 50foot, 41foot and 40 foot boats fished in 2006 and 2007 with one boat out of commission for 3 1/2 months in 2007. Another 45 foot boat will be ready to fish in April of 2008 and the remaining 45 foot boat will be ready to fish in October of 2008.

With the planned reduction in Vermillion Snapper and Gag Grouper catches I could stand to lose an estimated \$150,614.00 in one year. My yearly operating expenses for the three boats and the fish house for the year 2007 were in excess of \$200,000.00. With these cuts I would not be able to survive.

What needs to be done? We petition the council to propose an amendment to delay any cut backs until the year 2010. This would allow the government to attain more accurate and viable data and would allow the fisherman as well as the fish houses to plan financially for the worst case scenario. These reductions alone will not only hurt the fisherman but will undoubtedly put the packing operations out of business as well.

On another issue - We also ask the council to look into The Fishing Capacity Reduction Program,

Article 104-297, Section 312, Page 130, of the Magnuson Act. In it the Secretary of Congress is authorized to buy out the boats and the permits. This would immediately reduce the fleet by significant numbers and leave the fishing to those who consider it their only job.

Sincerely,
Bill Greer

Subject: Comprehensive Allocation Amendment

South Atlantic Council,

I want to bring to the attention of the Council the fishing effort made by the snapper/grouper boats working out of Southport, NC area.

Between the two fishpacking houses, Tatum Seafood and Star Seafood, they produce a significant amount of snapper/grouper to the North Carolina landings.

In 2006, between these two packing operations, with 10 3/4 boats fishing, they produced 192,595 pounds of Vermillion Snapper or 57.3% of the North Carolina of the NC Landings. In 2007 both of these packing operations, with 9 boats fishing, produced 197,287 pounds of Vermillion Snapper or 36.4% of the NC landings. Both with roughly 70% of the landings coming after June of every year.

With the 2007 N.C. landings of Vermillion Snapper at 541,147 pounds, the 3rd highest since 1978, or 29 years, one has to wonder if there IS a problem.

Let's look at a recent history of Vermillion Snapper Commercial Landings.

1988 - 365,158 lbs.

1989 - 504,418 lbs (4th highest)

1990 - 563,935 lbs (the highest)

1991 - 560,412 lbs (2nd highest)

At this time Southport had two fish packing operations but had between 22-28 bandit boats fishing.

North Carolina, over the last 20+ years, has shown good consistent landings of Vermillion Snapper, averaging between 330-380,000 pounds with peaks in the 500,000 pound range.

Why then, should N.C. fisherman be financially punished when it seems as if their Vermillion Snapper fishery, locally, here in the Cape Fear Region, is sustaining itself and shows no signs of overfishing?

Sincerely,

Jon Haag

Attached are other statistical documents. All numbers are accurate and provided by the State of North Carolina Division of Marine Fisheries.

The fish houses, Tatum Seafood and Star Seafood, have provided me with individual landings provided to them by the state as well.

Commercial Vermillion Snapper Landings

Seafood	North Carolina Star Seafood	Tatum	
• 2004	325,908 lbs	125,961 lbs (9 boats)	-0-
• 2005	421,952 lbs	130,466 lbs (9 boats)	57,000 lbs (1 boat)
• 2006	336,145 lbs	88,030 lbs (8 boats)	104,565 lbs (2 3/4 boats)
• 2007	547,147 lbs (sw/1boatdown3.5months)	86,200 lbs (6 boats)	111,087 lbs (3boat)
•			
•			
•	Combined numbers for these two fish houses :		
• 2004	125,961 lbs		
• 2005	187,466 lbs		
• 2006	192,595 lbs (57.3% of NC landings)		
• 2007	197,287 lbs (36.4% of NC landings)		

February 22, 2008

TO: South Atlantic Fishery Management Council

FROM: Jon Haag
Haag and Sons Seafood, LLC
Oak Island, NC
Representing Star Seafood and Tatum Seafood, 2 major fish packing houses in the Cape Fear Region.

RE: The South Atlantic Council's Comprehensive Allocation Amendment

The following is meant to supplement the information I presented in emails sent to you earlier today.

Please contact me if you have any question or if I can be of further assistance.

Thank you for your attention to this matter.

Sincerely,

Jon M. Haag
910.278.1234

3 pages total

Commercial Vermilion Snapper Landings for North Carolina

Below you will find the landings of Vermilion Snapper in North Carolina since 1978. This shows the fluctuation in the Vermilion Snapper population over the past several decades. It appears that the Vermilion Snapper population off the NC coast is on the rise again.

Resource: <http://www.ncdmf.net/statistics/comstat/snapperver.htm>

Year	Whole Weight (lbs)	Highest Years	10 Year Average	Noteworthy Events
1978	52,422			
1979	128,995			
1980	191,479			
1981	144,455			
1982	171,737			
1983	101,379			
1984	216,644			
1985	377,064			
1986	391,013			
1987	272,462		204,765	
1988	365,158			
1989	504,418	4th		
1990	563,935	1st		
1991	560,412	2nd		
1992	305,751			Implementation of Size Limits
1993	369,023			
1994	399,823			
1995	375,705			
1996	333,073			Hurricanes
1997	356,661		413,396	
1998	342,768			
1999	427,610			Hurricanes
2000	500,347	6th		
2001	501,524	5th		
2002	465,585			
2003	253,020			
2004	325,908			
2005	421,952			
2006	336,145			Average Landing over 30 years
2007	541,147	3rd	411,601	343,254

Commercial Vermilion Snapper Landings

Below you will find the breakdown of the Vermilion Snapper landed by just two fish houses in North Carolina over the past 4 years.

Year	Total NC Landings (lbs)	Tatum Seafood (lbs)	# Tatum Boats	Star Seafood (lbs)	# Star Boats	Tatum + Star (lbs)	% of NC Landings (Tatum + Star)	South Atlantic Region Avg (lbs)
2004	325,908	125,961	9	0	0	125,961	38.65%	1,100,000
2005	421,952	130,466	9	57,000	1	187,466	44.43%	1,100,000
2006	336,145	88,030	8	104,565	2.75	192,595	57.30%	Not Available
2007	541,147	86,200	6	111,087	3*	197,287	36.46%	Not Available

*Note - 1 boat was out of commission for 3.5 months

Just these two fish houses landed almost 200,000 lbs each year.

The proposed Commercial Landing for the entire South Atlantic Region is just 427,352.12 lbs. How can fish houses stay in business with the new restrictions?

NORTHCAROLINA LANDINGS

Snapper, Vermilion (Beeliner)		
YEAR	POUNDS (WHOLE WEIGHT)	VALUE (\$)
1978	52,422	\$64,997
1979	128,995	\$188,436
1980	191,479	\$326,305
1981	144,455	\$256,893
1982	171,737	\$292,104
1983	101,379	\$187,236
1984	216,644	\$406,479
1985	377,064	\$683,993
1986	391,013	\$735,029
1987	272,462	\$529,704
1988	365,158	\$702,829
1989	504,418	\$1,028,182
1990	563,935	\$1,105,153
1991	560,412	\$1,088,334
1992	305,751	\$697,728
1993	369,023	\$805,482
1994	399,823	\$897,846
1995	375,705	\$867,678
1996	333,073	\$723,652
1997	356,661	\$847,555
1998	342,768	\$828,584
1999	427,610	\$1,030,345
2000	500,347	\$1,252,509
2001	501,524	\$1,160,508
2002	465,585	\$1,119,553
2003	253,020	\$642,927
2004	325,908	\$836,443
2005	421,952	\$1,086,272
2006	336,145	\$927,721
2007	541,147	

4th HIGHS X
1st HIGHS X
2nd HIGHS X

? SIZE LIMIT

HURRICANES

6th HIGHS X
5th HIGHS X
ANOTHER GOOD YEAR

MILTON

3rd HIGHS X

? ARE LANDINGS ON THE RISE AGAIN
HOW CAN YOU REFUTE THAT?

4 TRIPS/6
24,000
027/000

C PERMITS

Comments on the Comprehensive Allocation Amendment

Before I can offer any comments on the Comprehensive Allocation Amendment, we must first be on the same page as to what is being allocated. Obviously, we are talking South Atlantic managed fish populations. These populations belong to 100% of United States citizens.

Now how are we going to allocate between the groups?

Most recent statistics that I have seen shows that only 5% of US citizens fish in Salt Water. Also from recent statistics show that 16.5#’s of seafood is consumed by Americans a year. Of course what I am getting at is that the 95% of the citizenry could easily be disenfranchised by decisions this council makes. There are those who want to make this a one on one fight pitting commercial against recreational fishermen. The proper way to formulate this plan would be to determine the amount due the 95% of people that do not access the fishery to catch their own first. At that point, you can then start figuring what the two allocations should be.

Somewhere down the line, **someone must take up for the seafood eating public’s right to have access to domestically caught seafood.** This in no way diminishes the importance of a healthy recreational fishery(I include charter/headboats here), but it sets the stage for the proper distributions.

I have watched year by year the leaning toward increased allocations to the recreational side with a pushing out of the commercial fishermen. What is funny about this is there is no recreational accountability for any of their “soft quotas“. The new Magnuson-Stevens Act(MSA) has now increased the importance of monitoring the recreational catch. Without some sort of mandatory reporting, or tag system, or timely statistics gathering mechanism, you will be hamstrung as to managing appropriately.

The question still remains as to the proper way to allocate the fishery.

In my opinion, you need to look at the history of the fishery before regulations were put in place and work from there keeping an eye on the consumers right to a public resource. Remember that commercial fishermen are the **vehicle by which the public accesses their share of a public resource**. It is not a one to one comparison with recreational fishermen. The biggest part of your problem will be counting the recreational catch in a **timely manner** and putting in some sort of mechanism to handle overages. Keep in mind that the MSA requires you to be “fair and equitable” in not only the allocations, but also the pains and gains of resource management.

Andy High

f/v Relentless II

Hello;

I wanted to let you know that I met Kenny Fex today regarding the possibility of bank financing on the resource allocations (quotas) regarding the new fishing allocations that are under consideration. From our bank's perspective this would be a non-tangible collateral source and something that we would find very hard to lend against. I wanted to provide this input to you are Kenny's request.

If you have any questions or comments please feel free to call me or e-mail me at the address below. Thank you.

David

David Kesler Jr.
Senior Vice President/Business Banking Manager
#910.457.7302
Fax #910.457.4424
david.kesler@firstcitizens.com

Imposing catch allocations on recreational fisherman using incomplete, Exaggerated, and flawed data is only serving an injustice to the legitimate hard working individual who enjoys spending a day fishing with family and friends. These regulations are only self serving to the commercial sector with little regard for the general public, I for one will boycott all commercially caught fish and preach this message to all that will listen. From my standpoint the samfc is nothing more than the mouth of commercial fishing.

Brad Londeree
CFOA MEMBER

Notwithstanding the provisions of the Magnuson/Stevens Act to provide for equitable distribution of fishing resources between various groups, the NMFS has consistently followed the Bush balance of power in favor of corporate/commercial interest groups to the detriment of the recreational public. Eventually all of our fish stock will be wiped out by a combination of those interests and foreign fisherman invading our fisheries stock along the entire Atlantic seaboard and the Gulf of Mexico. For example, look what happened to the red grouper.

The red grouper allocation in the Gulf of Mexico: The federal process has determined that up to 81% of the red grouper harvest should be taken by commercial interests. Recreational fishers have been continuously reduced to the point where the recreational bag limit is only one fish, with the addition of another one month closure. CCA filed a lawsuit in 2005 against NMFS when it attempted to enact Interim Rules to close the entire Gulf of Mexico to all recreational take, for all groupers, for three months. CCA won the lawsuit and only red grouper was limited. During the battle, it was shown that commercial longline boats take the majority of the commercial allocation of red grouper. It was also shown that just 25 commercial longline boats took more red grouper than what was allocated to all the recreational fishers in the entire Gulf of Mexico!

How is it possible that commercial for-profit interests are unevenly balanced against the interests of the voting public. Could it be because of an inequitable balance of representation at the NMFS?

Perhaps the MagnusonStevens Act should be amended to reallocate the voting representation to be less reflective of commercial lobbying interests. But in the meanwhile perhaps the NMFS should consider reallocation on an "equitable" basis as required by the act.

Joel Lowinger, Delray Beach, Florida

I was not able to make the meeting at Cape Canaveral to express my views about the pending closure of our fishery. I have read the outline of the proposed new regulations and closures and I oppose most of what is proposed. Allow me to make a few comments regarding the process.

1. Holding meeting during the workweek is a fine way of keeping the public from giving input.
2. From what I have heard about the meeting from friends that did attend, there is the perception that the powers that be have already decided. The meetings are being held to allow the loud mouths to vent.

I am a recreational fisherman. Your proposed rules and regulations will end my fishing here in Florida. I had planned on retiring here, but I will move so that I can enjoy my passion. Your actions are ending my fishing rights and handing an unfair share of the resource over to commercial interests is based anecdotal evidence, or no evidence at all. While you can estimate the commercial take, you make no effort to count the recreational take. You arbitrarily assign a number to the recreational fishermen. The current regulations are working in our area. We have an abundance of grouper and snapper. Apparently you folks have no idea how good things are here.

Closing the area to grouper and snapper fishing during the winter effectively closes our area for the year. Remember, we do not bottom fish most of the summer months because we have our annual cold water upwelling which makes fishing useless. If you close the winter, you might as well close it all year. Lowering the snapper size slot is just plain ignorant. Why, because it is 100% unenforceable.

1. Spend some of the tax money we pay when we buy our fishing tackle via Magnuson Stevens Act on actually counting the recreational take.
2. Make the recreational take 50%.
3. Enforce the regulations for the rogue long liners.
4. Either end shrimping off our coast or mandate technology that will end the slaughter of juvenile grouper snapper and other game fish.

Patrick J. Magrady
845 Coach Lamp Ct.
Sanford, FL 32771

407-324-7573

- 1. No Action As Is**
- 2. TAC Allocations should be for the commercial fishery ONLY**
- 3. Recreational should only be bag limits with NO SALE**

RUNNERS SEAFOOD

4824 - Highway 24

Morehead City / Newport, NC 28570

252-393-8474

To Whom it may Concern:

As a Florida native and lifelong resident for 45 years as well as an avid offshore fisherman I have always been committed to preserving the resources that the Atlantic has to offer for future generations. I actively support conservation and research efforts to meet this goal. My Father is a retired Pinellas County teacher and retired flats guide.

I oppose and encourage the SAFMC to adopt regulations to ban ALL longline fishing for any purpose!

There is no logic for continuing this unsustainable method of fishing...

I support the use of venting tools and de-hookers to reduce mortality. (both tools USED on my boat!)

I take the following position in regard to the issues as follows:

Comprehensive Allocation Amendment -

I support and encourage the SAFMC to adopt Alternative 3 as set forth in Table 20. The 50/50 allocation is the only fair and equitable alternative. It is the only one that complies with the requirements of the MagnusonStevens Act.

I oppose the inclusion of commercial fishing operators such as Charters, guides and Headboats within the allocation of Recreational anglers. These vessels are commercial enterprises and can only be properly placed within the commercial allotment. I am also opposed to the splitting of the allocation into three sectors. The MagnusonStevens Act requires equal allocation between the recreational and commercial interests. This 3 sector allocation gives the recreational anglers 1/3 of the allotment not the required 50% of the allocation.

It is my position that any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both of the sectors. I encourage the SAFMC to immediately begin the studies to determine the relative landings of the two sectors.

Snapper Grouper Amendment 17 -

Proposed changes to management Regulations:

Snowy Grouper:

I oppose all of the proposed actions and changes to the current recreational regulations. Table 3 as attached to the Comprehensive Allocation Amendment clearly shows that the overwhelming majority of the landings are commercial not recreational. Any changes to the regulations must be made to the commercial sector prior to any consideration of further tightening of the recreational regulations. The proposed changes only make the allotment more unfair to the recreational anglers and in further violation of the MagnusonStevens Act.

Golden Tilefish:

I oppose any easing of the regulations for the commercial industry and oppose the removal of the 300 lb trip limit. I support changing the recreational limit from 1 to 2 fish per day per person. The nature of this fishery requires great travel distances over water and the minimal limit has ruined the recreational aspect of this particular fishery that is only available to a small percentage of recreational offshore fishermen who have the ability to venture far offshore.

I also oppose all use of longlines and would encourage the SAFMC to prohibit all use of longlines.

I oppose any further restrictions of the recreational fishing! Table 4 as attached to the Comprehensive Allocation Amendment shows that over 90% of the landings are commercial. The proposed changes only make the allotment more unfair and in even in further violation of the

MagnusonStevens Act.

Black Sea Bass:

I oppose the use of all fishing with pots.

Speckled Hind:

I oppose any further restrictions of the recreational fishing. The proposed changes only make the allotment more unfair and in even in further violation of the MagnusonStevens Act.

Proposed changes to data collection:

I support of the changes and encourage the SAMC to implement the changes as soon as possible.

Commercial Allocation of South Atlantic King Mackerel:

I support the present allocations and would encourage the adoption of the state by state system.

It is a crying shame that my 2 sons, 9 and 12 years old, will be impacted in such a negative way if you pass the unfair regulations proposed!

Charlie McCullough
XtraLook, Inc.
PO Box 5391
Winter Park, FL 32793
407-491-6614 voice
407-830-4806 fax
www.xtralook.net

I STRONGLY encourage the SAFMC to adopt Alternative 3 as set forth in Table 20. The 50/50 allocation is the only fair and equitable alternative. It is the only one that complies with both the spirit and requirements of the Magnuson-Stevens Act.

I oppose the inclusion of commercial fishing operators such as Charters, guides and head boats within the allocation of Recreational anglers. These vessels are commercial enterprises and can only be properly placed within the commercial allotment. I also oppose the splitting of the allocation into three sectors. The Magnuson-Stevens Act requires equal allocation between the recreational and commercial interests. This 3 sector allocation gives the recreational anglers 1/3 of the allotment not the required 50% of the allocation.

I believe any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both the recreational and commercial sectors. I strongly encourage the SAFMC to immediately begin data collections and studies to determine the relative landings of the two sectors, to ensure all future management is based on accurate scientific measurements, not historic or estimated models.

I encourage the SAFMC to adopt regulations to ban all long line fishing for any purpose. There is no logic for continuing this unsustainable method of indiscriminate fishing.

Sincerely,

My name is Theo Mitchelson. It would be typical government slight-of-hand to further restrict the recreational fishery, when the problem of overfishing has long been demonstrated to be a primarily Commercial Fishery result. Without attacking the true source of the problem, there will be no positive result, and the SAFMC will have abdicated the responsibility with which it has been charged.

I STRONGLY encourage the SAFMC to adopt Alternative 3 as set forth in Table 20. The 50/50 allocation is the only fair and equitable alternative. It is the only one that complies with both the spirit and requirements of the Magnuson-Stevens Act.

I oppose the inclusion of commercial fishing operators such as Charters, guides and head boats within the allocation of Recreational anglers. These vessels are commercial enterprises and can only be properly placed within the commercial allotment. I also oppose the splitting of the allocation into three sectors. The Magnuson-Stevens Act requires equal allocation between the recreational and commercial interests. This 3 sector allocation gives the recreational anglers 1/3 of the allotment not the required 50% of the allocation.

I believe any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both the recreational and commercial sectors. I strongly encourage the SAFMC to immediately begin data collections and studies to determine the relative landings of the two sectors, to ensure all future management is based on accurate scientific measurements, not historic or estimated models.

I encourage the SAFMC to adopt regulations to ban all long line fishing for any purpose. There is no logic for continuing this unsustainable method of indiscriminate fishing.

Sincerely,

Raymond Narushko, 4611 Almark Dr. Orlando, Fl. 32839. It appears that the sport fishery is going to take another hit. It is very obvious that the sport fishing industry supplies a greater financial boost to the industry than the commercial industry. I support the present restrictions. The commercial industry has devastated the fishing industry and they are just looking to further this same policy again.

My name is Don Newhauser and I attended the meeting at port Canaveral. We had discussions with several people who collect data and then with John C about how that data is used in the decision making process. Everyone agreed that the way data is collected is flawed and that decisions are made with the flawed data. David Heil spoke to George Geiger for my fishing group so we are on record of how we stand. Central Florida Offshore Anglers.

I have been fishing the central Florida waters for more than 10years and I can tell you that with regards to the fish populations or snapper grouper in this area do not seem to be trending downward to me. Just 4 years ago you could catch snapper but very few were large fish. There were some caught but in the last 2 years more snapper over 20lbs have been caught along with many many snapper just short of being legal. I want to keep this fishery in tact but I don't see the decline in this area. I would parrot that statement on grouper also.

Snowy grouper from a personal standpoint although not caught frequently are caught in under 300' of water but not targeted. Tile fish are really not fished for much by the group of people and club members I know for the simple reason is that its cost prohibitive to travel out that deep to catch them with the price of gas at 3 dollars a gallon.

I want to keep the resource growing as I have grandkids that I would like to introduce to fishing and I want them to have the same or better resources that I have enjoyed.

Believe me if I thought the snapper grouper population was declining (IN CENTRAL FLORIDA EAST COAST) I would be the first one in line to support closers and reduction of bag limits. I personally don't feel that it warrants it in this REGION.

My concerns are not only with the impact the changes will have on recreational fisherman but also the charter captains who make their living fishing and the 7billion dollars that the state of Florida realizes.

I hope that the letters received do not fall on deaf ears. Many at the meeting felt that way and thought that it was just a way to let the fisherman blow off steam.

Don Newhauser.

To: South Atlantic Fishery Management Council

In re: Comprehensive Allocation, Amendments 14, 15B, 16, 17, 18, and Mackerel

My name is Dinnie Smith. I reside in Beaufort, North Carolina. I have been a Federal Snapper/Grouper Permit holder since this requirement came into effect. I currently own 2 commercial bandit gear boats and provide employment to 5 people other than myself. The product we harvest also contributes to the economy in far-reaching ways.

At the request of SAFMC for public input on the above-referenced matters and pursuant to participation in that certain Scoping Meeting held in New Bern, North Carolina on or about the 7th day of February, 2008, my response is as follows:

Pursuant to MSFMCA National Standard 4, "If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocations shall be (A) fair and equitable to all such fishermen; (B) reasonably calculated to promote conservation; and (C) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges." The proposed changes contained in all Amendments, Mackerel and Comprehensive Allocation herein referenced are in violation of National Standard 4. In support of this statement:

(A) fair and equitable to all such fishermen; - Inclusive of all fishermen entitled by law to catch. No discrimination is made between commercial and recreational. There can be no fairness and equity when there is no accurate method in place to determine the number, size and species of fish caught per trip. Commercial fishermen must report number, size and species per trip.

(B) reasonably calculated to promote conservation - Cannot be reasonably calculated when no accurate method is in place to determine recreational catch

(C) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges- Cannot be determined whether individuals or an entity, such as an entity to protect and promote recreational fishing, acquires an excessive share of such privileges when no accurate method is in place to determine recreational catch. Commercial fishermen are largely outnumbered by recreational fishermen in all states under SAFMC jurisdiction. For example in Carteret County, North Carolina, 10 boats participate in Snapper/Grouper bandit gear type fishing. Marinas within Carteret County house thousands of recreational boats. This does not include the hundreds to thousands of recreational boats launched at ramps throughout the year. This also does not include recreational fishermen who hire private charters and/or participate on headboats. While not all recreational boats participate in fishing, a considerable number do. It is safe to say that there are thousands of recreational fishermen to the 10 commercial boats herein referenced in Carteret County.

All proposed changes are therefore direct violation of National Standard 4.

Amendment 14 is not needed. Deep Water MPAs are unnecessary because the species being protected in these areas are already protected by quotas and trip limits.

Amendment 15B - Agree with proposal to prohibit sale of recreationally-caught snapper grouper species. This has been needed for years. Recreational, by its own definition is for recreation, not profit. Due to the nature of Snowy Grouper and the area in which they live, deep depth and strong currents much of the time, these are typically more difficult fish to catch on recreational gear. Therefore, at least 95% of Snowy Grouper should go to the commercial sector.

Amendment 16 - The Vermillion Snapper data or method used to conclude that Vermillion Snapper is overfished is in no way accurate. I've been fishing for 20 years and have never seen more or larger (on average) Vermillion Snapper than were caught in the 2007 fishing year by the 10 commercial boats herein referenced. The Council must recount these fish to ensure an accurate count. If these fish are assessed correctly, the Council will see that Vermillion Snapper are in excellent shape! The reduction in the quota of such an economic giant would be devastating to the industry, especially since these fish are very abundant in all sizes!

As to Gag Grouper, my catches have remained fairly steady over the past several years with size and numbers stable.

Amendment 17 - Quotas and catch limits already exist on Snowy Grouper, Gold Tilefish, Black Bass and Red Porgy that help to reduce bycatch. A regional quota for Snowy Grouper would be fine but along with a regional quota and a six-month winter closure the trip limit must be rescinded or at least increased to a reasonable amount. **I wrote in a letter to SAFMC approximately 3 years ago that with the miniscule trip limits the quotas would not be reached and they have not been.** As mentioned previously in this response, Snowy Grouper live in deeper water, often with much current, consequently making these fish a much less dependable catch than shallow water species. Due to water current, weather and erratic feeding patterns of Snowy Grouper, sometimes it is nearly impossible to catch these fish during an entire trip. On certain trips, when conditions are favorable and Snowy Grouper are feeding, we must be allowed to take advantage of these times! In order to do this, we need at least an increased trip limit or the quota with no trip limit.

Amendment 18 - Economics and regulations have already made this industry a limited access venture, not to mention to the 2 for 1 permit exchange, which made it extremely expensive and difficult to get into this industry. In the 20 years I have worked in this industry, I have watched the reduction of the fleet under SAFMC jurisdiction by at least half or more.

Mackerel - Should remain status quo.

Please ensure that this e-mail reaches the proper personnel to address each issue.

I enjoy being a fisherman and am confident that the Council will allow me to remain one!
Thank you.
Dunnie Smith

To whom it concerns: I do not think it is appropriate to take away the grouper from the sport fisherman. 80% going to 25 commercial fisherman doesn't make any sense.

Richard G. Wagner
rgwagner1@aol.com

I am highly opposed to the proposition of reducing the limit of gag grouper from 5 to 1 for the sport fisherman, yet at the same time have the long liners be increased! What will we have left for our children and grandchildren.

Sincerely,

Joe Wilhelmy

4434 W. Horseshoe Dr.

Beverly Hills, FL 34465

I would like to start off by saying that we need to be sure that we are managing these resources properly for the future. If we do not take care of what we have now our children and our grand children will not have anything to look forward to. I would like to see the recreational fisherman receive a larger limit and the commercial fisherman a smaller portion. The reason for this is the commercial fisherman are out every day depleting our resources and the recreational fisherman typically is just a weekend angler, the commercial fisherman is a lot more successful than the weekend angler therefore he is going to have a much larger impact on our resources. I do not see the resources being wiped out by recreational anglers it is the over fishing that is done by the commercial fisherman. Please do not allow this to continue for my kids and everyone else's kids that love to go fishing. I do not know about anyone else but I have grown up fishing and I enjoy being able take my family fishing. Lets not destroy this great past time that we have. Please think long and hard before setting these limits. Thank you form Jimmy Williams and the rest of the Williams fishing family

As a lifelong resident of Florida for 50 years and an avid offshore fisherman I have always been committed to preserving the resources that the Atlantic has to offer for future generations. I actively support conservation and research efforts to meet this goal.

I oppose and encourage the SAFMC to adopt regulations to ban all longline fishing for any purpose. There is no logic for continuing this unsustainable method of fishing.

I support the use of venting tools and dehookers to reduce mortality.

I take the following position in regard to the issues as follows:

Comprehensive Allocation Amendment

I support and encourages the SAFMC to adopt Alternative 3 as set forth in Table 20. The 50/50 allocation is the only fair and equitable alternative. It is the only one that complies with the requirements of the MagnusonStevens Act.

I oppose the inclusion of commercial fishing operators such as Charters, guides and Headboats within the allocation of Recreational anglers. These vessels are commercial enterprises and can only be properly placed within the commercial allotment. I am also opposed to the splitting of the allocation into three sectors. The MagnusonStevens Act requires equal allocation between the recreational and commercial interests. This 3 sector allocation gives the recreational anglers 1/3 of the allotment not the required 50% of the allocation.

It is my position that any allocation of the resource must be preceded by an assessment of the pressure that is put on the resource by both of the sectors. I encourage the SAFMC to immediately begin the studies to determine the relative landings of the two sectors.

Snapper Grouper Amendment 17

Proposed changes to management Regulations:

Snowy Grouper:

I oppose all of the proposed actions and changes to the current recreational regulations. Table 3 as attached to the Comprehensive Allocation Amendment clearly shows that the overwhelming majority of the landings are commercial not recreational. Any changes to the regulations must be made to the commercial sector prior to any consideration of further tightening of the recreational regulations. The proposed changes only make the allotment more unfair to the recreational anglers and in further violation of the MagnusonStevens Act.

Golden Tilefish:

I oppose any easing of the regulations for the commercial industry and the removal of the 300 lb trip limit. I support changing the recreational limit from 1 to 2 fish per day per person. The nature of this fishery requires great travel distances over water and the minimal limit has ruined the recreational aspect of this particular fishery that is only available to a small percentage of recreational offshore fishermen who venture far offshore.

I also oppose all use of longlines and would encourage the SAFMC to prohibit all use of longlines.

I oppose any further restrictions of the recreational fishing. Table 4 as attached to the Comprehensive Allocation Amendment shows that over 90% of the landings are commercial. The proposed changes only make the allotment more unfair and in even in further violation of the MagnusonStevens Act.

Black Sea Bass:

I oppose the use of all fishing with pots.

Speckled Hind:

I oppose any further restrictions of the recreational fishing. The proposed changes only make the allotment more unfair and in even in further violation of the MagnusonStevens Act.

Proposed changes to data collection:

I support of the changes and encourage the SAMC to implement the changes as soon as possible.

Commercial Allocation of South Atlantic King Mackerel

I support the present allocations and would encourage the adoption of the state by state system.

Terry Winn

P O Box 190

Osteen, FL 32764

I understand the importance of a balance between commercial and recreational fishing. However I would ask that you consider the data that is used to determine the recreational portion of the annual catch. It certainly appears to be much less scientific than that of the commercial operations. As a recreational fisherman I think it is very important to preserve the natural resources for future generations and historically the commercial enterprises are much more focused on the economics than conservation. I am certainly not trying to throw a net over all commercial operations but it is just human nature to take actions that reward the bank account over action that in fact may make it harder to prosper economically but is much better for the population as a whole and for the future generations, especially when we live right here right now.

I urge you to be fair and deliberate and not be swayed by the Politics and Lobbyist, and keep an eye to the future enjoyment that is shared by so many on the water.

Clay Worden

McGladrey & Pullen

800 North Magnolia Avenue

Suite 1700

Orlando, FL 32803

Phone: 407 581 3506

FAX: 407 581 4506

Clay.Worden@rsmi.com