Coral Amendment 8 Public Comments

I am Chris McCaffity, a commercial fisherman who supports conservation of some special places where things like deep sea corals thrive. I do not support the kind of massive habitat grabs that seek to close any areas these corals or whatever the council is trying to protect might live. Any closed areas should be in small key locations that have the most positive impact. Marine Protected Areas (MPAs) that are intended to protect habitat should be offset with equal areas of new artificial reef habitat where we can harvest the seafood that lives in those areas. Any MPAs that are intended to protect some kinds of fish should be around artificial reef habitat that is constructed to support the species being protected (big fish like big structure) and placed on sandy bottom in the areas and depths those fish live. The argument against using artificial reefs to enhance our fisheries has been that fish congregate around the reefs and make them easier to catch. That logic dictates that artificial reefs would make it easier to protect fish if some were MPAs.

MPAs should be small enough they can be marked and monitored with a data buoy.

I OPPOSE all actions in Coral Amendment 8 unless the council agrees to create equal areas of new artificial reef habitat.

I SUPPORT marking and monitoring existing closed areas before rushing to close more places.

Thank you for considering my comments. Please send any questions or comments to Chris at. freefish7@hotmail.com

Coral Amendment 8

Action 1 : Expansion of Oculina CHAPC

Alternative 2b (preferred) – northern expansion

I support this alternative as the best compromise between the original 60-100 meter Coral AP recommendation and the 60-90 meter Deepwater Shrimp AP recommendation. There are two areas of significant trawl track concentrations that are being eliminated by this alternative: the middle of the eastern border in 90 meters and an area on the western border a third of the way up from the southern boundary in 72-74 meters known as the middle ground. These are known rock shrimp fishing areas as indicated by the concentration of VMS points. I received several calls and email comments regarding these 2 areas being included in the CHAPC. I have been reminded multiple times that one of the selling points used by the council for requiring VMS on the rock shrimp vessels was to identify where fishing occurred to prevent ever taking that area away.

Alternative 3 (preferred) – western expansion

There is only one alternative regarding the westward expansion of the existing Oculina CHAPC. A second alternative was recommended by the Deepwater Shrimp AP that was not approved by the council. I can support a western expansion of the CHAPC to protect Oculina coral, however, I do not support Alternative 3 as defined. VMS units were accepted by the rock shrimp fishery to illustrate to SAFMC where rock shrimp fishing activity occurred and were told this would result in preserving areas of historical tracks for fishing. The area in question is a loose-substrate, hilly area south of the southern satellite in 70-72 meters that does not impact any structures that begin to form in around 76 meters. This is an area of high production when cold water upwelling pushes the rock shrimp to the inshore side of the bank.

Summary of Effects

Numerous references are made regarding impacts to the habitat by the various fishing entities (commercial rock shrimp, snapper/grouper) when nowhere has it been proven to what extent the impact of these activities has had on this habitat. All of the studies site pollution and natural environmental factors as significant forces impacting this habitat (cold-water upwelling, increased currents, acidification, etc.). Where is fisheries management action to address habitat restoration due to water quality degradation? Where is the study that analyzes the impact of south Florida outfall pipes flowing directly into the Gulf Stream? Where are the efforts to affect the estuaries where many stocks are being impacted due to critical loss of habitat?

Economic

I have been concerned about the VMS point analysis from the very beginning of this amendment. VMS was implemented as a law enforcement tool to identify where a vessel is at all times and if it enters into a restricted area. It identifies where a vessel is, what direction it is

travelling and at what speed. There is zero effort or productivity data (logbook, landing, etc.) to correlate with VMS data to determine the value any given area has to the rock shrimp fishery. Total landings value since 2003 (VMS implementation) divided by total points in proximity to rock shrimp habitat (derived from VMS point concentrations) within a speed range (estimated trawling speed) is grossly inadequate and over simplifies the factors that determine economic value.

It would be better to state there is no way to determine economic impact than to publish dollar amounts that give the impression that elimination of fishing areas has minimal impact to the fishery. Additionally, publishing economic impact numbers that only take into effect ex-vessel prices represent a fraction of the impact. Evaluating impact to the ex-vessel price alone is inadequate. Beyond the fishing vessels, it takes docks, transportation, processors, distributors, and all the ancillary support businesses, jobs and people to add value to this product. And beyond this are restaurants and retailers that make this product available to the public.

This is a natural resource that provides a food source to the citizens of the United States. It's value should not be minimized, diminished or understated.

Action 2: Transit Provision

I support preferred Alternative 3. This is an absolute requirement for the northern expansion to move forward as it would have severe safety and economic impact to the fishery if transiting were not allowed.

I do think VMS reimbursement funds should be made available to upgrade existing systems to meet the new requirements.

Action 3: Expansion of Stetson-Miami Terrace CHAPC

I support preferred Alternative 4 as the best compromise between the modified Coral AP recommended Alternative 2 and the Deepwater Shrimp AP recommended Alternative 3.

I have the same comments regarding the Summary of Effects as above. The economic impact evaluation is inadequate because the data is not available.

Overall, if you compare the amount of rock shrimp and red shrimp fishing areas eliminated as a result of the CHAPC expansions in Coral Amendment 8 to the areas that were eliminated from the fishery in previous regulatory amendments, the rock and red shrimp fishery was able to minimize the impact through the use of VMS and Trawl Track data. I appreciate the SAFMC giving the rock and red shrimp industry the opportunity to present this data and the council's time to review and evaluate this data before moving forward with this regulatory amendment.

DeepSeaGold, LLC
4501 SW 44th Ave.
Fort Lauderdale, FL
33314

SAFMC
4055 Faber Place Drive
Suite 201
N. Charleston, SC
29405

Dear Chairman Cupka,

South Florida Golden Crab fishermen oppose the expansion of Protected Coral Areas in the South Atlantic for several important reasons:

1) With only seven of the eleven existing permits actively fishing, the Allowable Areas for golden crab fishing are already crowded;
2) We need greater latitude to shift our gear around in accordance with the seasonal movement of Golden crab. Also, while we currently fish in 2,000 feet, for several years during the early 1990's, golden crab were caught in 700 feet of water.
3) Evidence suggests that Jonah crab are abundant in certain closed areas, and we see the potential to explore and perhaps develop another substantial fishery;
4) The last people who want to fish on top of any kind of Coral are golden crabbers. The time and money lost by such an occurrence is disastrous, and we work hard to ensure that this does not happen.

We believe the opportunity exists – given more time - to continue to protect vital coral habitat AND expand Allowable Golden Crab Fishing Areas. We therefore oppose Coral Amendment 8 at this time.

Sincerely,

Bradford Whipple 8/12/13

Bradford Whipple

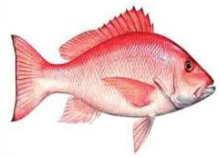
Howard Rau

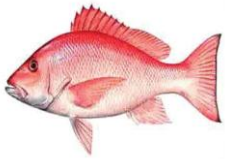
Chip Bethell

Randy Manchester

RM

SOUTHEASTERN FISHERIES ASSOCIATION (SFA)





EAST COAST FISHERIES SECTION (ECFS)

Mr. Bob Mahood, Executive Director
South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
North Charleston, SC 29405

Date: Sunday August 18, 2013

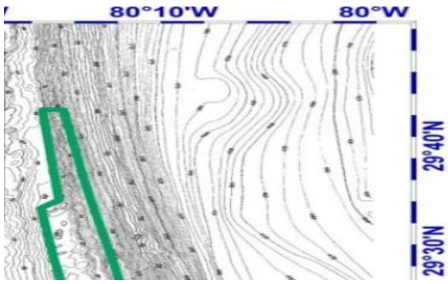
Re: Coral Fishery Management Plan Amendment 8 CoralAm8Comments@safmc.net

Mr. Mahood,

The Southeastern Fisheries Association (SFA), East Coast Fisheries Section (ECFS) is submitting written comment concerning the South Atlantic Fishery Management Council's (SAFMC) proposed actions on Coral fishery management plan (FMP) Amendment 8. SFA ECFS preferred alternatives are presented, and comments from SFA ECFS are in "red" under each of the four actions.

First, we suggest that Coral Amendment 8 should be delayed by at least 3 months before it is moved on to the Secretary of Commerce for approval. Some portions of the socio-economic impact analysis has only been available since after the June 2013 SAFMC meeting. For months, we have asked to see this socio-economic analysis as it affects several user groups within our organization, and now we have a small time period to review and comment on the amendment. The information from recent public presentations by the SAFMC on Coral Amendment 8 underestimates the impact to the snapper-grouper and rock shrimp fleet. We feel the economic impact will be much more significant than estimates presented by the SAFMC.

We have serious concerns about the physical analysis used for new restrictions to areas with no anchoring, etc. We are concerned with over-reach with the SAFMC's preferred Oculina Bank Habitat Area of Particular Concern (HAPC), especially with the potential inclusion of low relief hard bottom from 29 degrees 33 minutes North to 29 degrees 43 minutes North. This approximate 6-mile long <u>finger pointing north</u> is unnecessary and should be eliminated from further Oculina Bank HAPC consideration. Also, the 70 meter (230 feet) contour should be closely followed, instead of incorporating inshore "hard bottom features" where fishermen historically anchored and rock shrimpers avoided dragging over to minimize gear damage.



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Proposed Actions in Coral Amendment 8

Action 1. Expand Boundaries of the Oculina Bank HAPC

Preferred Sub-Alternative 2b. Deepwater Shrimp AP recommendation for northern extension. The Deepwater Shrimp AP recommendation is to adjust the southern portion of the eastern boundary line of the proposed Oculina Bank HAPC northern extension identified in Alternative 2a. The adjustments are to move the boundary west to further reduce fishing tracks impacted. The revised polygon would reduce the rock shrimp VMS points (2-4 knots) for the available time series (2003-2013) to 4.2% from 5.5% in Alternative 2a. The replacement of two coordinates would further modify the western boundary and result in a slight reduction (0.09%) in the number of rock shrimp VMS points (2003-2013) (2-4 knots) (**Figures S-3** and **S-4**). Sub-alternative 2b = 267 square miles.

IPT[1] recommendation for language revisions to **Preferred Sub-Alternative 2b**:
*Modify the Oculina Bank HAPC to move the northern boundary to 29° 43.5'N. The western boundary would follow close to the 70 meter contour while annexing hard bottom features with two coordinates replaced in the southern portion of the boundary to reduce rock shrimp fishing tracks impacted. The eastern boundary line of the proposed Oculina Bank HAPC northern extension identified in Alternative 2a would be shifted west to further reduce rock shrimp fishing tracks impacted. The alternative is represented in the simplified polygons **Figures S-3** and **S-4**. Sub-alternative 2b = 267 square miles*

SFA ECFS is willing to support part, but not all, of the Preferred Sub-Alternative 2b action. The 70 meters of depth (rounded up to 230 feet of depth, so that SAFMC fishermen can understand the actual depth) seaward to 100 meters (rounded down to 328 feet of depth), north to 29 degrees 33 minutes North is acceptable. We do not support the northern boundary of 29 degrees 43.5 minutes North.

Also, we are against annexing "hard bottom features" inshore of the 70 meters of depth for the western boundary, thus causing more enforcement confusion as to depth because of the coordinate points referenced in the Appendix M to the Coral Amendment 8, and more reduction of anchoring in areas with no Oculina Coral features. Likewise, the area north of 29 degrees 33 minutes North does not contain any Oculina, but instead appears to be low relief hard bottom.

SFA ECFS has concern with the socio-economic analysis used for Coral Amendment 8 public hearing version environmental assessment due to the tardiness of the

[1] **Note:** The Interdisciplinary Plan Team (IPT) is comprised of a team of analysts that develops the Biological, Economic, Social and Administrative analyses for the document.

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SAFMC Staff presentation of the impacts for review. We take exception to Table 4-6 on page 106 (PDF page 119 of 167 pages)[2], detailing the commercial Snapper Grouper (SG) collective economic loss with both Preferred Sub-Alternative 2b and Alternative 3 combined total of nearly $56,000.00 ($42,941.00 [2b] & $12,672.00 [3] annually. Did the SAFMC analysis use all of the existing 678 commercial SG permits[3] as a measurement input, or did the SAFMC only use the vessel logbooks home ported nearest the Coral Amendment 8 proposed expansions of the Oculina Bank HAPC areas from Fort Pierce north to St. Augustine, Florida, or did the SAFMC only use the logbooks of the vessels that indicated they fished in that area with landings as a metric of socio-economic impact in this analysis? We disagree with the minimal impact description to the commercial SG fleet used in the public hearing presentation on slide # 10.[4]

Preferred Alternative 3. Modify the western boundary of the Oculina Bank HAPC from 28° 4.5'N to the north boundary of the current Oculina HAPC (28° 30'N). The east boundary would coincide with the current western boundary of the Oculina HAPC (80° W). The west boundary could either use the 60 meter contour line, or the 80° 03'W longitude (**Figures S-6** and **S-7**). Alternative 3 = 76 square miles.

The Coral Amendment 8 rule making should have made the modifications between the existing satellite areas in the Oculina Bank HAPC for this Alternative 3 into a separate action. With that said, we support the smallest area involved to reduce the estimated $12,672 dollars of annual impact upon stakeholders. The SAFMC Scientific and Statistical Committee (SSC) offered to assist in reviewing analyses such as the socio-economic impacts to the fishing sectors by email or other means,[5] but to date we have not seen that review by the SSC.

<u>Action 2. Implement a Transit Provision through the Oculina Bank HAPC</u>

Preferred Alternative 3. Allow for transit through the Oculina Bank HAPC with possession of rock shrimp on board. When transiting through the HAPC, vessels must maintain a minimum speed of not less than 5 knots, determined by a ping rate acceptable by law enforcement (i.e. 5 minutes), with gear appropriately stowed (stowed is defined as doors and nets out of water).

SFA ECFS generally agrees with the Preferred Alternative 3. However, during serious wind events where winds blowing against the Gulf Stream current in those depths

[2] http://www.safmc.net/LinkClick.aspx?fileticket=gsz9%2bX2ckV4%3d&tabid=737

[3] http://sero.nmfs.noaa.gov/operations_management_information_services/constituency_services_branch/permits/permit_apps/index.html

[4] http://www.safmc.net/LinkClick.aspx?fileticket=i%2fF9uB3ANkQ%3d&tabid=737

[5] http://www.safmc.net/LinkClick.aspx?fileticket=Av68JRAaHq8%3d&tabid=737 PDF page 15 of 32 pages

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making steady speeds, such as 5 knots or more, problematic for navigation of a shrimping vessel. NMFS needs to consider severe weather conditions as a mitigating factor in the areas of concern involving transiting shrimping vessels, so as to reduce the potential of unnecessary enforcement action.

Action 3. Expand Boundaries of the Stetson-Miami Terrace CHAPC

Preferred Alternative 4. The recommendation is a back-up preferred Alternative for the proposed extension of the Stetson-Miami Terrace CHAPC. The back-up recommendation includes Alternative 2 as proposed with inclusion of a new Shrimp Fishery Access Area for drift haulback as represented in **Figure S-10**. With the inclusion of a new Shrimp Fishery Access Area in Alternative 2, royal red shrimp fishing, or VMS points (2-4 knots) (2003-2013) would be further reduced to 0.1% from 0.7% for Alternative 2 alone **(Figure S-10)**. Alternative 4 = 490 square miles.

IPT recommendation for language revisions to **Preferred Alternative 4**:

Preferred Alternative 4. *Modify the southern southeast boundary of the Stetson-Miami Terrace CHAPC western extension in a manner that releases the flatbottom region to the extent possible while maintaining protection of coral habitat. Allow for a Shrimp Fishery Access Area to be used as a gear haul back/drift zone as shown in* ***Figure S-10****. Alternative 4 = 490 square miles.*

SFA ECFS agrees to Preferred Alternative 4 and the language revision recommendation of the IPT.

Action 4. Expand Boundaries of the Cape Lookout CHAPC

Preferred Alternative 2. Extend the northern boundary to encompass the area identified by the following coordinates (**Figure S-12**) (Alternative 2 = 10 square miles): Latitude Longitude

34°24.6166’ 75°45.1833’

34°23.4833’ 75°43.9667’

34°27.9’ 75°42.75’

34°27.0’ 75°41.5’

SFA ECFS agrees with Preferred Alternative 2 to expand the boundaries of the Cape Lookout CHAPC to protect Coral ecosystems.

Jimmy Hull, Chairman, SFA ECFS
jgh/rhh/pjb

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