

June 8, 2012

David Cupka, Chairman  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

Dear Chairman Cupka,

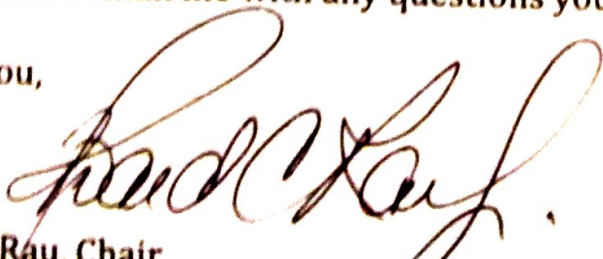
I am writing to you as a golden crab fisherman and as Chairman of the Golden Crab Advisory Panel. I want to clarify the Golden Crab AP's stance on VMS as part of Golden Crab Amendment 6 and the Golden Crab Amendment 6 Decision Document in the June Briefing Book. At the last AP meeting, the Golden Crab AP voted unanimously to endorse Alternative 1 (No Action) as the preferred Alternative under Action 12 (Monitoring and Enforcement). I would like to take this opportunity to explain that vote to eliminate any misunderstanding as to the AP's position on the potential requirement for VMS units on golden crab vessels.

First, to be clear, the Golden Crab AP supports the use of VMS on the golden crab fishery as long as the units and monitoring process is successful in identifying trap GPS location. In the past, it was understood that VMS could not be used to track gear location. We now have indications from NOAA Office of Law Enforcement that VMS might be used to track the location of golden crab gear. This is good news and could eliminate the need for the use of more expensive "pinger" gear adhered to individual traps to ensure that fishing is taking place within the Golden Crab Allowable Fishing Areas. Speaking as an individual golden crab fisherman, I am very much in favor of VMS and any tool that can be used to ensure adherence to fishery regulations.

The AP decided against endorsement of Alternative 2 as preferred because, at the time, the AP understood that VMS was not the appropriate tool for tracking gear since gear can rest on the ocean floor some distance from the vessel with the VMS unit on it and because they wanted to leave that decision up to NOAA OLE. By choosing Alternative 1 (No Action), we leave it to NOAA OLE to take administrative actions to require the monitoring tools they think necessary to properly enforce the fishery regulations. We have been informed that this is possible and that NOAA Fisheries does not need Council action to require VMS.

Please call or email me with any questions you might have regarding this letter.

Thank you,



Howard Rau, Chair  
South Atlantic Golden Crab Advisory Panel