

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

GOLDEN CRAB COMMITTEE

**Hilton New Bern Riverfront Hotel
New Bern, NC**

December 7, 2010

SUMMMARY MINUTES

Committee Members:

David Cupka, Chair
Dr. Wilson Laney
Mark Robson

Mac Currin
Charlie Phillips
Tom Swatzel

Council Members:

Duane Harris
Dr. Brian Chevront
George Geiger
Tom Burgess
Doug Haymans

Robert Boyles
Dr. Roy Crabtree
Ben Hartig
Vince O'Shea
LTJG Matthew Lam

Council Staff:

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Mike Collins
Kari MacLauchlin
Roger Pugliese
Myra Brouwer
Julie O'Dell

Gregg Waugh
Kari Fenske
Kate Quigley
John Carmichael
Anna Martin

Observers/Participants:

Monica Smit-Brunello
Rick DeVictor
Red Munden
Dr. Bonnie Ponwith
Bob Gill
Bill Kelly

Dr. Jack McGovern
Dr. Carolyn Belcher
Phil Steele
Hal Robbins
Scott Sandorf
Bill Whipple

Other observers attached to the end of the document.

The Golden Crab Committee of the South Atlantic Fishery Management Council convened in the Hilton New Bern/Riverfront Hotel, New Bern, North Carolina, December 7, 2010, and was called to order at 8:30 o'clock a.m. by Chairman David Cupka.

MR. CUPKA: We'll go ahead and convene the meeting of the Golden Crab Committee. The committee members are Wilson Laney, Tom Swatzel, Mac Currin, Charlie Phillips, Mark Robson and myself. I asked Mark to serve on this committee because in looking over the committee roster I noticed that there wasn't anyone from Florida on the committee, and, of course, the fishery right now is a Florida-based fishery, so I asked Mark if he would be willing to serve on the committee and he very graciously agreed to do that.

Our main order of business this morning is to approve the issues in Amendment 5 to take out to scoping, so that's where we're headed this morning. Our first order of business will be approval of the agenda. Are there any changes to the agenda? Seeing none, there is one issue I would like to put under other business, and that's the issue of a control date.

In checking the control date for this fishery, the last one I could find was April 7, 1995, so it's somewhat stale I guess you would say, but I would like to have some discussion of a control date under other business. Then if we have some time, I'd like to give the industry people here, Bill and Howard, an opportunity maybe to make a few comments.

They've driven up here from Florida. There have been some changes recently going on in this fishery that they wanted everyone to be aware of; so if we have time and when we get to that point on the agenda, I would like to give them an opportunity to make some comments. Any other changes for the agenda? Seeing none, then the agenda is approved.

The next order of business is approval of the committee meeting minutes from our last meeting in September. Are there any additions, corrections or changes to the minutes? Seeing none, then the minutes are approved. That brings us down to Item 3, which is Draft Golden Crab Amendment 5. I'm going to turn it over to Kate and ask her to bring us up to date on where we are. I really don't think it has changed much since we've seen it before, but I'll give her an opportunity to bring us up to date and then we will need to take action to approve it for scoping.

MS. QUIGLEY: Attachment 1 is the Draft Golden Crab Amendment 5. It basically consists of an options paper that the Golden Crab Industry has put together. This document has not changed for at least six months, so you've seen this before. We've gone over this before. Basically we're just looking to approve the issues contained in the options paper within the draft amendment for scoping.

MR. CUPKA: Any questions for Kate on Amendment 5? Seeing none, then we would entertain a motion that it be approved to take out to scoping. Mac.

MR. CURRIN: David, I'll move that we approve Golden Crab Amendment 5 for scoping.

MR. CUPKA: Okay, we have a motion and we have a second by Mark. Discussion on the motion? Is there any objection to the motion? Seeing none, then that motion is approved. That

brings us down to other issues. As I say, one thing I'd like to have some discussion on is a control date.

I think we need to take some action on that. It has been a while; and since we're getting ready to possibly move into an limited access program, it is going to affect people in terms of the eligibility requirements and allocation issues and things like that, so I think it's appropriate that we have a more recent control date than what we've had, so I'd like to open the floor up for discussion on a control date. Mac.

MR. CURRIN: Yes, David, I think it's a good idea for several of the reasons that you mentioned. We've just hit the streets with an ACL for this fishery that could be attractive to folks that aren't currently participating in it. They can see where we're moving with Amendment 5 towards some kind of ITQ or catch share program.

Some of the options in there allow you to catch one pound of golden crab and be deemed a substantial participant, and that might engender more interest in this fishery. I think it would be a good idea and prepared to make a motion to establish today as a new control date for the golden crab fishery.

MR. CUPKA: Okay, other comments? If not, then I'll call on you, Mac, if you're prepared to make a motion.

MR. CURRIN: I thought I just did. I move that we establish a control date of December 7, 2010, for the golden crab fishery.

MR. CUPKA: Okay, we have a motion; is there a second? Second by Charlie Phillips. Do we have discussion on the motion? Is there any objection to the motion? Seeing none, then that motion is approved. As I say, there have been some recent developments, and we did have an hour set aside.

Obviously, we're not going to use that hour; but if no one objects, I would like to give the industry people here a few minutes to give them the opportunity, if they want to make some comments, to bring everybody up to date on some things that are happening in the fishery and maybe some concerns they have. Bill or Howard, did you wish to make some comments before the committee?

MR. WHIPPLE: I'm Bill Whipple, a golden crab fisherman. We've tried to pass out an outline of some of our concerns. I think at least people on the Golden Crab Committee have got it. We had enough for Kate to get them around to some other people. I think we've hopefully pretty much covered what we're interested in. I might use that, if people have had a chance to read it, to ask some questions if you have any. Otherwise, we'll try to cover ground quickly, anyway. Do you have any thoughts on, David, as to how to proceed here?

MR. CUPKA: Well, I would like to give people an opportunity if they do have questions. I know you've talked to some people one on one, but I think it's primarily committee members and I don't know if the other council members have had an opportunity to receive the

information that you've been trying to give to people. Like I say, we've got some time and it's opportunity if you want to take a few minutes to go over some of this; or if you'd rather, we can just open it up and see if anyone has any questions.

MR. WHIPPLE: We're at your pleasure; we can do either or both or neither. I think the big thing is that this is and always will be a fairly small fishery. Some of us that have been in it pretty from the beginning have maybe some very idealistic ideas about what is possible here, and we want to avoid a lot of the problems that tend to materialize in any maturing fishery, which may happen here to a certain extent in a big burst because we're delighted to have the ABC that we have.

We're very excited about the marketing potential now that we have refrigerated recirculated seawater that allows us to expand from about a hundred mile distribution to literally a global potential. These developments have not been missed by other people, the world at large, and that's great but it's also very dangerous, because people in some areas are thinking of this as probably the last potential goldmine left in the fisheries.

So with the pressure that's on other fisheries, that tends to make them, to say the least, less appealing than they were and leads people to think, well, let's go into that one. The possibility, of course, is to change the focus from one of stewardship to get what we can while we can. We want to avoid that kind of mentality to the utmost that we possibly can.

We want to try to prevent problems rather than fix them the way it usually happens; the tendency to get fisheries overcapitalized and then you have a long, very painful process of trying to get things back to where they were at the optimum point. We also, recognizing that the fishery is never going to be big, want to avoid the kind of commodity trap that most crabs, anyway, tend to fall into.

We don't want to be like opilios where there are millions of pounds and sometimes hundreds of millions of pounds in a quota or some the west coast and east Canadian. The interest on our part, just for example, is to keep the size of the crabs from going down through not necessarily serious overfishing but just from going to the point where you've pruned all the big crabs out and gradually the average size goes down and down and down, and the result of that is that the value of any particular – the weight of the crab goes down so the value goes down and the quality of the crab from a connoisseurs point of view, anyway, is not as great.

So you have the results potentially for the value of the resource and to the participants to decline when it doesn't need to. We want to instill and maintain a kind of mentality of stewardship and the fundamental goal among the people that are doing the fishing that would avoid this kind of unfortunate development. So far we're fine; but now that all this attention is on the fishery, there are some risks that this kind of mindset or ethos or whatever you want to call it will just melt away.

We think a LAP Program would help as a tool, not in and of itself to prevent that necessarily, but certainly to assist in the process of maintaining this kind of approach to this great fishery.

Maybe I should I stop there for some questions. There are a couple of other issues that are going to come up, I'm sure.

MR. CUPKA: Okay, for those council members that new to the process, I will point out to you that this is one fishery where there has always been an extremely close working relationship between the industry and the council. They have a very good track record. The most recent effort, of course, was relative to trying to protect deepwater corals; and, again, we're concerned about that and want to make sure we're going to get people in the fishery who are willing to go the extra mile to protect those resources and whatnot. Again, I just want to point out that this is one fishery where we have had a very close working relationship with the industry. Are there any questions for Bill? Duane.

MR. HARRIS: David, I'm not on your committee, but you said one of the things I wanted to say, and that was just to reiterate the close working relationship we've had with this industry. I appreciate that very much because that's not always the case. These guys came to us early on and asked for help and we're trying to give it to them although it's a pretty slow and painful process.

I would hope that we can expedite to the extent that we can this amendment and give these guys some relief from what is bound to come, and that's new entrants into this fishery in some form or fashion. The question I had of Bill and Howard is – and I talked to them last night and there have been some new folks that have moved down in this fishery and they're actually using lobster traps from the northeast and putting them in areas that conflict with the traditional fishing grounds that Bill and Howard and others have been using.

They may be fishing in areas where they're not authorized to fish and maybe don't have all the proper authorizations to fish. I know it's a law enforcement – it's a difficult law enforcement issue, but I would like to ask that the Coast Guard and NMFS Law Enforcement folks get together and work with Bill and Howard to try to identify what is happening down there and to the extent that we can to bring some law enforcement to bear on some potential illegal activities.

MR. CUPKA: Other comments or questions for either Bill or Howard? Howard, did you want to make any comments? Okay, is there anything else you want to bring up, Bill. I think we're all eager to move ahead with this as much as we can. Unfortunately, the press of other things, snapper grouper amendments and whatnot, we haven't been able to put the time any of us would have liked to put further developing this amendment; but now with some new staff coming on board and hopefully getting some of these amendments behind us, we can move ahead as expeditiously as possible to try and put a program in place under this amendment.

Other comments? If not, then I want to thank Bill and Howard for their continued interest in this and their traveling up here from Florida to try and enlighten us on some of the more recent developments in this fishery. The next order of business is the timing and task motion. I think we can dispense with that; and if there is no other business to come before this committee, then we will stand adjourned.

(Whereupon, the meeting was adjourned at 8:48 o'clock a.m., December 7, 2010.)

Certified By: _____ Date: _____

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Golden Crab Committee Meeting December 7, 2010 New Bern, NC

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December 7, 2010
New Bern, NC**

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