

Dear South Atlantic Fisheries Management Council,

My name is Michael "Chops" Cowdrey. I am a life long commercial fisherman born and raised on a boat. In 1984 at 4 years old, my father graduated from a 30 ft boat to a 40 ft boat which allowed us to start working in the ocean. The black sea bass pot fishery was a major staple of our income. After spending my entire childhood as a deck hand, in 1997 at 17 years old, I became Captain of our family's boat, the Lady Kay. I am 45 years old now and have witnessed many fishing seasons. I have made tens of thousands of deployments of black sea bass pots, have worked vigorously from Cape Hatteras, NC to Little River, SC, and have witnessed first hand the management of the black sea bass fishery from beginning to end. From a time of no size limit, no trap limit, no catch limit, no mesh size limit, and no such thing as a permit of any kind to where we are now. In the beginning the state of NC would issue a sticker for \$6 that allowed us to fish for anything, anywhere. The purpose of this letter is to hopefully educate and encourage you to open what has been deemed the "whale closure" in the South Atlantic Black Sea Bass pot fishery as it pertains to amendment 56.

Using black sea bass pots as a method of harvest has been proven through scientific study as the most responsible, sustainable, and efficient way to catch the fish. Unfortunately, through regulation, the use of this type of gear has been prohibited across the board for all Snapper grouper fisherman with the exception of a handful of people like myself who had been deemed "worthy" of a pot endorsement back in 2010 or 2013, I can't even remember. Of the 540 south atlantic snapper grouper permits, only 32 qualified for the endorsement based on the landings requirement set by SAFMC. The pot endorsement, 35 pot limit, 1180 lb trip limit, a requirement to bring pots back to land each trip, and an increase in size limit were all measures put in place to "lengthen" the fishing season because the prior year we had caught the TAC in 6 weeks. Our six week season was a tragedy to the fishermen. The results of the first stock assessment on black sea bass turned out to be completely wrong and left us with very little quota during the largest migration of sea bass I have seen in my career. Prior to 2013, any hook and line fishermen in my area, when fishing for black sea bass, would use pots. If a boat was smaller it would use less pots resulting in less catch or a larger boat like mine using more pots resulting in more catch. Prior to losing their rights to use pots, I had never heard of a commercial fisherman targeting black sea bass with hook and line. The landings prior to the unjust stripping of fishermen's rights to use pots was 90% pots and 10% hook and line. Of the 10% landed by hook and line, I would argue that a decent portion was bycatch from snapper grouper fishing rather than targeted sea bass fishing. The difference in bycatch mortality and efficiency in hook and line versus the pot fishery is staggering. Also, prior to 2013, 85% of the sea bass caught in the South Atlantic were landed right here in my hometown of Sneads Ferry, NC.

The second stock assessment on black sea bass was conducted during a few years of very strong migration that would be followed by several years of warm climate and weak migration. Once again causing the stock assessment to be completely wrong. We were given a larger quota during a time of scarcity of fish. None of the regulations put in place to "lengthen the season" were removed. As a matter of fact, after 10 or more years of not even reaching 50% of

our TAC, not one single regulation was lifted. How does that happen? How is it legal to put regulations on a fishery specifically to slow fishermen down from catching the TAC too fast and continue with those regulations for an entire decade while the fishermen aren't able to reach even half the quota? We have not been ALLOWED to reach our quota one single time since the second stock assessment. The first year of an increased quota we were required to stop fishing at 44% November 1st - May 1st. We realized for the first time that we were closed 6 months of the year for whale migration. This closure had been slid in during the reform of our fishery unknowingly to most fishermen like myself. We didn't realise the first couple of years that we even had a whale closure because we had been reaching our TAC before November 1st.

The closure itself seemed corrupt. We were the smallest pot fishery in the Atlantic Ocean with the fewest number of pots per boat and the fewest number of boats participating with the least amount of soak time on our gear. There had never been a single documented entanglement or injury of a whale due to Black Sea Bass pots. The presence of whales in our area was less than any other area on the entire east coast other than South Florida. Protected Resources chose the South Atlantic Black Sea Bass Pot Fishery to make an example of. I still cannot for the life of me understand why our particular fishery was closed other than we may have been low-hanging fruit because in general, we are financially poor and few in numbers and could not fight against it. I'm pretty sure the closure itself began in 2010, the 2013 date that has been referred to as our closure was actually an opening. Boundary lines were drawn outside of where black sea bass thrive in our area and we were giving that as an opening. Between 2010 and 2013 we were not allowed to fish with black sea bass pots at all anywhere during the winter months.

Eight years ago, I received a phone call from a college student named Kim Sawicki asking if I would participate in a study of fishing ropeless gear. Over 8 years time, Kim and I worked and developed ropeless fishing into an on-demand gear that seems to work flawlessly outside of human error " if you don't do it right it doesn't work right". During the eight years that we have worked on this ropeless gear project, there have been other fisheries across the country that are beginning to experience closure. Dungeness crab fishermen in California were able to use our work, our study and our training, and within 3 years, the state of California has reopened the fishery. This is a large fishery with a lot of pots and 50,000 gray whales. In comparison to that, we sit here in the South Atlantic after 15 years of closure and are faced with an opportunity to put our small American Fishing families back to work.

From the first meeting in Townsend, Georgia a couple of summers ago to where we are now, I will list off some of the things I have heard as opposition to reopening the whale closure to sea bass pots:

1. Allowing black sea bass pot fishing will make it harder for charter captains to catch their limit for their customers.
 - a. Closing charter fishing for black sea bass would reduce the recreational by catch mortality dramatically which would impact the stock assessment greatly and in hand make it easier for me to make a living as a commercial fisherman. One sounds as ridiculous as the other.

2. We would have to relook at the stock assessment because we have been using the closure as a benefit to the fish when assessing the stock.
 - a. Stock assessment began before closures were ever in place. The TAC is what is decided to protect the fish. I have not heard of any scientific study yet that reveals whether catching the fish in the summer or the winter will impact the stock. I have heard of studies though that might compare to by catch mortality of pot fishing to hook and line.

3. What about the historical commercial hook and line black sea bass fishery?
 - a. There has been no historical hook and line black sea bass fishery since the 1950s when commercial fishermen first brought crab pots into the ocean. The fishery has been nearly exclusively a pot fishery. Hook and line landings over the last 10 or 15 years were exclusively manipulated by laws and did not exist prior. All Snapper grouper unlimited permit holders should be allowed to have access to pots for the harvest of black sea bass

4. Leaving the whale migration closed for ropeless gear could be used as a supposed spawning closure.
 - a. I do not believe a supposed anything should be suggested in order to keep us closed. An actual true scientific biological spawning closure set for a specific time that actually helps the biology of the fish not only would be much shorter than 6 months, but also may help offset the supposed benefits that are being put towards the stock assessment for the fish being harvested by hook and line, and not pots.

5. We need to leave it closed to pot fishing because the latest stock assessment looks very bleak.
 - a. The stock assessment and the TAC have nothing to do whatsoever with the method of harvesting the fish. This is not a good reason to allow the fish to be caught with hook and line but not pots. The stock assessment is very flawed. The next stock assessment may very well show an abundance of fish and when it does we need to be ready to harvest. We do not need to be here 3 or 5 years down the road with an extra quota and still sitting on our thumb not allowed to fish.

To summarize this letter, us commercial black sea bass pot fishermen desperately need this area opened. The wintertime nature of our fishery, the historical presence of our fishery, and the biological benefits of pot fishing for black sea bass provide such an argument that I do not understand why there is any opposition. It seems that every angle of opposition is a grasp, to keep us closed, not supported by science but special interest.

Thank you so much for your time,

Michael "Chops" Cowdrey

