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Congress of the United States
House of Representatives
Washington, DC 20515-3303

March 7, 2012

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

Dear Chairman Cupka and Council Members:

On behalf of the North Carolina fishermen I am privileged to represent, I am writing to express my strong opposition to the proposed Amendment 18B to the South Atlantic Snapper Grouper Fishery Management Plan. Instead of fixing the problems with management of the South Atlantic golden tilefish fishery, Amendment 18B would make them worse. I urge the Council to reject this flawed amendment and start over on a new measure to create more equitable access to this important resource for fishermen throughout the Council's jurisdiction.

The Preferred Alternative for Amendment 18B proposes to reduce participation in the golden tilefish fishery by forcing an endorsement regime on fishermen. The Council's stated justification for pursuing this proposal is to "reduce overcapacity".

Reducing alleged "overcapacity" might make sense when all stakeholders agree that such a change is necessary to protect a depleted and declining fish stock that is being unsustainably overharvested, but that is clearly not the case here. In December the Council received a new stock assessment for golden tilefish which found that the stock is neither overfished or undergoing overfishing. It also found that the stock biomass has increased since the last assessment in 2004. The new assessment is so positive that the Council has announced that it will substantially increase the annual catch limit (ACL):

When the fishery is this healthy it makes no sense to arbitrarily slash the number of eligible fishermen and needlessly destroy fishing jobs and small communities. Taking such action would be unacceptable even during the best of economic times, and it would be especially unacceptable now.

Instead of pursuing Amendment 18B, I would strongly urge the Council to take immediate steps to address the real problem affecting this fishery: inequitable access to the resource. Golden tilefish are managed in a way that unfairly discriminates against North Carolina fishermen and may violate National Standard #4 of the Magnuson Act, which requires that "management measures shall not discriminate between residents of different States."

The presence of golden tilefish off North Carolina is well documented. But the Council has structured the timing of the fishing season and trip limits for vessels in the fishery in a way that essentially shuts North Carolina fishermen out of the fishery and all but guarantees that the annual quota is harvested almost entirely in Florida. That's just not right.

Under federal law, the South Atlantic Council is responsible for providing a regulatory framework that yields healthy fish stocks, healthy fishing communities and equitable access to the resource for residents in different geographic areas. Current management measures for golden tilefish fail to satisfy all of these requirements. Amendment 18B would fall even shorter. The Council would be well advised to terminate Amendment 18B and focus its efforts on allowing North Carolina and other states north of Florida to equitably access their fair share of the golden tilefish resource.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Walter B. Jones". The signature is written in a cursive, flowing style.

Walter B. Jones
Member of Congress

Cc: Dr. Roy Crabtree, Regional Administrator, NOAA Fisheries Southeast Regional Office