On behalf of many thousands of citizens wrongfully impacted by a shutdown of Atlantic red snapper fishing, we urgently request that you reopen this fishery pending the newly announced review of the controversial data that led to the current closure.

At the same time, we do commend NOAA for beginning the "benchmark process" to consider new information and evidence of numerous flaws in the current assessment of the stock.

As you no doubt know, there are continuing and widespread reports of devastating damages caused by the closure of January 4, which is envisioned to go on for 15 years or more as part of a permanent management plan being considered by NOAA's National Marine Fisheries Service. The current "emergency" closure may continue through 2010.

There is no downside to re-opening the fishery pending results of the new review, because red snapper populations are stable and growing, as indicated by NMFS' own data.

At Florida Sportsman, we have followed the state's red snapper fishery for 40 years. It's never been better than now. We view the assessment claiming severe overfishing as an amazing mistake--probably the worst assessment ever made.

A number of outside scientists as well as thousands of persons on the waters contend that poorly done science based on flimsy or non-existent data resulted in the Sedar 15 report, which was accepted by the advisory South Atlantic Fishery Management Council by a 7-6 vote.

A faculty scientist from the University of Florida, William Kenney, summarizes the problem this way:

"SEDAR 15 is beleaguered with dubious technical assertions including unbelievably large historic catches, improper calculation of natural mortality and an unrealistic weight at age model, all crowned by an indefensible recruitment model. This 'perfect storm' of errors results in an assessment that defies common sense and the real world observations of everyday anglers."

As will be shown even more clearly in the benchmark process, the assessment hinges on guesstimates of fishing levels from 1945, when there were no reliable records. The total biomass was somehow put at 61

million pounds. Supposedly, the biomass fell to 1/40th of that by 1980.

Then, largely due to a change in the NMFS' method of estimating "recruitment," or the number of new adults entering the fishery each year, the red snapper population has been estimated at the low levels ever since.

Actually, the red snapper population has been growing consistently, especially since 1992 when strict new size and bag limits were adopted. The government data clearly shows the very positive effects of the '92 changes, which were not a failure but a tremendous success. Catch-per-unit-of-effort increased by 60 per