Amendment 17B Scoping Summary

I. Summary

The South Atlantic Fishery Management Council (Council) and NOAA Fisheries Service solicited comments on actions to establish annual catch limits (ACLs) and accountability measures (AMs) for South Atlantic fish species subject to overfishing. A notice of intent to prepare a draft environmental impact statement was published January 22, 2008 [73 FR 3701]. Four public scoping meetings were held in February 2008. The table below outlines the attendance at each meeting. The Council received 320 written correspondences in the form of letters, faxes, and e-mails. Of those written comments 309 were signatures on one form letter submitted several times. The document represents a general overview of the comments received from commercial and recreational fishermen, and two environmental organizations. Some comments submitted for this round of scoping relate to issues addressed in Amendment 17A to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region. Those comments are summarized in the Scoping Summary provided as Appendix P of Amendment 17A. This scoping summary is not intended to provide a detailed report of all the comments and viewpoints received. Copies of the written comments and the scoping minutes may be found on line at: http://safmc.net/Meetings/CouncilMeetings/March372008CouncilMeeting/BriefingBookMarch372008/tabid/548/Default.aspx.

Date	Location	Attendance
2/4/2008	Coconut Grove, FL	15
2/5/2008	Cape Canaveral,	40
2/6/2008	Brunswick, GA	13
2/7/2008	New Burn, NC	16

II. Summary of Comments

The majority of written comments and verbal testimonies were against further harvest restrictions for species that would be affected by Amendment 17B. Specifically, many recreational fishermen signed a form letter expressing opposition to any allocations or harvest restrictions that they feel would negatively impact the recreational sector. The form letter indicated that the commercial sector is responsible for the majority of harvest of the species in question and therefore, should be the sector most restricted in terms of harvest and allocations. Other comments referenced a lack of enforcement of current regulations. Those same commenters suggested increasing enforcement efforts of those regulations already in place before adding more restrictive management measures.

One environmental organization urged the Council to find a method to account for and preserve forage fish species as food for other species, and stated that currently, target species are treated independently from their relationship to the rest of the ecosystem. Some public testimony also supported the ecosystem approach to establishing ACLs. The same organization also requested that ACLs for data poor species or species with unknown status be set at more precautionary levels than what is suggested by current NOAA Fisheries Service guidance. Another environmental organization suggested that ACLs should consist of a risk-based assessment of species in the South Atlantic FMPs. The risk-based assessments could then be compared to results of the stock assessments to assess the applicability of the risk-based assessments to provide an adequate buffer between the ABC and the ACL. Following the completion of this ground-truthing of the methodology, NOAA Fisheries Service could further develop the risk-assessment concept into a methodology for setting ACLs, with appropriate buffers, for data-poor species. The same organization also suggested that AMs: 1) Account for the entire amount of an overage as well as compensate for any lost productivity due to the foregone spawning potential caused by the overage; 2) be implemented in a precautionary way during the fishing season; 3) be instituted no later than the following fishing year if in-season management is not immediately possible; and 4) apply on a sector-by-sector basis.

Several commenters stated that there are already too many regulations to keep track of and fisheries managers have not given them enough time to see if they are working to end overfishing. Others stated that reductions in biomass are not only attributable to directed fishing but also to non-point source pollution and global warming, which is not regulated by NOAA Fisheries Service. Several commenters address snowy grouper issues specifically and felt that there should be no size limit on snowy grouper in order to reduce fishing mortality because they are throwing back many dead fish. Several commenters also suggested that the Council consider establishing more artificial reef areas to help rebuild fish stocks in the South Atlantic. Some commenters felt that snowy grouper are caught at similar levels in the recreational and commercial sectors and therefore, both sectors should be heavily restricted.

Some who spoke during public testimony mentioned that there is illegal bottom longlining taking place inside of the 50 fathom depth contour. These same people felt that enforcing the longliners would help current regulations achieve what they were created to do. Others spoke about advantages of allowing retention of speckled hind and warsaw grouper because of the high mortality rate associated with throwing back regulatory discards of these species. Several commenters also expressed concern over the ability of MRFSS to accurately track recreational landings, and other questioned proposed allocations as not being fair and equitable. One commenter, a diver from Georgia, claimed to be seeing high densities of various snapper grouper species, and implied that fisheries off the coasts of Florida and Georgia are very different and should therefore, be managed differently. The same commenter, like several others, also suggested that regional or state management would better meet the specific needs of fisheries off the coasts of individual states rather than managing snapper grouper as a unit from North Carolina to Florida. Several fishermen also

offered testimony requesting more and updated data for various species, and expressed an overall mistrust of data currently being used to manage snapper grouper species in the South Atlantic. No issues of environmental justice were raised during the four scoping meetings summarized above.