

Duane Harris, Chair  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Ste. 201  
North Charleston, SC 29405

February 17, 2009

Dear Mr. Harris:

We are writing this letter to request that the Council allow for the next steps to be taken to analyze a limited access privilege (LAP) program for the golden crab fishery.

On Monday, February 2, 2009, Environmental Defense Fund held a meeting in Key Largo, FL at our request with Tony Iarocci, Kate Quigley, Eileen Dougherty, and Sarah Hagedorn to discuss the possibility of a limited access privilege program for the South Atlantic golden crab fishery (see attached meeting materials). We provided background information and history of the golden crab fishery to all attending. Council staff and Environmental Defense Fund staff provided handouts and presentations on Limited Access Privilege Programs and other types of management. We are interested in exploring LAP program management for the golden crab fishery for five major reasons:

1) From the late 1970s through the end of the last century, a parade of 50 or more individuals and corporations, many but not all from Alaska, attempted to fish golden crab in U.S. waters. All without long-term success. However, significant fishing effort was expended by vessels as large as 180 feet in length, many hundreds of large, heavy traps and thousands of feet of connecting line were lost or abandoned, gear conflicts with local fishermen were numerous, and an ethic of "only the tough and ruthless should survive" prevailed. The impact on local fishermen was so severe that a 35 square mile sanctuary was established wherein only boats 65 feet or less in length could fish. With the implementation of ACLs in fisheries nationwide, we anticipate the possibility of a reenactment of the scenario as fishermen from other areas acquire golden crab permits through purchase or lease, engage in similar fishing practices and seriously disrupt the conservative and conscientious development of this small fishery. The livelihoods of historical golden crab fishermen who have consistently worked with the Council for the pursuit of prudent fishing practices would be endangered. Furthermore, coral habitat would be at risk if new entrants were unfamiliar with benthic habitat where golden crab are found, or even more serious, if they were uncaring about its value. A LAP program would provide individual limits on the amount of crab that can be taken and eliminate the gruesome possibility of overfishing and the race to fish described above. Even if this extreme situation did not materialize, aggressive fishing effort by some new participants, especially after the establishment of an ACL, could decrease profitability of historical golden crab fishermen. A LAP program would prevent the development of this imbalance.

2) There are 11 permits in the South Atlantic Golden Crab Fishery. Each permit is specific to one of three zones, northern, middle, or southern, except that a middle or southern permit may be transformed into a northern permit. However, this process is not reversible; the permit remains a northern one regardless of the wisdom of making the change. Several fishermen own more than one permit, but are only able to fish one zone at a time if they own a single vessel, which is the case with all of us. The fact that permits can be leased, a somewhat cumbersome process which is not designed for frequent changes in participants, still does not allow fishing two zones at once. This is because only one permit may be assigned to a vessel at any given time. Buying an additional boat is not a cost-efficient option. A LAP program can be designed to efficiently provide the desired flexibility and control. Such a program could go a long way toward resolving the paradox that currently two zones are virtually unfished even though there are ample crabs in those areas.

3) We feel we can be better stewards of the resource by selling pounds under a LAP on a temporary basis instead of selling our entire permit in perpetuity to someone whose landings are relatively unlimited and may not care about the resource and habitat.

4) We would like the flexibility a LAP program offers so that boat repairs and illness do not interrupt our ability to make a living.

5) Establishment of a LAP could be coupled with increased affordable monitoring via paper trails, electronic logbook, etc. and result in overall improved enforcement of the fishery to ensure control over potential illegal fishing.

In order to continue thinking about the option of LAPs for the golden crab fishery, we intend to continue holding meetings with golden crab fishermen and Environmental Defense Fund. We respectfully request that the Council provide us with:

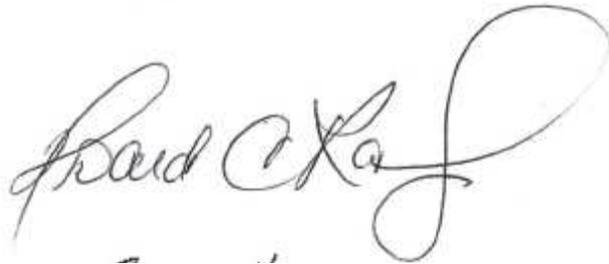
- 1) Council staff time and historical vessel landings data to assist us in analyzing initial allocation scenarios. Council staff time would also be requested at future meetings of golden crab fishermen (The next meeting will be held in April 2009);
- 2) A meeting of the Golden Crab AP in June 2009 during the Council meeting in Stuart, FL;
- 3) The chance to make a presentation to the SSC during discussions of a golden crab OFL and ABC; and
- 4) Possible analysis of a golden crab LAP program in the Comprehensive ACL Amendment.

All three of us are trying to contact other Golden Crab Advisory Panel members to inform them of this letter and obtain their feedback.

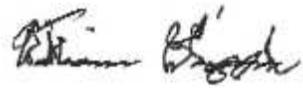
Thank you for your assistance in helping us to improve the health and profitability of the golden crab fishery.

Sincerely,

Howard Rau, Member of the Golden Crab Advisory Panel

A handwritten signature in cursive script that reads "Howard Rau". The signature is fluid and elegant, with a large loop at the end of the last name.

Bill Whipple, Chair of the Golden Crab Advisory Panel

A handwritten signature in cursive script that reads "Bill Whipple". The signature is somewhat compact and features a distinct loop at the end of the last name.

Randy Manchester, Member of the Golden Crab Advisory Panel

A handwritten signature in cursive script that reads "Randy Manchester". The signature is clear and legible, with a large loop at the end of the last name.