



SOUTHEASTERN FISHERIES ASSOCIATION, INC.

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Dr. Michelle Duval, Chair
South Atlantic Fishery Management Council
Charleston, South Carolina

Re: HMS Impacts

Madam Chair,

There are so many issues the commercial fishing industry has with NOAA that it's difficult to choose which one is the highest priority. We could spend months reviewing how badly NOAA's regulations have harmed our ability to produce seafood. We could talk about the data poor Beaufort Assessment Model and how it will continue to destroy the fishing industry, but that is for another time in the near future. There is an important issue needing oversight by the South Atlantic Fishery Management Council immediately.

We strongly believe the HMS management system has gone astray. Our remarks are not aimed at any individual, but directly at the policies and regulations that have evolved over the past 40 years.

We have a fleet of commercial fishing vessels harvesting HMS species. They are being regulated by super-strenuous regulations putting small entities out of business. The commercial harvesters of HMS species have perpetual oversight and perpetual criticism from several political/charitable organizations. We are monitored by cameras, VMS is required and observers are put on board. We believe all law enforcement is aimed at commercial harvesters.

In the latest attempt to shut down seafood harvest of HMS species, NOAA wants the Gulf of Mexico tuna boats tied up at the dock. NOAA will pay the amount that each vessel would have earned if they had been fishing. We understand the money comes from the BP fines from the Deepwater Horizon disaster. Evidently a deal has been worked out by NOAA lawyers and the highly political National Fisheries and Wildlife group that got billions of dollars from the federal district court. The vessels will not be able to fish anywhere in the world during the time period they receive NOAA funding.

No arrangements have been made to fund fish houses that lose their income because NOAA wants the boats tied to the dock. No funds are available for the truckers who have transported their catch throughout the country. No consideration was given to fund the commercial fishing infrastructure that must be in place to provide a sustainable seafood product. NOAA has created a scheme to ban only commercial fishing, but continues to add recreational boats to fish for HMS species. NOAA wants to tie our handful of vessels to the dock but welcome another 10,000 anglers to catch HMS fish. What kind of injudicious federal policy is that?

Our fishermen who harvest HMS species are required to 'call-in' before unloading fish on the dock. We are required to display a federally documented vessel number and abide by all the USCG requirements including EPIRBS, life rafts and survival suits. We are required to have a USCG sticker on our vessel in order to operate in the HMS fisheries.

Every fish we harvest is counted, weighed, recorded and taxes are paid. Any species that is a histamine type fish i.e. tuna, mackerels, amberjack etc., must be handled from the 'boat to the throat' under a written and approved FDA HACCP Plan. (21CFR123). We must do all of this before we can sell one pound of HMS species. Yet, it seems most anglers who sell HMS species are exempt from these restrictions. Why? Where is equal protection under the law? Are anglers exempt from HMS law enforcement?

There are hundreds of tournaments where HMS species are caught and sold. It seems those boats that participate don't come under any of the provisions that we come under. Aren't we all under the same law and doesn't HACCP apply to anglers if they sell their catch? How many anglers in the General Category are catching HMS species, selling them and not reporting to NOAA? How many of the HMS recreational boats from each of the following states report their catch? How many sell their catch? How many comply with the USCG for commercial fishing?

These are the HMS permits in each state.

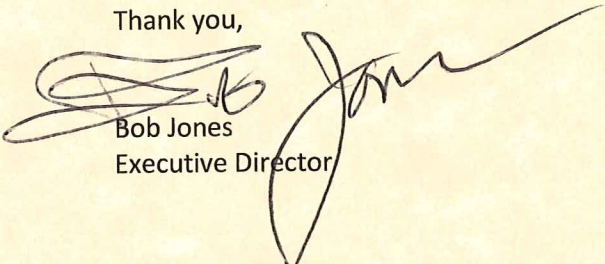
AL-44, FL-780, GA-25, LA-101, MS-42, NC-669, TX-142, SC-138

We, federal licensed commercial fishermen, must report every HMS fish we catch yet we understand HMS angler tournaments are self-reporting and have no physical oversight by NOAA/HMS. We are told that only 10% of the tournaments where HMS species are killed are selected to tell NOAA what kind and how many HMS type fish were caught in their tournament. Self-reporting without verification doesn't work. As Reagan said, "Trust but verify." NOAA should do the same.

There is much more about the HMS world that needs to be discussed. So, what are we asking that you do?

On behalf of the commercial fishing industry, please appoint an HMS Committee of South Atlantic Council members to assess what is actually happening in the HMS world and how all our fisheries are affected by their regulations? One of the first issues should be to determine what needs to be done to have the law applied the same to all those who sell their catch.

Thank you,


Bob Jones
Executive Director