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**Testimony of Mr. Duane Harris, Chairman
South Atlantic Fishery Management Council
On the Implementation of the Magnuson-Stevens Fishery Conservation and Management Act
Before
The Subcommittee on Insular Affairs, Oceans and Wildlife
House Committee on Resources
October 27, 2009**

Madam Chair and members of the Committee, thank you for allowing me to appear before you today. My name is Duane Harris and I represent the State of Georgia on the South Atlantic Fishery Management Council (Council), where I serve as Chairman. Today I will address the questions posed and provide the information requested by Madam Chair. All of my comments are made with the sincere intent of providing a clear understanding about how the South Atlantic Council has worked to implement the 2006 amendments to the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) and how I believe marine fisheries management under the Act can be improved.

The South Atlantic Council is not only addressing the implementation of measures that will insure overfishing does not occur in the future, we are addressing ten species in the snapper grouper species complex that are currently undergoing overfishing.

The best and most recent example of how the South Atlantic Council is dealing with this mandate is demonstrated in our efforts related to red snapper. In July 2008, following the completion of a red snapper stock assessment, the Council received notice from Dr. Roy Crabtree, NOAA Southeast Regional Administrator, that the red snapper stock was overfished and undergoing overfishing. The notification provided that the council had one year to prepare a plan amendment or proposed regulations to end overfishing of red snapper in accordance with the Magnuson-Stevens Act. During its March 2009 meeting, the Council approved a motion (on a 7 to 6 vote) to request a closure for all red snapper fishing through the use of an interim rule to help address overfishing. The interim rule is designed as a short-term measure until more permanent measures can be implemented to end overfishing and rebuild the red snapper stock. Long-term measures are being considered in Amendment 17A to the Snapper Grouper Fishery Management Plan, currently under development.

If approved by NOAA Fisheries, the interim rule would close the red snapper fishery in federal waters in the South Atlantic region for both commercial and recreational fishermen for a period of 180 days, with an additional 186-day extension possible. The Council also requested that states implement complimentary regulations. The interim rule request is currently being reviewed by NOAA Fisheries Service and approval rests with the Secretary of Commerce. However, because of the mixed species nature of the fishery and the high mortality rates estimated for red snapper that are caught and released, a prohibition on all harvest of red snapper will not end overfishing. Additional measures that also reduce discarding of red snapper are necessary and alternatives are being developed through Amendment 17A to the FMP. Snapper Grouper Amendment 17A will end overfishing of red snapper; set Annual Catch Limits (ACLs); establish Accountability Measures (AMs); rebuild the red snapper stock; and establish a red snapper monitoring program.

The red snapper stock assessment, completed in February 2008 through the Southeast Data, Assessment, and Review (SEDAR) process, was the basis for the determination that the red snapper stock is undergoing overfishing and is overfished. Beginning in the 1950s the stock continuously declined for two decades, but has remained stable at low levels since 1980. Estimates of annual biomass have been well below sustainable levels since the mid-1960s, with some small amount of recovery since implementation of the current size limit of 20 inches in 1992.

The Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region (1983) (FMP) imposed minimum size limits on six species to control growth overfishing; one of the species affected was red snapper. Information about growth, age, and mortality was used to form the basis for yield per recruit (YPR) models used in the FMP. In 1983, the YPR analysis indicated red snapper were undergoing growth overfishing. At that time, minimum sizes were the preferred method of ending growth overfishing and preventing recruitment overfishing. Implementing a 12" size limit was expected to yield an eight percent increase in the yield if recruitment were held constant. At that time, the expected discard survival rate was estimated to be between 60 and 80 percent. Even at the lower end of the discard survivorship range, yield was still expected to increase by six percent. Larger size limits were rejected because of potential decreases to inshore availability, and public testimony indicated that all user groups unanimously favored at least a 12" minimum size for red snapper.

Amendment 4 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (SAFMC 1991) implemented management measures to address overfishing of several snapper grouper species including a 20" total length size limit and a 2 red snapper bag limit. At the time, the Council and NOAA Fisheries Service felt a bag limit of 2 red snapper would provide additional protection from overfishing and spread the harvest within the recreational sector. However, it is important to note that at the time these red snapper management measures were implemented, there was no analysis projecting the expected reductions from the combination of size limit and bag limit. Therefore, it was impossible to predict whether or not the combination of size limit and bag limit would achieve its goal. Because of this uncertainty, Amendment 4 provided that the bag limit could be modified as necessary through future framework action.

Subsequently, the Council developed Amendments 7, 8, and 9 in a further effort to rebuild red snapper above the overfished level. Unfortunately, implementation of a limited access fishery coupled with size and bag limits, has proved insufficient to end overfishing of red snapper.

Amendment 17A, currently under development, includes alternatives that would prohibit the harvest of all snapper grouper species in certain areas to deal with the excessive bycatch mortality of red snapper

as fishermen pursue other species in the snapper grouper species complex. The alternatives for the closed areas focus on locations where concentrated landings of red snapper are reported, primarily off the coasts of Georgia and the north and central east coasts of Florida.

Depending on the rebuilding strategy selected by the Council, an 84 to 88 percent reduction in the total kill of red snapper is necessary to end overfishing. The Council's current preferred rebuilding strategy would set an Annual Catch Limit for 2010 of 79,000 pounds whole weight for the commercial and recreational fisheries combined. That represents a significant decrease in harvest from the combined commercial and recreational catch of 411,042 pounds in 2007.

A summary of the management alternatives being considered in Amendment 17A are as follows:

- Closure of the red snapper fishery (recreational and commercial) in the South Atlantic.

Note: Because of bycatch mortality associated with the red snapper fishery, a closure will not achieve the necessary reductions to end overfishing and rebuild the stocks. As a result, in addition to a closure of the fishery, the Council is considering the following measures (the Council has not chosen a preferred alternative):

- Area closures where fishing for all species in the snapper grouper management complex would be prohibited. The four areas under consideration focus on areas where catches of red snapper are concentrated. Alternatives to allow black sea bass pots, spearfishing, and fishing for golden tilefish are also included in the amendment.

- Establish a limited, designated snapper grouper fishing zone (or zones) approximately between Stuart, Florida and Cape Romaine, South Carolina within the South Atlantic EEZ. Allocate a portion of the total ACL (79,000 lbs.) as non-directed removals, i.e., bycatch mortality. After subtracting the allotment for areas north and south of the fishing zone(s), divide the remaining ACL among commercial, recreational, and for-hire sectors within the fishing zone(s). Fishing within the permitted zone(s) would require tracking and accountability measures, including Vessel Monitoring Systems for all sectors, reporting requirements, video monitoring and other requirements.

- Alternatives to allow transit through closed areas;
- Alternatives for requiring the use of circle hooks;
- Alternatives to establish a red snapper monitoring program, including both fishery-dependent (utilizing for-hire sector) and fishery-independent (research vessels).

The economic impacts (and associated social impacts) of implementing the Reauthorized Magnuson-Stevens Act for the red snapper fishery will be significant. Although the average overall expected reductions in net operating revenues range from 4 percent to slightly more than 12 percent for the entire commercial snapper-grouper fishery, the effects of Amendment 17A would be highly focused on fishermen in northeast Florida and Georgia because those regions represent the center of the red snapper fishery. Fishermen in these areas would incur the largest losses in absolute and relative terms. The predicted reductions in net operating revenues for fishermen in northeast Florida and Georgia are expected to range between 64 and 71 percent depending on which closure alternative is chosen by the Council.

The recreational fishery would be heavily impacted as well, with expected reductions in consumer surplus and net operating revenues ranging from \$9.2 to \$19.5 million depending on the alternative chosen. Florida and Georgia recreational anglers and for-hire operations would experience reductions in consumer surplus and net operating revenues ranging from 91 percent to 96 percent of the above estimates.

Public opinion regarding the red snapper stock assessment and subsequent management measures proposed by the Council has been less than positive. From the time the initial stock assessment results for red snapper were announced in 2008, fishermen have questioned the results. The Council has heard time and again from fishermen, especially those along the coasts of southern South Carolina, Georgia and the northeast coast of Florida, that they are seeing more red snapper and larger red snapper than seen in the past 10 - 15 years. Fishermen believe what they are witnessing on the water and what is being told to them by managers and scientists are polar opposites. There are scientific explanations that support fishermen's observations, with recent increases in red snapper landings reflecting strong year classes moving through the stock. Yet, overall fishermen are suspicious of the data being used in the stock assessment process and the data collection programs currently in place that drive the assessments, especially the collection of recreational data. Red snapper is primarily a recreational fishery, and many recreational fishermen believe that the current size limit of 20 inches with a 2 fish recreational bag limit is working and adequate to sustain red snapper harvest.

Of even more concern to fishermen are the management decisions being mandated based on these stock assessments. By nature, fishermen are leery of increased regulations. But fishermen have expressed their support for past management measures including size limits, bag limits and commercial quotas, after seeing some stocks, such as king and Spanish mackerel, recover from historical overfishing. Fishermen began to hear about Annual Catch Limits and Accountability Measures with the reauthorization of the Magnuson-Stevens Act. However, it was not until the management measures to achieve these mandates began to appear as proposed regulations through fishery management plan amendments that they began to grasp the reality of the reauthorized Act.

Now fishermen are more than leery. Many are angry, some are afraid, and most are distrustful of a new "set of rules" they perceive as inflexible and without merit. They are frustrated with hearing from Council members about the mandates of the Magnuson-Stevens Act and skeptical of the public process. A complete closure of the red snapper fishery coupled with the large closed areas being proposed to end overfishing of red snapper come at a time when nationally, economic stimulus packages are being touted and the irony is not being lost on fishermen. Informal public question and answer sessions recently held by the Council have been well attended, with fishermen learning more about the mandates of the reauthorized Magnuson-Stevens Act and expressing concerns about the economic impacts to their businesses and communities. Charter captains, party boat operators, marina owners, bait and tackle dealers, seafood wholesalers and others tell Council members about the negative impacts of the area closures, often with emotional pleas against measures mandated to end overfishing.

Business operators as well as recreational anglers also express their frustration with dealing with the cumulative impacts of new regulations. On November 1st, the recreational fishery for vermilion snapper will close for 6 months. The commercial quota for vermilion snapper was reached last month and that fishery is closed. Beginning in January, a four month spawning season closure for shallow water grouper goes into place for both commercial and recreational fishermen, impacting the winter tourist season in south Florida and the Florida Keys. According to fishermen attending the question and answer sessions, these regulations, coupled with a closure of the red snapper fishery and the proposed area closures, will put many people out of business, reduce opportunities for recreational fishermen, and negatively impact coastal communities where the closures are proposed.

While not all fishermen are opposed to regulations proposed to end overfishing and rebuild red snapper stocks, even those who support efforts are questioning the ability to enforce such measures. Voluntary

compliance is key in fisheries management and as state and federal law enforcement agencies struggle with budget cuts and increased operating costs, voluntary compliance becomes even more important. As one fisherman stated: “For the most part, compliance with the rules is voluntary. This partnership depends on the trust and confidence of the angling public that the Council will enact scientifically responsible and fair policies. I’m not endorsing or encouraging breaking fishing regulations, but when you make rules depending on 90 percent of the angling public obeying them voluntarily, you can predict the results. Once you get a situation where the angling public has lost trust in the fisheries council and ignores the rules, you will lose the handle on being able to manage these fisheries forever”.

Despite the concerns expressed above, there is not a total lack of support for the Council’s efforts to end overfishing for red snapper and rebuild the stock. The Council has received strong support from NGO’s, environmental groups, concerned citizens, and a number of fishermen that understand something must be done to end overfishing. The Council has received petitions stating: “You and the Council have acted before to enact science-based fishery rules and we applaud your foresight. We hope you will continue on this track so we will reap the benefits of your decisions for years to come”. And letters of thanks such as: “On behalf of the Pew Environmental Group’s Ending Overfishing in the Southeast Campaign, I am writing to convey our appreciation to you and the entire South Atlantic Fishery Management Council for your decision to request an interim rule to address overfishing of red snapper.” Although only a few fishermen agree with the Council’s proposed management measures, many understand that the Council is required to follow the law and end overfishing.

The next area I shall address is improving fisheries data used in the Magnuson-Stevens Act management process.

Fisheries management in the South Atlantic suffers from a chronic, yet well-documented, lack of basic data which hampers scientists’ abilities to evaluate exploited populations and managers’ abilities to develop, and ensure accountability with, management measures. Required data are simply stated: accurate catch statistics, adequate biological sampling, and comprehensive population monitoring. The lack of these data adds uncertainty at all levels of scientific and management processes, which, due to requirements in the Reauthorized Magnuson-Stevens Act to account for such uncertainty in establishing limits, translates into an obligation to be increasingly conservative in management specifications. Therefore, it is highly likely that fisheries on stocks which are neither overfished nor experiencing overfishing will nonetheless face harvest reductions and increasingly restrictive regulations as such uncertainties are addressed by the SSC in meeting their mandate to account for these uncertainties in making fishing level recommendations that prevent overfishing from occurring. One of the biggest challenges, and an issue that constituents find most difficult to grasp, is that stock and fishery uncertainty must be treated as a ‘one-tailed’ situation, requiring that managers and scientists always error on the side of caution and make recommendations that do not exceed the lower bound of what is in fact a two-tailed, and in many cases very wide, confidence interval.

Requiring precautionary measures in the face of uncertainty does provide a potential incentive to reduce uncertainty, but the incentive is actually indirect, in that agencies are primarily responsible for collecting the information that will reduce uncertainty whereas it is the constituents who most feel the pinch of the precautionary measures. As the Councils are in the position of feeling the frustration of constituents first hand, it is no surprise that they are strong advocates for increased monitoring. The South Atlantic Council certainly is in such a position and therefore recommends considerably increased monitoring efforts in prioritized research plans submitted to the Secretary and Regional Science Center as required in Section 109-479 of the Act.

Research priorities identified by the South Atlantic Council will improve fisheries data and lead to improvements in accountability. Priorities for fisheries monitoring fall into three general classes: catch statistics, biological sampling, and independent surveys. Sampling and monitoring must be conducted on a fisheries-basis, as the multi-species nature of many South Atlantic fisheries, such as those for Snapper Grouper, is not conducive to traditional, species-oriented sampling efforts. Sampling must be conducted across all areas and throughout the year, as there is great variability in species composition over both time and space. Sampling programs must be designed to encounter all types of trips, both those that stay relatively near shore in shallower water and those that range far offshore to the deepest waters of the EEZ, because the species encountered by such differing trips vary considerably. Sampling programs must be constructed to encounter all types of gears, as the species encountered in pot fisheries will differ from those encountered in hook and line fisheries.

Improved and comprehensive catch statistics for all managed species are required from all fisheries and areas. Much of the uncertainty that exists in current assessments, and that will hinder accountability in the future, can be reduced by simply obtaining an accurate accounting of what is caught, including both the catch that is retained and the catch that is discarded. Despite great strides made in this area over the last two decades as Southeastern states implemented mandatory reporting and comprehensive trip ticket programs for commercial fisheries, some issues remain to be resolved. For example, some species are plagued by misidentification and misreporting, many constituents face cumbersome and sometimes duplicative reporting systems, and not all reporting systems are designed to provide information within the time frame required for effective application of accountability measures such as trip limit adjustments or closures. Greater reliance should be placed on electronic reporting methods to improve timeliness and reduce the burden of reporting, and development of a single source of fisheries statistics to reduce duplication of efforts. The Council supports the efforts of the Atlantic Coastal Cooperative Statistics Program (ACCSP) to develop reporting standards and electronic reporting systems and encourages increased funding to the ACCSP so that its standards can be implemented throughout the region.

Concerns with recreational statistics provided through the Marine Recreational Fisheries Statistics Program (MRFSS) are well documented by many sources and need not be repeated here. What does bear additional comment is that statistics for many of the species managed by the South Atlantic Council are measured with considerable imprecision by the MRFSS, even by the program's own standards. It is extremely difficult to develop effective accountability measures that can function adequately when those accountability measures must be applied to estimates that have confidence intervals that range from one-half to twice the estimated value and when even preliminary estimates are not available for as much as four months following the activities.

This great uncertainty in recreational estimates is largely attributed to the many species contained within the snapper grouper complex, the variety of habitats that they encounter, and geographic and temporal variation in species occurrence, all of which contribute to the relatively few observations obtained for many species within any given sampling strata. The end result of this suite of characteristics is that many species in the South Atlantic become essentially 'rare occurrences' when viewed in the context of a comprehensive sampling program designed to track trends, and rare occurrences in any sampling program are prone to high error. Moreover, ACCSP Recreational Technical Committee examinations on the feasibility reducing estimate error by increasing sample sizes suggest that the necessary increases in sampling size are enormous, cost prohibitive, and possibly unobtainable even if unlimited resources are available. This suggests that alternative approaches appropriate for measuring rare events are required to

reliably estimate catch for these resources. The Council believes that approaches should be developed that take advantage of many recreational fishermen's stated willingness to report what they catch directly and to participate more fully in the data collection process. Importantly, reducing uncertainty in estimates provided through MRFSS would still leave unaddressed one of the major shortcomings to effective accountability, namely the timeliness of estimates. Implementing electronic or online reporting systems for recreational fishermen would improve both timeliness and sample sizes. The Council supports efforts underway to resolve recreational data collection issues through the Marine Recreational Information Program (MRIP), and the Council hopes that future programs will not only reduce uncertainty in estimates and considerably improve the timeliness of their availability, but also take advantage of current technology to address fishermen's willingness to submit information.

Catch, in fisheries language, includes both those fish that are retained and landed and those fish that are discarded and returned to the water. It was not all that many years ago that discards were a relatively small proportion of total catch in most fisheries, so the lack of information was seldom a significant uncertainty. Those days have ended. Now, driven in large part by increasing regulations on all sectors and compounded by steadily increasing effort in South Atlantic recreational fisheries, discards often equal and sometimes exceed landings. With the exception of a very few trips sampled by observers in commercial or for-hire fisheries, these discards are completely self-reported and unavailable for any sampling of critical biological characteristics. Therefore, discards will increasingly contribute to increased uncertainty in the management and assessment programs and pose a major threat to successful accountability measures.

The South Atlantic Council believes that reliable statistics for discarded fish is a critical monitoring need that can be easily and immediately addressed by implementing a comprehensive observing program. The commercial and for-hire sector of the program should include mandatory discard reporting for all fisheries, substantial coverage using existing electronic observing systems on a large proportion of trips, and physical, on-deck observers for a smaller portion of trips. Electronic and on-deck observers will provide information critical to evaluating the reliability of self-reported data in the reporting program while also providing crucial information on the biological characteristics of discarded fish.

Private recreational fisheries must not be overlooked in these efforts as this sector is typically responsible for the majority of discarded fish in the South Atlantic. MRFSS estimates for discards are even less precise than those for catch, an undesirable situation further exacerbated by the difficulty of accurately identifying many species managed by the Council. Volunteer angler programs, in which participating anglers record the number and sizes of released fish, have proven effective in other areas for providing improved discard information and should be implemented throughout the region. Such a program should take advantage of technology and widespread use of electronic devices by including accommodations for submitting digital pictures of fish alongside rulers to verify species identification and lengths. Observing shore, jetty, and pier anglers is absolutely feasible and likely to be highly cost effective, and should therefore be a component of any future recreational sampling programs. On-board observers are typically not considered practical for recreational boat fisheries, but the idea should not be ruled out altogether as some private boat fishermen are willing to accommodate observers. Consideration should also be given to 'shadow observing', a concept that is gathering interest in inshore fisheries where observers watch fishermen from a separate boat and pull alongside to observe and sample discarded fish. Shadowing could prove very effective in areas where fishermen gather, such as over artificial reefs for bottom fish or along grass lines for pelagic species.

Improving catch statistics will greatly improve the success of accountability measures and reduce overall uncertainty, but two additional components must be included in the monitoring program to reduce uncertainty in population and productivity estimates. First and foremost is adequate biological sampling of the catch. This includes measuring the weight and length of individual fish, collecting ageing structures, and evaluating reproductive traits. It is important to note that assessment methods are available that allow inference of stock status, based upon adequate biological sampling to provide length and age composition, even if complete catch statistics are lacking. Age information is especially critical to improving stock assessments and reducing uncertainty, and increases over the last decade are proving beneficial. To give a few examples of such benefits, assessment of the South Atlantic vermilion snapper stock advanced from a length-based to an age-based model, and age-structured assessments of red snapper; black sea bass; tilefish; and gag, black, snowy, and red groupers are now available. However encouraging this may be, it is a very small number when compared to the 98 species managed by the Council, many of which still lack adequate biological sampling. The South Atlantic Council recommends developing a comprehensive biological sampling program, to include increased port samplers monitoring commercial and for-hire fisheries throughout the region, sample collection from recreational catches, and submission of all information to the ACCSP biological data module.

The final required component is independent monitoring of fisheries resources, essentially the information that is provided by scientific surveys of resources and habitats. There is no comprehensive monitoring program for the fisheries resources of the South Atlantic, a fact that directly contributes to the large number of stocks in the region for which status is unknown. Independent monitoring provides information to stock assessments that is proven to greatly reduce uncertainty and allows separation of fishery changes from population effects, provides a means of evaluating resources in areas, such as MPA's, that are closed to fishing, and provides the comprehensive information that is critical to future ecosystem management efforts. The South Atlantic Council has long supported implementation of a comprehensive survey program in the region, and believes it is critical that such a program provide thorough spatial and temporal coverage. Some progress is on the horizon, with the Council and Southeast Fisheries Science Center teaming together next month in a scientific workshop dedicated to developing an independent monitoring program. Development is the first, and arguably the easiest step. The Council strongly supports allocation of the necessary resources to implement the program as designed by the scientists.

The importance of a comprehensive independent monitoring program to the future success of the South Atlantic Council's management program simply cannot be overstated. While independent monitoring provides information that improves assessments and reduces uncertainties when evaluating fisheries and exploited populations, such assessments are still feasible when only fishery data are available. However, remove the fishery data by closing fisheries, and independent surveys become absolutely critical. All the other information above, landings and discards and biological sampling, is provided by the fisheries. All current stock assessments of South Atlantic resources rely on this fishery-dependent information to estimate population trends. When these data sources are eliminated due to large closures to all fishing effort, as is currently under consideration over a large portion of the region to end overfishing of red snapper, no data will be available to provide any estimates. This enormous loss of data will not just affect the red snapper assessment and red snapper accountability measures, it will affect every species managed by the council and every assessment that the Council currently relies on to provide stock status, evaluate the management program, and evaluate accountability measures. One such example of the impacts of data loss is provided by the Southeast Headboat Survey. This survey provides a 37-year time series of catch and effort that is the most comprehensive, long-term source of information available for many resources. It is widely acknowledged as a critical piece of information in most current

assessments as it provides valuable insight into population status and catch rates prior to the heavy exploitation of the late 1970's through the 1980's. The large scale closures proposed for red snapper will irrevocably change the nature of the headboat fishery, and thus the information from the survey, to the extent that the no meaningful linkage can be drawn between the pre and post-closure periods. Essentially, survey data collected during such a large closure must be treated as a separate data source, thereby eliminating the one source of information that provides critical consistency across many years of fishery and regulatory changes.

The Council will have no way to evaluate improvements in the red snapper fishery and no way to evaluate meaningful and reliable accountability measures for red snapper without a comprehensive independent monitoring program to replace the information lost through large-scale closures to all effort. Similar actions taken in the past prove this point. Attempts to assess the status of Goliath grouper are unsuccessful to date, because the moratorium on harvest prevents collection of catch statistics and adequate biological samples. Both Warsaw grouper and speckled hind remained categorized as experiencing overfishing, despite prohibitions on sale and single fish possession limits over the last 15 years, with no means to develop an assessment to evaluate and update their status, because the regulations virtually eliminated the fishery-dependent data stream. Prohibiting possession of red snapper will force this important species into the same situation, and prohibiting all effort over a large area will add several other species as well, unless a monitoring program is implemented that replaces the information that will be lost from the fishery.

In summary, ending overfishing is an absolute necessity to recover stocks and provide additional opportunities for commercial and recreational fishers. Despite the difficulty of the task at hand as illustrated by the South Atlantic red snapper fishery, ending overfishing, is, without question, in the best interest of the nation, and the South Atlantic Council is moving forward to meet the timelines in the act. Congress must be aware of the immediate social and economic impacts of ending overfishing – impacts which will be felt by both commercial and recreational anglers. Nonetheless, ending overfishing and recovering overfished stocks will pay significant dividends in the long term. Data needs in the southeast are significant. Especially in the face of fishery closures, fishery independent monitoring must be increased significantly. When fishing is allowed, accurate catch statistics and biological information is critical and must be enhanced. The ability of NOAA Fisheries to provide timely stock assessments must be enhanced. As indicated above, fishing for some species, like Goliath Grouper, has been closed for so long that data are not available to perform a stock assessment and determine the status of the fishery. In these cases, fishery independent sampling and monitoring is the only solution but scientists and managers must concentrate their efforts on other, seemingly more important stocks, because of the scarce nature of resources. The Southeast Fisheries Science Center staff of stock assessment and other scientists should be increased in order to provide this information. Improving the data on which stock assessments are based, both fishery dependent, and fishery independent data, is essential if we are to gain back the trust of the fishing public. We cannot continue in the adversarial role that has occurred with the recent amendments and proposed 17A amendment to the Snapper Grouper FMP. Only with improved data will we be able to make the accountability measures contemplated in the reauthorized act a reality. The South Atlantic Council is studying the concept of using Limited Access Privileges in the commercial fishery. This concept may be the best method to insure a viable commercial fishery in the future. While there are strong skeptics in the industry, more and more commercial fishers are willing to discuss and learn more about a catch share program and what it might mean for their future in the industry.

The Southeast Region of the United States, including the jurisdictions of the South Atlantic, Gulf of Mexico, and Caribbean Fishery Management Councils, has not been funded at the level needed to provide data and stock assessments on as timely a basis as is needed for the three councils in this region to effectively and efficiently do their job. The Southeast Fisheries Science Center and the Regional Office are not funded at a level needed to provide timely stock assessments on which the councils base management recommendations. We are all spread very thin. However, let me assure everyone that as the Council has dealt with the challenges of the past, we are prepared to continue to work hard to successfully implement the mandates of the Reauthorized Magnuson-Stevens Act.

Madam Chair, in closing I would like to again thank you and the committee for allowing me to appear before you on behalf of the South Atlantic Fishery Management Council. We appreciate you holding this hearing and for your Subcommittee's interest in how the Council is implementing the new provisions in the Magnuson-Stevens Fishery Conservation and Management Act.