



St. Thomas Fishermen's Association

Protecting our Natural Heritage and Culture

November 4, 2011

Hon. Rebecca M. Blank
Acting Secretary
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Dear Secretary Blank;

We are writing to comment on the proposed rule to implement the 2010 Caribbean Annual Catch Limit Amendment for the U.S. Caribbean Region. The proposed rule published in the *Federal Register* on October 27, 2011 passed by the Caribbean Fishery Management Council and their consequences for fishermen and citizens of the Island of St. Thomas, U.S. Virgin Islands.

It is our position that the supposed “overfishing” of the species involved in this rule were addressed by CFMC actions taken during the 2005 Sustainable Fisheries Act Amendment as well as subsequent measures taken by the Council to manage by island groups rather than a single Caribbean management area. As such the species should not have been considered as being “overfished or undergoing overfishing” in all of the island areas. In addition the 2005 SFA amendment actions’ impacts should have been considered while setting ACLs. In most cases the ACL values should have been the same as for species which are not considered to be undergoing overfishing.

We will begin our comment with some background regarding how the Council has arrived at the current measures.

Background

In 2005, when the CFMC passed its Sustainable Fisheries Act measures, it considered the entire area under its responsibility as a single management zone. In doing so, it designated species as being “overfished or undergoing overfishing” throughout the combined region when, in fact, overfishing was largely confined to specific areas. Specifically these incidents of overfishing were:

- Deep water snappers which were undergoing heavy fishing pressure off the west coast of Puerto Rico.
- Parrotfish and Conch resources, which were heavily exploited in St. Croix.
- A grouper spawning aggregation in St. Thomas.

Additionally, data were combined by family groups so that “overfishing” of a single species resulted in an entire family group being identified as being “overfished”.

During its 2009-2010 term, the CFMC determined to manage by island groups (St. Thomas/St. John, St. Croix and Puerto Rico) rather than as a single area. Following that decision, however, nothing was done to deal with the prior definitions of “overfished or undergoing overfishing” or with the impacts of actions taken under the 2005 SFA Amendment. These actions and actions taken by the Territory and Commonwealth

tended to address overfishing and the species groups should have been reclassified because:

- Deep water snapper resources were addressed by CFMC/Commonwealth season and size limits. Southeast Fishery Science Center stock assessment has indicated recovery of these species. In St. Thomas/St. John, only a single fisherman fished for these resources prior to 2010 and the seasonal closure reduced that effort by 25%.
- Conch resources were addressed by Commonwealth measures and the US Virgin Islands instituted a 50,000 lb quota for each of the island groups. This resulted nearly an 80% reduction in landings in St. Croix where overfishing was taking place. The CFMC has since included this quota as a conch ACL for each Virgin Islands district.
- The Council instituted a permanent closure of the Yellowfin grouper spawning aggregation area as well as a 3 month seasonal closure for the species involved.

In fact, groupers as a family group are cannot possibly be considered as overfished. Yellowfin groupers constitute 14% of the grouper landings and their spawning aggregation is now protected and fishing effort has been reduced by 25% by the seasonal closure created during the SFA. There is no need for further action.

Sixty percent of the grouper landings are Red Hind. A long term study of the Hind Bank MCD published by Dr. Niemeth of the University of the Virgin Islands has shown that the number of fish on the spawning on the bank has increased from 7,000 during the 1990s to 96,000 in 2008. The average size has increased from 27cm in 1976 to over 40cm. Red hinds are doing just fine and are not overfished in St. Thomas thus “groupers” are not being overfished in the St. Thomas/St. John district.

- Parrotfish are a relatively minor component of the St. Thomas Landings whose landings have been nearly constant for four decades. The three large parrotfish species which have been designated as no take have always been extremely rare. It is our understanding that they are being protected in response to requests by recreational divers and we have no particular objection to their protection other than to note that this protection has nothing to do with resource management.

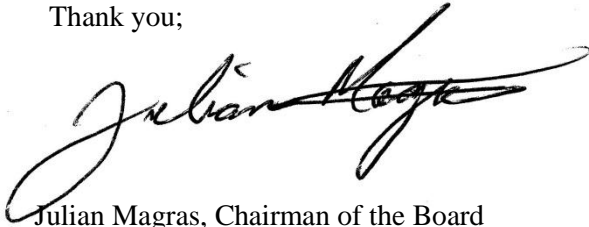
The ACL regime runs counter to National Standard requirements contained within the Act itself. A discussion of these is provided in our comments regarding the 2011 ACL proposals. These inconsistencies need to be resolved before entering into a prolonged period of conflict with local fishermen.

The St. Thomas/St. John fishermen are more than willing to enter into a collaborative effort to sustainably manage our resources. We attend all CFMC meetings at our own expense and are carrying out a number of studies geared towards reducing by catch and [Virgin Islands Fishermen Supporting Intelligent Management of Virgin Islands Fishery Resources](#)

creating greater understanding of our fisheries. In our opinion, the CFMC and its staff are willing to enter into such collaboration but NMFS willingness to collaborate is only beginning.

Thank you for your consideration of our comments.

Thank you;

A handwritten signature in black ink, appearing to read "Julian Magras". The signature is fluid and cursive, with a large loop at the end.

Julian Magras, Chairman of the Board
St. Thomas Fishermen's Association
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cc. Hon. Donna Christensen
Hon. Alicia Barnes, Commissioner DPNR
Miguel Rolon, Executive Director CFMC