



St. Thomas Fishermen's Association

Protecting our Natural Heritage and Culture

August 11, 2011

Mr. Miguel Rolon, Executive Director
Caribbean Fishery Management Council
268 Muñoz Rivera Ave., Suite 1108
San Juan, Puerto Rico 00918-1920

Dear Mr. Rolon;

Following discussions at the 4 August Public hearing on the “COMPREHENSIVE ANNUAL CATCH LIMIT (ACL) AMENDMENT FOR THE U.S. CARIBBEAN, Amendment 6 to the Reef Fish Fishery Management Plan of Puerto Rico and the U.S. Virgin Islands, Amendment 5 to the Fishery Management Plan for the Spiny Lobster Fishery of Puerto Rico and the U.S. Virgin Islands, Amendment 3 to the Fishery Management Plan for the Queen Conch Resources of, Puerto Rico and the U.S. Virgin Islands, Amendment 3 to the Fishery Management Plan for Corals and Reef Associated Plants and Invertebrates of Puerto Rico and the U.S. Virgin Islands, Draft Environmental Impact Statement” dated June 29, 2011 we are making changes to our comments.

Our comments represent a response as to how the proposed effort affects the fishery of St. Thomas/St. John only as well as some systematic failures of the entire Council Management Process which will prevent the ACL process from being an effective effort to manage local resources.

Action 1. The most egregious problem facing the Council in its efforts to manage the resources within its jurisdiction stems from the absolute refusal of the South East Fisheries Science Center to provide timely processing of local data. We know from our Chief Scientist's experience as Director of Fish and Wildlife as well as our Trap Reduction Effort, that local data for 2010 are available. In fact 2011 data are also available. As it presently stands, the CFMC is being placed in the position to impose accountability measures based on SEFSC analysis of 3 to 4 year old data. This can only create confusion and a loss of credibility for the Council Process.

We support Alternative 2 that the longest year sequence should be used but we demand that the SEFSC should not be allowed to limit that sequence based upon their own failures. We want the sequence to run through 2010. We will readdress this matter in our comments on Action 7.

Action 2. We take the same position on Action 2. Additionally, we note that since 1971, the average carapace length of lobster has only decreased by 1 cm despite the fact that landings have increased from 7000 lbs to 135,000 lbs. The optimum yield-per-recruit occurs at the 3.5 carapace length, equal to our minimum size. Therefore the current fishery is operating at sizes well above this level. The Council should explore alternative approaches for management of the spiny lobster resource. It may well be that size based regulation is sufficient for management of this resource.

Action 3. We support Alternative 2 for development of an Aquarium Trade FMP by the Council.

Action 4. We support Alternative 2 to limit the species in the Conch FMP to just the Caribbean Queen Conch.

Action 5. We support Alternative 2 to separate ACLs by island group (St. Thomas/St. John, St. Croix and Puerto Rico). In addition we support Alternative 2b to use a straight line approach to determining the areas. If a single line of longitude is not used, then fishermen will not be able to determine their location relative to the boundary.

Action 6. We support Action 6 which would provide a bag limit of 5 fish per fisher with not more than 2 surgeon fish and an aggregate of 15 fish per boat for recreational fishermen without a valid commercial fishing license. Furthermore, we think that this total should include snappers and groupers instead of providing additional landings through a separate quota for these species.

Action 7. Accountability Measures. We do not support anything to do with Accountability measures unless we receive assurance from NMFS and the SEFSC that they will provide in-season notification regarding landings so that we can adjust our fishing effort. It is an absolute insult to the entire management process to think that three to four years after a fishing year, that the Council will be placed in a position to punish local fishermen for the highly funded Federal Government Agency's failures to process the data in a timely manner.

Action 8. Framework Measures. We support Alternative 2 for both the reef fish and spiny lobsters. The Council process is entirely too cumbersome to provide meaningful management of affected resources. We note that the Territory of the Virgin Islands imposed a quota on Queen Conch in 2007. A compatible Federal alternative is still not in effect and this compromises enforcement of the Territorial regulation. In order to be more effective, the Council needs to have alternatives which will enable it to respond to both local priorities as well as changes in the resources. It would be presumptive to say that the Council could get effective management in place without needing to correct mistakes.

As regards the options listed in Table 4.1.5, we are unsure as to where they fit in to the actions listed above but will provide the following comments:

Maximum Sustainable Yield (MSY) should be determined for St. Thomas/St. John as the average landings for the longest time series (Alternative 2(b)).

Overfishing limit (OFL). Overfishing should be considered to occur when the MSY is exceeded ($MSY=OFL$), Alternative 2(f). Again, given the SEFSC's failures, we do not believe that they will have any meaningful input regarding data quality.

We were recently able to obtain concessions from the SEFSC that should lead to improvements in data quality and improved cooperation from local fishermen but that does still not address the issue of timeliness.

Acceptable Biological Catch (ABC). We fail to understand why ABC has become part of the process when it was not included in the 2010 Amendment. Therefore we support Alternative 2(h) (ABC=OFL).

Optimum Yield (OY)/Allowable Catch Limits (ACL). In this regard since the ACLs in that amendment were set at 85% for species which were overfished or undergoing overfishing, we fail to see why there should be any reduction for species which are not overfished or undergoing overfishing. Thus we support Alternative 2(l) (OY=ACL=ABC).

We note that as might be expected for the St. Thomas/St. John trap fishery there have been 5 years between 2000 and 2009 when the landings exceeded the average. During three of these years the amount exceeded was 1% of the average, certainly within the statistical variance of the data. Thus the St. Thomas trap fishery that harvests most of the involved species is operating at MSY (as defined by the average) and does not require establishment of any protective buffers. We believe that if in-season landings information is made available by the SEFSC, that local fishermen can make changes to stay within the ACL=OFL level.

We believe fishery management to be a continuously ongoing process in which any delay in providing information can only lead to failures and conflict. In this spirit, and because we have been asking unsuccessfully for resolution of this matter of timely reporting of data for at least four years, we are forwarding these comments to the Assistant Administrator for fisheries and our Delegate to Congress.

Thank you;



Julian Magras, Chairman of the Board
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Cc: Delegate to Congress Christensen
Eric Schwaab, Assistant Administrator for Fisheries