



February 26, 2010

Mr. Duane Harris  
Chairman  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

**RE: Amendment 17A to the Snapper Grouper Fishery Management Plan**

Dear Chairman Harris,

On behalf of the Pew Environment Group's Ending Overfishing in the Southeast campaign, we are writing to provide comments on the development of Amendment 17A (amendment) to the South Atlantic Fishery Management Council's (Council) Snapper Grouper Fishery Management Plan (FMP). The Council took significant and needed steps to protect nine of the ten species undergoing overfishing in the region with the approval of Amendment 17-B at your December meeting.

As you and the Council consider long-term measures to protect and rebuild red snapper, we appreciate the serious challenges you face as you wrestle with how best to manage this difficult situation. The Council made the hard but necessary decision to request an interim rule last March to protect red snapper while these management measures are being developed. We urge the Council to request a renewal of the interim rule at this meeting as final action is not scheduled until after the interim rule would otherwise expire.

We anticipate changes to this critical amendment at the upcoming Council meeting in Jekyll Island, GA, and continue to urge the Council to follow the advice of its scientists and to set precautionary catch limits that account for scientific and management uncertainty. Red snapper have been overfished for the last 40 years and have been reduced to 3% of 1945 levels.<sup>1</sup> The most recent stock assessment found that an 87% reduction in red snapper mortality is necessary to end overfishing as required by law.<sup>2</sup>

The Council is also bound by law to establish an annual catch limit that does not exceed the catch level recommendation of its SSC.<sup>3</sup> The Science and Statistical Committee (SSC) report to the Council at the December 2009 meeting related the consensus opinion of the group that,

“the analyses and alternatives are based on assumptions that indicate possible outcomes that are too optimistic. The main issues highlighted include (a) the application of the high steepness for the stock-recruit curve, (b) the use of a “very high recruitment” in 2006, and (c) the assumptions underlying the modeled effects of area closures.”<sup>4</sup>

---

<sup>1</sup> SEDAR 15, page 68

<sup>2</sup> SEDAR 15, page 23

<sup>3</sup> MSA §302 (h)(6)

<sup>4</sup> SSC Report to the South Atlantic Council, December 2009 (attached)

We are concerned that in selecting 4d as the preferred alternative, a series of optimistic, and in some cases unrealistic, assumptions<sup>5</sup> were used to justify lowering the needed reduction in red snapper mortality from the 87% recommended by the best available science<sup>6</sup> to 84%; as well as to make the management actions achieve this revised benchmark for mortality reduction. These assumptions include:

- That recruitment has been unusually high in the past few years and increased fishing pressure has not negated the effects of this recruitment;
- That there will be a very high compliance rate within the closed area by resource users and that reporting will be perfect (i.e. that there is no management uncertainty);
- That the regulations will decrease fishing effort substantially;
- That there will be no effort shifting; and,
- That the use of F40% as a proxy for maximum sustainable yield is an overly precautionary choice.

The cumulative impact of these assumptions is a risky strategy that may not end overfishing for red snapper, as required by the MSA, which states that:<sup>7</sup>

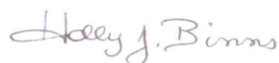
[a]ny FMP which is prepared by any Council shall establish a mechanism for specifying ACLs in the FMP (including a multi-year plan), implementing regulations, or annual specifications, at a level **such that overfishing does not occur in the fishery**, including measures to ensure accountability.<sup>8</sup> (emphasis added)

Fishermen in the region are making significant sacrifices to ensure the long term health of red snapper. If final decisions rely on unrealistic or overly optimistic assumptions, the Council runs the risk of having to take additional and possibly more restrictive steps to protect red snapper in years to come. The Council also runs the risk of losing the faith of the fishing public if these measures fail to end overfishing and rebuild the population in a timely manner.

As the amendment progresses, we sincerely hope to see the Council stay the course in its commitment to fulfilling its conservation responsibilities and managing for sustainable fisheries. In this case, we hope to see the Council act in a precautionary manner and in accordance with the law by not choosing the most optimistic assumptions in every case.

Thank you for the opportunity to share these concerns with you. Please feel free to contact either of us directly if you have any questions or wish to discuss this further. We look forward to working with you and the Council to end overfishing and restore healthy fish populations in the South Atlantic region.

Sincerely,



Holly Binns  
Project Manager  
End Overfishing in the Southeast  
Pew Environment Group



Sera Drevenak  
Policy Analyst  
End Overfishing in the Southeast  
Pew Environment Group

---

<sup>5</sup> Red snapper model, SERO

<sup>6</sup> SEDAR 15

<sup>7</sup> MSA §303 (a)(15)

<sup>8</sup> Ibid.