



BP'S VESSEL OF OPPORTUNITY PROGRAM IS A MESS

In some communities, commercial fishing and charter boats are tied to the docks while sport fishing boats are working in the Vessel of Opportunity (VOO) program. Those lucky enough to be selected earn up to \$3,000 per day based on the size of the vessel. Many fishermen and charter boats feel penalized because some of BP's subcontractors brought in friends and relatives from other states that have not been affected by the oil disaster.

It doesn't make sense to bring boats from other states, like Oklahoma, Texas and Georgia, into a fishing community to earn \$3,000 a day (\$90,000 per month) when the local fishermen and charter boats sit idle and receive nothing from BP.

If BP hopes to regain trust from the fishing industry, the first thing they should do is clean up their act on the VOO program. There is great anger in some of the fishing communities because fishermen who are not in the program cannot accept their neighbor getting \$3,000 a day for their boat while they get nothing. Maybe BP will create a lottery system to spread the wealth around and reduce the number of sport fishing and out of state boats in the VOO program to zero.

ANOTHER HERO DIES

Sam Cooper, one of Southeastern Fisheries Association's founders in 1952 and the 16th president of our Association, recently passed on. Sam was a highly-decorated Captain in the US Army and member of **The Greatest Generation**. He fought numerous, tough campaigns in the Pacific during World War II. Part of his duties was destroying Japanese tanks which he did very well.

Sam was loved by everyone who had the good fortune of knowing him. He always had a big smile on his face and lit up a ballroom with his joyful personality. Sam's first wife Helen died at any early age. A few years later he met and fell in love with Jeanette Toomer (the 33rd President of SFA) widow of Pete Toomer (19th President of SFA).



"Sam the Man" was a tribute to the human race. He was one of the men who kept the United States of America free from tyranny and anarchy. He always fought for what he believed in. He was dedicated to his family and loved them dearly. He will be missed by them and all who knew him. May Sam Cooper's soul and all the souls of the faithfully departed, Rest In Peace. Amen.

NOAA LAW ENFORCEMENT SUMMIT

SFA Executive Director Bob Jones will attend the NOAA law enforcement summit on August 3, 2010 in Washington, DC. NOAA's objectives for this one-day summit are to elicit ideas and recommendations for:

- working with constituents and state and federal partners to improve compliance and enhance the effectiveness of our marine-

related enforcement activities;

- NOAA's draft plan for setting national and regional enforcement priorities (plan will be released and posted to the website on July 23).
- improving our communications with regulated communities and other stakeholders; and establishing approaches for consistency and transparency that contribute to public confidence in our enforcement program.

Get on board with a winner!! **JOIN SFA TODAY.**

Be a **giver** and not a taker.

Put something back into your industry.

UNIVERSITY OF CALIFORNIA AT DAVIS'S LAB TO TEST GULF SEAFOOD

According to Pamela Tom, the UC Davis lab was selected by FDA to conduct chemical analyses on seafood from the Gulf of Mexico for toxins related to the oil spill. Testing is expected to start in early August. The other participating labs are located in Colorado, Arkansas, Georgia, Missouri, Arizona, Wisconsin and Florida. UC Davis Professor Poppenga noted that "Petroleum crude oil is a very complex mixture of chemicals, and some of the chemicals with that mixture are potential cancer-causing agents....So we're going to focus on those that are of primary concern to human health."

The UC Davis surveillance team will be testing for chemicals known as **polyaromatic hydrocarbons (PAHs)** such as benzene, naphthalene, fluorine, anthracene, pyrene, benzo(a)pyrene, etc. According to Dr. Poppenga, "the method used to detect these chemicals is very complex and sensitive because we are examining for contamination down to the parts-per-billion level."

This process is expected to take up to five days to process each seafood sample. Data from the tests will be reported to the FDA. The results will be used to determine which harvest areas of the Gulf of Mexico have oil-contaminated seafood and which areas can be reopened to commercial fishing.

BP CLAIMS PROCESS FOR GULF OF MEXICO OIL DISASTER

In the beginning of the BP claims process, a person financially harmed by the oil disaster got a BP claim number, scheduled an appointment with a claims center, and walked out with \$5,000 or \$2500, depending on the type of claim. Those prevented from fishing because their fishing grounds were closed found this easy process to be helpful as they were completely out of business.

Others living in areas not closed to fishing also took advantage of the claims process and walked out of BP claims offices with hefty checks and expectations checks would be waiting for them every week or every month. Very little paper work or records were required during the first few weeks in order to get money into the hands of those affected.

Before long complaints were made to state and federal officials that BP wasn't issuing the second round of checks and the process was tightened by requiring proof of loss. It was assumed fishermen and other claimants could furnish trip tickets, 1099's or income tax returns. It's imperative written records be available to justify claims, otherwise there is no way to validate true losses. Some officials said many segments of the fishing industry operate on a cash basis. This may be true but, income received in cash is still taxable. If no taxes have been paid on cash income and there are no

trip tickets or IRS records to prove the amount of loss, it's impossible for BP or any other entity to know how much an individual or business is entitled to receive.

Officials and others believe businesses and individuals who operate on cash and keep no records have already been paid by having other taxpayers carry their portion of the burden. This is a dilemma for BP and those in charge of paying claims.

Kenneth Feinberg, who handled the federal program for the victims of 911, has been appointed by President Obama to manage the \$20 billion claims fund which BP said they will pay out in increments of \$5 billion per year for four years. That account has not been established as yet, even though BP states they will pay all "legitimate" claims. Mr. Feinberg said he intends to pay everyone who has been harmed by the BP oil spill, but claims have to be corroborated by some kind of record. He said this information was not for the IRS. If a person didn't have an income tax return, he/she could furnish a profit & loss statement.

Mr. Feinberg should have the rules available for the public in a couple of weeks so everyone will know exactly how to qualify for a payment. Claims will be reviewed by accountants and attorneys and false claims could lead to federal prosecution.

SEDAR 24 PROCESS ON RED SNAPPER STOCK ASSESSMENT QUESTIONED

Fishing industry observers of the South Atlantic Council's SEDAR 24 process are voicing concerns that NOAA's Beaufort SC's lab controls SEDAR 24. The lab's spokesman on SEDAR is reluctant to recognize other scientific information pertinent to an honest evaluation of the red snapper resource on the east coast, especially in Florida.

It seems the intent of the folks managing this exercise is to guarantee SEDAR 24 comes out similar to the flawed SEDAR 15 stock assessment in order to protect previous, erroneous scientific assumptions and bad recreational historical data.

The South Atlantic Fisheries Management Council's SEDAR process refuses to use the dome selectivity curve used in the Gulf of Mexico, which is more accurate, to determine how many fish make up the red snapper stock. Of course, fishermen on the water know red snapper are much more abundant than managers want them to be for political reasons.

NEED FOR RED SNAPPER TAGGING PROGRAM DISCUSSED

The commercial and recreational fishermen on the east coast of Florida and the Florida Fish & Wildlife Commission plan to initiate a government/industry cooperative research project to tag red snapper. Florida fishermen also want to participate in any scientific activity that develops empirical data to make the assessment of red snapper stocks more accurate and honest.

Thousands of jobs in Florida are at stake because of the hard-line position of the South Atlantic Fishery Management Council leadership and the inability of NOAA to garner enough financial resources from Congress to conduct meaningful scientific projects on the southeastern coast of the United States. Gulf and South Atlantic fisheries research have always been on the lower quadrant of funding for fisheries research and this lack of support remains the same, no matter which party is in charge of the administration.

There are too many internal research programs within NOAA that are funded every year no matter what. The fishing industry needs to keep their determination to have Congress do a complete examination of where and how all research funding is allocated by NOAA.

SFA knows honest science will set us free so we support: a.) measurement of spawning aggregations, b.) improved fisheries dependent research and c.) creation of fisheries independent research in order to reduce the large number of scientific assumptions made by those who control the computer models and therefore the output of "best available science".

NOAA'S OFFICE OF LAW ENFORCEMENT STILL UNDER FIRE

The New England fishing communities are determined to learn what happened to the former head of the Office of Law Enforcement (OLE) and to discover the full extent of the illegal activities that occurred during his reign.

Federal and state officials called for the removal of Jane Lubchenco as head of NOAA because of her hard line in refusing to furnish documents and information to the Congress on the law enforcement scandal. The pressure on her will continue until more light is shed on the operations of OLE.

It is only fair to remember that it was Jane Lubchenco who ordered the Inspector General to look into the OLE and the wrongful actions perpetrated on the fishing industry occurred before she came on board.

Most of the criticism of heavy-handed law enforcement has been reported in the Northeast, but there was a case in Florida where the industry felt the government wanted to shut down a shark business. Combined federal agencies did shut down the business and treated that family worse than should ever be allowed in any nation.

SENATOR BILL NELSON INTRODUCES S.3594 TO ASSIST FISHING INDUSTRY

Senator Bill Nelson introduced a bill he believes will protect the goal of the Magnuson-Steven Fishery Management & Conservation Act, but at the same time call attention to the lack of data in writing fishery regulations.

The main problem with the Magnuson Act is that during reauthorization, language was inserted by militant ENGO's mandating that 2010 was a drop dead date to stop all "overfishing as determined by NOAA." In the case of South Atlantic red snapper, there was scant scientific evidence to ban all red snapper fishing as they did on January 1, 2010.

The bill should be amended to address the public participation protocols. The Public Hearing process used by the SAC on red snapper was perfunctory. All evidence offered by fishermen and scientists was ignored, in order to carry out a predetermined plan to ban red snapper fishing completely. Hopefully S.3594 will be debated, amended and passed as a bill to improve the process for managing fisheries for all sectors. ***Seafood production for consumers is the cornerstone of M-SFCMA.***

**2010/2011
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Welcome to SFA New Members: SFA is proud to welcome the following new members into its growing family of successful seafood companies. we encourage each member to support one another for the overall good of maintaining an economic and cultural presence for commercial fishing in America as well as providing marine protein to the people.

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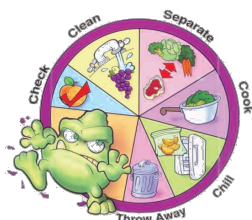


This newsletter is published by **Southeastern Fisheries Association.**

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SFA is a non-profit association founded in 1952, charged with maintaining a viable seafood industry in the Southeast.

Robert P. Jones,
Editor



Think Food Safety

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