

WEST PALM BEACH FISHING CLUB

~ Established 1934 ~



February 23, 2023

Jessica McCawley, Director
Division of Marine Fisheries Management
Florida Fish and Wildlife Conservation Commission
2590 Executive Center Circle E, Suite 201
Tallahassee, FL 32301

Dear Jessica,

On behalf of the over 1,400 members of the West Palm Beach Fishing Club (WPBFC), I share our organization's strong opposition to the FWC proposal to prohibit all fishing activity five (5) months of the year at three artificial reef sites located off Martin and Palm Beach Counties known to be Goliath grouper spawning aggregation sites. Founded in 1934, the WPBFC has a long and well documented history of resource conservation and advocacy. When Florida's marine fish are being negatively impacted, the WPBFC is often at the forefront supporting regulatory measures that can help protect, conserve and improve the resource. In fact, as outlined in our July 19, 2021 letter to the FWC, the WPBFC did not support the limited opening harvest of Goliath grouper. Other angling groups did, we did not. However, this most recent FWC proposal to prohibit all fishing activity at three artificial reef sites is in our view a misguided regulatory overreach. We do not believe any additional Goliath grouper management measures are needed at this time. The WPBFC opposes this proposal for the detailed reasons outlined below and offers a potential alternative to a fishing ban if the FWC is compelled to implement additional regulations:

Fishing Community Funded These Sites - First, it should be noted that the fishing community has, and continues to play a significant role in funding the establishment of Florida's artificial reefs. This includes the three artificial reef sites identified in the FWC proposal. One of these sites played an important role in WPBFC history. In 1968, under the leadership of WPBFC President Johnny Rybovich, our organization coordinated the deployment of the Mizpah and PC 1174 (one of the proposed fishing ban sites). This was one of Florida's earliest permitted artificial reefs. The WPBFC's pioneering effort over 50 years ago served as a catalyst that helped launch Palm Beach County's and the state's robust artificial reef program that exists today. Prohibiting fishing at a site created by the Fishing Club is simply wrong and certainly not what past leaders intended. Furthermore, artificial reefs off Palm Beach County are funded in large part using dollars from the county's Vessel Registration Trust Fund. The vast

majority of vessels registered through this program are used for fishing. Public funding from the sale of fishing licenses and dollars from the Federal Aid in Sportfish Restoration program are also used to build artificial reefs. The majority of this funding comes from anglers as well, not divers. The WPBFC continues to invest in fisheries research and the creation of new reef habitat. We work closely with FWC's FWRI Marine Field Station in Tequesta aiding their research using acoustic telemetry, which includes data gathering on a wide variety of fish including Goliath grouper. We also partner with Palm Beach County's Department of Environmental Resources Management building unique artificial reef structures called *Reef Darts*. Our *Reef Dart* site offshore Singer Island is used by divers and anglers alike. Goliath grouper are among the species utilizing this new habitat. The WPBFC has deployed nearly 200 *Reef Darts* offshore over the past five years. Through the years the WPBFC has made significant investments in restoring and expanding marine habitat. Likewise, as noted above, the recreational angling community has invested their dollars as well to fund the artificial reef program. The WPBFC has serious questions regarding the legality of prohibiting a specific user group (fishermen) from access to sites that they funded without having any scientific evidence or compelling data to support the measure.

Lack of Evidence - As noted, there is no scientific data that we are aware of to support the premise that catch and release fishing is inhibiting Goliath grouper population rebuilding or spawning success rates. Goliath grouper generally spawn at night. Nearly all catch and release fishing activity for Goliath grouper takes place during daylight hours. If it is believed that fishing activity is negatively impacting or modifying spawning behavior, we question what the impact is of countless divers repeatedly swimming in close proximity to spawning aggregations taking flash pictures? Fact: There are far more divers than fishermen who are interacting with these fish on a regular basis. There simply is no credible science to support such a drastic regulatory action.

Goliath Rebuilding Success - Goliath grouper are already highly regulated. As we highlighted in our previous letter, we commend the FWC on its management success in rebuilding Goliath grouper. While not fully recovered, most observers agree that the fish has made a wonderful comeback as evidenced by their ubiquitous return throughout South Florida, where a few decades ago they had all but disappeared. They have clearly benefited from the highly managed approach taken by the FWC. They are a success story. That being said, the WPBFC continues to emphasize that it is not catch and release angling pressure, but rather issues related to habitat and water quality that present the biggest threat to Goliath grouper population rebuilding efforts. The scientific evidence in this regard is undisputed.

Catch & Release is Proven, Effort is Minimal - Few, if any fishing or environmental organizations, share the rich history and advocacy of catch and release fishing more than the WPBFC. Catch and release fishing for Goliath grouper at these three sites is, in the big picture, minimal. Post release mortality is very low. Catch and release fishing is long proven to be sustainable and successful. For anglers who do target Goliath grouper, they almost always just catch one and then leave. This is not the kind

of fishery where anglers want to catch more than one or two. They catch one, take the pictures, then move on to some other target species. It is more of a 'Bucket List' catch, than a fish anglers want (or are able) to catch all day long. Furthermore, captain's and anglers who regularly practice catch and release fishing for Goliath grouper do so in an ethical manner using circle hooks, suitable tackle, keeping the fish in the water, and using release tools that minimize impacts from barotrauma if needed. For those anglers targeting other species such as yellowtail snapper at these sites, if they begin losing fish repeatedly to Goliath depredation, then they simply move on. Not unlike the shark issue, if you keep losing fish to depredation you move. No angler likes to lose fish or fishing gear.

Fish Move - One thing is certain, fish move. Yes, there is site fidelity at these three reefs among Goliath grouper, but these fish do not stay at these locations all the time. Over the course of the year they come and go. Banning catch and release fishing at these sites will not prevent them from being caught and released at some other location other times of the year. Again, there is no post release mortality data that justifies the proposed regulation.

Fishing Business - Catch and release fishing for Goliath grouper gives anglers access to a unique fishing experience and supports local businesses. Like catch and release fishing for tarpon and sailfish, catching and releasing a Goliath grouper is a memorable experience. Not unlike the dive boat tours designed to view Goliath grouper aggregations, the catch and release fishery stimulates local businesses like hotels, restaurants, marinas, charter fishing operations and fishing tackle retailers. The WPBFC is thrilled that the return of Goliath grouper has the eco-dive business thriving. However, we caution the strategy of cutting off one user group to the benefit of another. Both divers and fishermen deserve access to the resource. Banning fishing at these three sites, five (5) months out of the year takes away other angling opportunities such as drift fishing for yellowtail and other snappers, trolling for kingfish or live baiting for amberjack and other species. These fishing activities have little if any impact on Goliath grouper. A ban on all fishing is unreasonable and unnecessary.

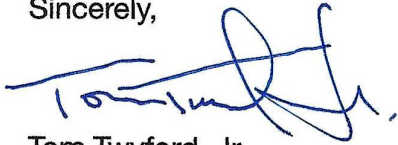
Enforcement - A ban on all fishing activity within 1,000 feet at each of these sites seems in our view to be a very difficult regulation to enforce. At present, the FWC has extremely limited enforcement coverage in our region. Adding this new, hard to enforce, regulation to their list is a poor use of enforcement assets, especially when so many other issues are far more deserving of their attention.

Prohibit Anchoring as an Alternative - The WPBFC believes that a ban on anchoring within 1,000 feet of these sites is a far more reasonable alternative to a five month long fishing ban. By prohibiting anchoring for all vessels during the five month period (or some other length of time) at these sites a number of things would be accomplished: User conflicts between anglers and divers are their worst when one or the other anchors up right on top or nearby the wreck. These conflicts would be reduced if everybody had to drift; Anglers are less efficient if they have to drift through a site. The less efficient they are, the less Goliath grouper they hook; Benthic resources like

hard and soft corals and other invertebrates on or near the wreck would not be not impacted by grapple hooks, anchors and anchor chains; The anchoring ban would be far easier to enforce and equitable to both divers and fishermen.

The WPBFC strongly encourages the FWC to abandon the proposed ban on fishing at these three locations and let the current Goliath grouper management strategies continue to work. We do not understand why the FWC would want to alienate their most supportive user group with a regulation that has no basis in scientific evidence. We ask that no additional Goliath grouper regulations be implemented. If the FWC believes additional regulations are necessary, we implore you to find a more equitable approach to this issue that does not violate the public trust that helped build these sites in the first place. Please consider our 'No Anchoring' alternative if additional management measures are pursued. Additionally, continued public outreach on matters like the use of descending devices and education on ethical catch and release techniques will serve the public and the resource well. As we have been doing for many decades, the WPBFC will do all that it can to educate the angling public in this regard and will continue to invest in game fish research and the expansion of marine habitat for the benefit of all.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tom Twyford, Jr.', with a stylized, flowing script.

Tom Twyford, Jr.
WPBFC President

Cc: Pete Schulz, WPBFC Chairman
Derek Cox, FWC SE Regional Biologist
Keith Millie, FWC Environmental Specialist, Artificial Reef Program
Deb Drum, Director, PBC Dept. of Environmental Resources Mgt.
Austin Burkett, President, Marine Industries Association of PBC
Shana Phalen, Pura Vida Divers
Tony Grogan, Research Vessel Enterprise