

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
MACKEREL AMENDMENT 18  
PUBLIC HEARING MEETING**

**Sombrero Cay Club Resort  
Marathon, Florida**

**March 14, 2007**

**Summary Minutes**

Mr. Iarocci: Good evening, ladies and gentlemen. I am Tony Iarocci. Tonight I am chairing this public hearing on behalf of the South Atlantic, Mid-Atlantic and Gulf Fishery Management Councils. The other members of the hearing board include Kate Quigley and Mike Collins from the South Atlantic Council and Degraaf Adams, chairman of the Mackerel Committee from the Gulf Council, so we're very well represented tonight.

We would like to thank you all for taking the time to attend. Also in attendance, we have Scott Zimmerman, who is on our Limited Access Privilege Program; Bobby Pillar, who is on the Mackerel AP of the South Atlantic Council; and George Niles, who is on the Mackerel AP in the Gulf; and also other members of the board and past members of both MCCF and OFF are in attendance tonight. Thank you for taking the time to be here.

The purpose of this hearing is to allow you to comment on proposed fishery management actions for the Atlantic Migratory Groups of king and Spanish mackerel. We're seeking your suggestions on the alternatives presented here for reductions to the king and Spanish mackerel total allowable catch levels and application of the Spanish mackerel trip limits to the month of March.

You should keep in mind that the measures are proposed for regulation of the fishery, and we're here to receive your comments on these proposed regulations. That's the key word here, "proposed". The councils will review the comments during their June 2007 council meetings and determine if the regulations should be revised or modified based on your comments.

The proposed actions are scheduled for submission to the Secretary of Commerce in July 2007. Proposed regulations will be published in the Federal Register, and the public will

be provided with an additional comment period. This hearing will be conducted the hearing in the following manner:

First, Kate Quigley of council staff will present the proposed management actions and the alternatives that the council has considered. This information is contained in the Public Hearing Amendment Document and the Public Hearing Summary, and I hope everybody did get a chance to get the document out back and check it out. It's on the back table if you need a copy. All the alternatives and proposals and background are in there.

Then you will be invited to comment on the proposed management alternatives and any other aspect, including the other alternatives. All comments will be recorded by staff and shall become part of the permanent record. Your comments will be supplied to the councils for their consideration. We ask that you limit your comments to the consideration of the measures in Mackerel Amendment 18.

Once we go off the record, I will take questions and we will talk about certain things under Magnuson, what is mandated, something with spiny lobster and other issues. But for now we are going to be talking about Amendment 18 to the Mackerel Plan. Kate Quigley of council staff will now summarize the proposed management actions and briefly discuss the alternatives that were considered by the Council.

Mr. Quigley: Thank you, Tony. What I am going to do right now is simply summarize what is in that public hearing summary document. There are three actions proposed within Amendment 18. One action pertains to Atlantic Migratory Group King Mackerel. This is a TAC reduction being proposed. There are two actions pertaining to Atlantic Migratory Group Spanish Mackerel. There is a TAC reduction and application of a trip limit to March. I will go into more detail on all of these.

Here is a listing of the purpose of the actions. The purpose of the first action with regards to king mackerel is to prevent overfishing of Atlantic Migratory Group King Mackerel Stock. What is being proposed is a reduction in the TAC in response to the 2004 SEDAR stock assessment, which used data through part of 2002. The next SEDAR assessment is in the spring of 2008, with potential changes to management by March 1<sup>st</sup>, 2009.

The purpose of the second action is to maintain sustainable management of Atlantic Migratory Group Spanish Mackerel. What is being proposed is a reduction in the TAC in response to the 2003 Mackerel Stock Assessment Panel stock assessment, which used data through 2001-2006 fishing year. The first SEDAR assessment of Atlantic Migratory Group Spanish Mackerel will be in the fall of 2008, with potential changes to management by March 1<sup>st</sup>, 2010, or sooner.

The purpose of the third action is to extend the current trip limits for Spanish mackerel to track the new fishing year. The old fishing year was April 1<sup>st</sup> through March 30<sup>th</sup>. The new fishing year is March 1<sup>st</sup> through to the end of February, so the purpose of this action

is to apply the 3,500 pound trip limit to March 1<sup>st</sup> to November 30<sup>th</sup> instead of April 1<sup>st</sup> through November 30<sup>th</sup>. So, it is largely an administrative change.

Here is a little more information on Atlantic Migratory Group King Mackerel from the SEDAR 5 stock assessment data. What you see in the second column are the current TACs for Gulf Migratory Group and Atlantic Migratory Group. The current TAC for Atlantic Migratory Group is 10 million pounds. The third and fourth column is some information from the stock assessment.

The stock assessment went ahead and made the assumption that there was a 50 percent Gulf mixing rate. They made both assumptions. What we're looking at right now is that Amendment 18 goes under the assumption that there is a 50 percent Gulf mixing rate. Under that assumption, the SEDAR 5 basically identified a 7.1 million pound TAC, so it's quite a bit less than the current 10 million pound TAC.

If the Gulf and Atlantic TACs were harvested, this would result in overfishing and could push both migratory groups into an overfished stock status, so this is the reason behind the TAC reduction, proposing the TAC reduction..

Here's a little more information on the Atlantic Migratory Group Spanish Mackerel 2003 panel stock assessment. In the second column you see the current TAC is 7.04, and the mid-point that was identified in the stock assessment is 6.7 million pounds. If Spanish mackerel is harvested at the current TAC, the stock would not be overfished; however, the stock would have a higher probability of being overfished and more could be removed from the stock. Therefore, this would not be sustainable over the long term.

Here's a little more information on the third action. This line shows you the Spanish mackerel catch limit. The current catch limit regulations are listed there. What we're focusing on right now is April 1<sup>st</sup> through November 30<sup>th</sup>, 3,500 trip limit. What is being proposed is March 1<sup>st</sup> to November 30<sup>th</sup> instead of April 1<sup>st</sup> to November 30<sup>th</sup>. If the change is not made, fishermen could harvest unlimited amounts of fish in March, which could have a number of negative impacts.

Here are the four alternatives that are being proposed under Action 1, the TAC for Atlantic Migratory Group King Mackerel. Alternative 1 is the no action alternative, status quo, 10 million pounds, and that's based on the old ABC range.

However, with the new data from the new stock assessment, Alternative 2, the TAC is being identified as 7.1 million pounds. That's the best point estimate of the new ABC range, and this is the preferred alternative identified by the council. Alternative 3, the TAC is 5.3 million pounds. That's the lower end of the new ABC range. And Alternative 4 is 9.6 million pounds, and that's the top end of the new ABC range.

Action 2, the TAC for Atlantic Migratory Group Spanish mackerel. The first alternative, again, is the no action alternative, status quo, 7.04 million pounds, based on the old ABC range. Alternative 2 is the preferred alternative, 6.7 million pounds. That's the best point estimate of the new ABC range. Alternative 3 is 5.2 million pounds, which is the lower end of the new ABC range; and Alternative 4, 8.4 million pounds; that's the top end of the new ABC range.

Regarding Action 3, Commercial Atlantic Migratory Group Spanish Mackerel Trip Limits, the first alternative is no change, keep the 3,500 pound trip limit at April 1<sup>st</sup> to November 30<sup>th</sup>. Alternative 2, the preferred alternative, is to apply the 3,500 pound trip limit from March 1<sup>st</sup> to November 30<sup>th</sup>.

Here is just a listing of some of the potential impacts of Action 1, the Atlantic Migratory Group King Mackerel TAC reduction. Alternative 1 would result in overfishing. That's the no action alternative if the full TAC is taken. Alternative 2, which is the preferred, would prevent overfishing. Alternative 3 would have a higher probability of preventing overfishing, and Alternative 4, a lower probability.

Under Alternatives 1, 2 and 4, the commercial quota and recreational allocation are still greater than recent catches. Under Alternative 3, the estimated losses are \$637,000 X-vessel revenue lost -- that's about 15 percent of 2006 estimated fishery revenues to the commercial sector -- and 446,000 pounds to the recreational sector, with an early closure expected. However, Alternative 3 is not the preferred alternative.

Potential impacts of Action 2 regarding Atlantic Migratory Group Spanish Mackerel TAC reduction: Alternative 2, the preferred alternative, would prevent overfishing. Alternatives 1 and 4 would have a slightly lower probability of resulting in overfishing, and Alternative 3 would provide the highest level of biological protection.

Under Alternatives 1, 2 and 4, the commercial quota and recreational allocation are still greater than recent catches. Under Alternative 3, the commercial quota and recreational allocation are below recent catches, which could result in a \$588,000 X-revenue loss -- that's about 22 percent of the estimated 2006-2007 fishery revenues to the commercial sector -- with an early commercial closure likely to occur in February or sooner.

Under Action 3, Action 3 is not expected to impact the biological environment. It's largely an administrative change. The fishery is open in March under the 3,500 pound limit when other fisheries are closed. Higher prices and increased stability to communities, fishermen and their families are expected compared to the alternative of only applying this to April 1<sup>st</sup> to November 30<sup>th</sup>.

Here's just a listing of the public hearings that we have done. One was done in Georgia; we have done three in Florida; and next week public hearings will be held in North Carolina and then South Carolina. If you're not providing public comments today, please

know that written comments will be accepted in the council office through 5:00 p.m. on April 10<sup>th</sup>.

**Mr. Zimmerman:** My name is Scott Zimmerman. I am the executive director of the Florida Commercial Fishermen's Association. Thank you for giving us the opportunity to comment on Amendment 18 to the Fishery Management Plan for the coastal migratory pelagic resources of the Gulf of Mexico and the South Atlantic.

**Mr. Adams:** Excuse me. I think Amendment 18 is a South Atlantic amendment and not a Gulf amendment. This is not a joint Gulf amendment.

Mr. Zimmerman: Okay, thanks for pointing that out, it's just a South Atlantic Council amendment.

Mr. Adams: Correct.

Mr. Zimmerman: There are studies which argue that the Spanish mackerel and kingfish stocks have rebounded since the 1980's. Population assessments from 2004 and 2002 also support that kingfish populations are healthy. Although the council's proposed changes fall below current landings, we believe that the council does not have an up-to-date scientific basis for changing the allocation.

As fishermen, we believe that the council must adhere to the protocols set forth within the SEDAR process to develop fair and balanced allocations. Recent projections from NMFS suggest that no matter how much of the mixing zone fish you reallocate from the Gulf stock to the Atlantic stock, the Gulf TAC only varies between 9.3 and 9.4 million pounds.

I would also like to point out that in Amendment 18, Table 1, Section 3.1, indicates that the Gulf TAC, under the 50 percent mixing zone assumption, would be 5.7 million pounds. On the other hand, the information from the SEDAR stock assessment report, Figure 35, Page 95, clearly indicates that the Gulf TAC, under the 50 percent mixing zone scenario, should have been 8 million pounds.

In addition, a similar mistake was also made in Table 1 in the 100 percent Gulf mixing zone column, which also incorrectly lists that the 100 percent Gulf TAC at 8.3 million pounds should have been listed at 11 million pounds. These mistakes make it clear that the council should stick to the peer review process before proposing such an amendment.

We can respect your interest in taking a precautionary approach to protect mackerel populations which could potentially suffer from increased effort from snapper-grouper fishermen, but the council cannot be allowed to make decisions based on premature estimates on how many fishermen might enter a fishery due to restrictions in another fishery.

In addition, the assumption that a fishery should be reallocated based on the projection that another fishery will reach their quota early is presumptuous. Commercial fishermen are concerned that this quota reduction will increase the chance of a closure before the end of the fishing season.

Commercial fishermen that depend on the current allocation believe that a reallocation today could be detrimental to the existing fishery tomorrow. The SEDAR 5 stock assessment and review panel, the Gulf Council SSC, and the Joint Gulf and South Atlantic Ad Hoc Committee all agree that we do not have the scientific basis for the reallocation proposed in Amendment 18.

Therefore, the council must respect the SEDAR process before we look at reallocation in the Spanish and king mackerel fisheries. The most sensible action for the councils to take today is to adopt the TACs recommended with the assumption of 100 percent Gulf fish in the mixing zone. Thank you for this opportunity. Do you have any questions?

Mr. Iarocci: Scott, do you have any comment on changing the dates from April to March on the 3,500 pound trip limit?

Mr. Zimmerman: No, I don't have any comment. I'm sure that since we have, you know, fishermen in the crowd, you can repose that question if that would be fair. I'm sure they have an opinion on it.

**Mr. Niles:** My name is George Niles. I am president of Florida Keys Commercial Fishermen's Association. I am also on the Gulf Mackerel AP and catch king mackerel with a hook and line and a net since 1972, so it's been a long time.

It seems kind of funny to me that – you know, I mean, I started going to council meetings around 1980. I was in high school. They told me trust us; once these start to rebound and are healthy, we'll give you some fish back. From what I understand about our last stock assessment, our stocks are healthy. You want to try and set our quotas now that the stocks are healthy? That doesn't make sense to me. That isn't what I have been promised for the last 25 years.

Currently, the TAC that we currently have is quite a bit larger than what you all are proposing in both the Gulf and the Atlantic. I mean, I know this isn't the Gulf, but the Gulf Council is here, and you're proposing for the Gulf to lower theirs or hoping they will.

Mr. Adams: No, we're not.

Mr. Niles: Well, that's what the table said up there. That was the numbers; they're lower than what they are now in the Gulf. Anyway, with the current TAC, the stocks have

rebounded. I mean, they are healthy with the TAC as high as it is now. I don't understand lowering it when the stocks have rebounded. They haven't collapsed. If anything, they have grown healthier, and I just don't understand changing something that has successfully rebuilt the stocks.

I mean, we were promised that once the stocks were healthy, that we would be increased, you know. As far as the Gulf stock goes, I can't see lowering it or taking fish out of the Gulf stock and giving it to the Atlantic and, you know, having to hurt our commercial quota or lower our recreational bag limit from two fish to one fish when we should be upping that bag limit to three fish.

You know, I would like to emphasize some of the mistakes that we came up with in some of your data on some of the tables you put up there. Also, you know, I can point out that the Gulf Council goes by a 30 percent ratio when their stocks are supposed to be healthy, and the Atlantic Council goes by 40 percent.

You know, in this division in the councils, whose information are we using when we start talking about Gulf stocks down here in the mixing zone? Now, stuff like this has to be worked out, and I think, you know, this is trying to be rushed through. I think we need to slow down and, you know, maybe wait on the next SEDAR. I mean, it's only a year away.

I mean, you stated to Mr. Daniels, Tony, that we're using information from 2002 in the last SEDAR. I mean, the next SEDAR is a year away.

FROM THE AUDIENCE: 2008.

Mr. Niles: 2008, yes. Let's wait a year. I think, you know, as an organization, that is probably our official statement, and I would like to read that to you. Amendment 18 is premature and is not based on the best scientific data. The determination of allocation of king mackerel in the winter mixing zone must be done with updated catch data and with full National Marine Fisheries Service and Council scientific review as provided by the SEDAR process.

It is our understanding that the new stock assessment will be conducted in 2008. We recommend not going forward with Amendment 18 at this time, but rather wait until good, reliable scientific data is gathered in 2008 before we make such an important and far-reaching decision. You know, I just don't see the rush. Our stocks are healthy. What's the hurry? I would be happy to answer any questions.

Mr. Adams: If people here have a concern about mackerel in the Gulf that you've addressed and Mr. Zimmerman addressed, too, I just wanted to make it clear that these proposals in Amendment 18 have nothing to do with mackerel in the Gulf. This is an

amendment for the South Atlantic Council. The Gulf and the South Atlantic used to always manage mackerel in joint amendments, but we're not doing that anymore.

Mr. Niles: I'm well aware of the process?

Mr. Adams: Well, you're addressing items for the Gulf

Mr. Niles: Well, you're addressing items with the Gulf on your charts.

Mr. Adams: I'm not addressing anything, because this is a South Atlantic document, and I am speaking for the Gulf. And what is the Gulf's position right now is we're waiting for the best available scientific data that you're asking for.

Mr. Niles: Yes, sir, I am aware of that. I was supposed to head for the Gulf Council two days ago. I am aware of that.

Mr. Adams: Well, don't ask the Gulf to wait for anything because we are waiting.

Mr. Niles: I am asking the South Atlantic to wait.

Mr. Adams: Okay, that's good, but that's the position in the Gulf. We're waiting for the scientific data to come in from the Southeast Science Center, and then the Gulf will issue its amendment.

Mr. Niles: That's the same information that I received from the head of the Gulf Council, you're going to wait until 2008.

FROM THE AUDIENCE: Would you clarify, is this for Spanish or kingfish, when you say "mackerel"?

Mr. Adams: This is for Spanish and kingfish, and we're not waiting for 2008. We're waiting for the Southeast Science Center.

Mr. Iarocci: One thing I want to say for the record, also, Amendment 16, which is now Amendment 19, deals with the mixing zone. See, we're taking comments on these three actions that you got the information on tonight. Amendment 16, which is now Amendment 19, deals with the mixing zones and everything what the Gulf Council and with the South Atlantic Council is looking at further on down the line.

These are the three alternatives. And, George, you made great comments and I think everybody has that down, but, as I asked Scott, do you have any comments on that changing of the date, March-April?

Mr. Niles: I don't think we have any problem here as long as we're only moving it up to March.

Ms. Quigley: I hear your comments and I'm jotting them down. I just want to let you know that Amendment 18, that goes under the assumption of 100 percent and the 50 percent Gulf mixing zone, and that may be different from the assumption the Gulf Council is obviously using.

The reason for putting it up on the same table showing the Gulf and Atlantic is to show that if the Gulf took the full TAC and the Atlantic took the full TAC – whether that's likely or not or even if that might happen or not, if they did, it would push it into an overfishing status. This is just to let you know that's why I put it on the table, but I do hear your comments.

Mr. Niles: But what we were worried about is what Mr. Zimmerman pointed out, that some of numbers on the table were wrong about the amount of fish, and that's what we were worried about.

Ms. Quigley: Yes, I am not aware of that. I think they're correct. I don't have the SEDAR documents in front of me right now, but –

Mr. Niles: That's why we wondered if you used your 40 percent or the Gulf's 30 percent in figuring it?

Ms. Quigley: We used the 40 percent. The stock assessment was redone, I believe. There were some numbers redone for 2005. It was reviewed by the SSC in 2004 and they sent it back and had some numbers redone. That may be the difference I need to look into, and I can back to you, Scott, and I can get back to you as well. I want to make sure the data is correct, so that does concern me. I'll look into that.

Mr. Iarocci: Thank you, George, that's a very valid point you made there. Joe, you have a question?

UNIDENTIFIED SPEAKER: Yes, providing that date is changed, will that move the boundary lines any?

Mr. Niles: No.

UNIDENTIFIED SPEAKER: Not at all?

Ms. Quigley: No.

Mr. Iarocci: Thank you, George, good comments. Billy Niles, please.

Mr. Niles: I just want to go along with George and Scott, on what they said. And just like George says, you know, we have been promised for years and years and years – and I'm a lot older than George because he is my son. I have been doing this stuff for about 50 years or more. And, we've had a lot of promises that we was going to get more fish when these quotas got better, and these quotas are better.

I see the fish out there. I argue with a lot of scientists a lot of times because you don't read everything out of the book. The experience in that ocean tells you a lot more than that book will tell you. I see the fish out there. After we was shut down this year, there was tons of them out there, more than what was there when was catching them. They came in thick after that. There is no reason for them to shut it down.

I think right now they just need to leave it alone, status quo, until they do know what they're talking about. This mixture they're talking about, the 30 percent or the 40 percent, I want to know where they get that from? Where do they get their information, because the only tagging that I know or anything that was ever done for that was done by Roy Williams many, many years ago, and it proved that better than 90 percent of the fish on the Atlantic side down here was coming out of the Gulf. It wasn't that big a mixture. It was very little. That's all I've got to say. Thank you.

Mr. Iarocci: Billy, while I've got you at the podium – and I know you've been around; you're one of the guys who has been doing this for a long time. Over the years, up until now, with all the changes you've seen and the all people that have dropped out of the fisheries, what few boats are still gillnetting, what few guys that are hand-lining down here, and you're still seeing because of that low impact on the fishery -- with the amount of guys fishing -- you're still seeing a resurgence in the stock, you're still seeing the –

Mr. Niles: It's unbelievable, the fish we took in this area this year, and they're still here. They're still here. I mean, we're shut off right now and we can't catch no more. What about the hand-line quota, I don't know, but I know that –

FROM THE AUDIENCE: 500 pounds per day.

Mr. Niles: 500 per day, see, and they're hand-line fishermen right there. They're going to get up and tell you what they've been catching and what they're seeing, especially what's his name sitting there, he has really produced this year. He can give you a lot of information.

**Mr. Renier:** My name is Charlie Renier. I own Fish Busters Fisheries in Key West. I also, me and my father both have gillnet permits. Tony, I am a little bit confused here. Is the Atlantic trying to take some of the Gulf stocks? I mean, what exactly was going on? Somebody has got to fill me in a little better.

Ms. Quigley: No. What is occurring is this new stock assessment is -- when they do stock assessments, they don't do one for the South Atlantic and then do a second one for the Gulf. They've scheduled one done for king mackerel, and they provided an ABC range for the South Atlantic and they provided an ABC range for the Gulf based on different assumptions, a 50/50 mixing range.

So, as a result, you get two different ABCs. So what this Amendment 18 is focused on what is the ABC for the South Atlantic, and where within the ABC range should they choose the TAC to be at because they have to react to the stock assessment because it's considered the best available scientific data. So if they don't respond to it, they're not following the rules set out by the Magnuson-Stevens Act.

They're required to respond to it in some way, so the way to respond to it is no action, low point, mid-point, and high point. That's what they have done. There is no reallocation between the South Atlantic and the Gulf. Those numbers were just put out there to show if the Gulf was to take full TAC and the South Atlantic took the full TAC, what is now the full TAC of 10 million pounds, then they would go into overfished stock status because that number that is taken, if they took the full TAC, which may or may not occur, would be higher than what the current stock assessment says. That's the best way I can explain it. I don't know if that makes sense; I hope it does.

Mr. Renier: Well, it does. So, the one thing I can say is like George says, you know, for the last 25 years, we have been doing everything you all say to build a stronger fishery and now, you know, we haven't got any raises. It looks like you all are trying to take from us. And, you know, with the hurricanes in the last two years, 25 percent of my fishermen will be out of business if they hadn't caught the kingfish they caught.

I mean, they've got to have the kingfish down here. I mean, you've taken the grouper; you've taken the shark industry. I mean, you're squeezing us on everything. There's no way you can come and try to take this king fishery from us. I mean, it will absolutely kill us. I mean, in the last 15 years, we're down to, what, three fish houses left in Key West, two fish houses.

I mean, these guys are survivors; and, you know, if you take this, I mean, these guys are in big trouble. I mean, they've got to have this industry. And, hopefully, some day you all can get back to giving us a little more. I mean, we're out there fishing. The fish stocks are healthier than we've ever seen them, and you've got everybody scared to death about take, take, take. Sooner or later we need to give, give, give.

I feel good that the Gulf Council is telling us, you know, they're not looking at taking from us. We've got a great fishery now, and let us go catch them. You know, wait until these new studies come out; and if we're overfished, then we'll deal with it. Don't take them before that. You know, give us a chance, anyway.

Mr. Iarocci: Charlie, let me ask you, you've mentioned kingfish; what about are the guys catching a lot of hook-and-line Spanish mackerel down here? You guys are mackerel fishing with nets, but any of these guys saying they're not catching hook-and-line mackerel?

Mr. Renier: No, not at all.

Mr. Iarocci: And, Charlie, I've got to ask you, too, do you have any comments on changing the dates for the 3,500 pound limit?

Mr. Renier: No, we can go with that, yes.

**Mr. Meyers:** Ron Meyers, commercial fisherman. I, too, like the rest of these fishermen, for years have been hearing the story about how they're going to give us some more fish. This has been going on for a long, long time, and it just doesn't happen. The reality is you always take and we don't get it.

I really think that you need to wait until the next stock assessment. We would have more current information to work from, and it is not going to hurt to wait a year. We're seeing huge amounts of fish out there and have for the past three or four years, so this has been really a good recovery on the fishery, so we shouldn't be taking anything down. We should just leave it status quo, the way it is, and wait for our next stock assessment. I have no problem; I would like to see the date moved. I think that would help us, and wait to see what happens in the Gulf. That's really a big part of it.

Mr. Iarocci: Thank you, Ron, and just for the record, you primarily hook-and-line kingfish?

Mr. Meyers: I hook and line, yes.

Mr. Iarocci: And you're seeing the same thing – what everybody is saying, you're seeing, you know, good stock, good sizes, abundance?

Mr. Meyers: I am seeing what the scientists, obviously, are not. Maybe they need to get on our boats and go out there or fly in the airplanes and see where the stock is and what is seen down here.

Mr. Iarocci: I've got some paperwork on some cooperative research being done with the snapper-grouper, and they've got some stuff. Maybe this has good potential for doing some cooperative research with the pilots or maybe next year with some of the gillnet boats and some of the hook-and-line guys.

Mr. Meyers: Yes, they're out in the field and they're –

Mr. Iarocci: Yes, I think that's a real good comment. Thanks for being here. Robert Pillar, please.

**Mr. Pillar:** Bobby Pillar, Mackerel AP member of the South Atlantic Council, and I'm a member of the Florida Keys Commercial Fishermen, a director. I would like to support what George and Scott said about waiting for the new SEDAR and find out what information is going on. I keep listening to – every time I go to a mackerel meeting or a grouper or snapper meeting, the big thing is if this happens, if that happens, and if this happens, the whole world is going to fall in, we've got to fix this before it happens.

Well, it hasn't happened yet. I mean, it's like everybody is telling you, there is a lot of fish out there. We were promised raises; we haven't got the raise; we haven't got to go catch them. If you're going to take it away before we get a chance to use it, it doesn't make any sense.

It's like you've got a bean counter sitting there, and he goes, "Okay, there's 40 guys here. Well, each one of these 40 guys right here is going to catch the maximum amount of fish that he can catch in a year. Everybody here is going to catch a hundred thousand pounds. Oh, my God, the whole world is going to fall in."

Well, everybody here is not going to catch a hundred thousand pounds. He is going to catch a thousand; he might catch five thousand; he might catch ten thousand. Tim and Billy and George might catch 20,000. But, you can't have some guy sitting there at a typewriter going "I've got 800 permits, and all of these guys are going to catch a hundred thousand pounds of fish and they're going to wipe out the whole stock."

It's not going to happen. You've got weather; you've got boats that break down; you've got the quota getting filled; and all this stuff saying "if, if, if", it's not "if". The sky hasn't fallen in. We're on a quota system down here. When the quota is filled, when Ed Little calls the National Marine Fisheries Service, we're shut off.

So you've got a TAC here of 10 million pounds. Well, where is this 10 million pounds going, because the hand-line boats down here, we get 500,000. The net boats get 500 and some thousand as well to split. All right, so that's a little over a million pounds. Where is the other 9 million pounds going? Somebody is overfishing, and it ain't us. So, before you go creating an overfishing problem that's not there, why don't you just leave what you've got alone?

The other thing, Tony, keeps asking about the mackerel 3,500 pound trip limit. I don't know about everybody else in this room, but I'll tell you what, we could use a 3,500 pound trip limit for kingfish. We could afford to go fishing then. It costing us two or three hundred dollars a day just in fuel to run where we've got to go. We've got to run 40 miles to the north. So, if you want to give somebody a 3,500 pound trip limit, give it to us. We'll take it. That's about all I've got to say.

Mr. Iarocci: Bobby, would you be agreeable – and I'm putting that down, and it is on the record, the 3,500 pounds, but would you say other numbers, too -- or anybody else that kingfish hook and line to come up with other numbers , since you've put that on the record, that you do support that as a hook-and-line guy, to raise that and you need to bring up

Mr. Pillar: The 3,500 pounds, we could go fishing. We sat out there talking – we all sat up there at the tower one night, and the fish bit late, so we're all sitting there, right, and we knew weather was going to come in. We had two days to fish; the weather was going to come in the third day. Now, if we could have sat at that tower that night and ice those fish, we could have got up in the morning, and we could have fished again, right, and we could have had a nice trip.

But, the way the quota was, we're all sitting there, somebody has got 500, somebody has got 700, somebody has got this, well, we're like, well, if we could stay in the morning, if the fish bite in the morning, we've got to go home. We've got to run all the way back to Key West, and we've got to buy another hundred gallons of fuel to come all the way back in the morning. I'll tell you what, them people getting 3,500; we could use 3,500. And I know in the Western Zone they get 3,500. Thank you, Tony.

Mr. Iarocci: Thank you, Bobby, good comments, and I hope everybody in the room listened to them. I have got a William Golden; I know a Joe Golden, but I don't know who a William Golden is here.

**Mr. Golden:** My name is Golden, Joe Golden. I have been fishing here for about 35 years, and, like you guys, this is a select few here. We've seen a lot of fishermen come and go. And like was said a while ago, we've had a lot of promises, and a lot of things have been promised to us. But, we have not received them.

And, our fishing has – our school, our stocks have gotten real healthy. I have seen it out there; I have been out there on the water and seen it. And I'm voicing the same opinion as Charlie did and the other fellas here; I'm for status quo. Until something else is more concrete, I don't think we ought to turn the cart over right now. That's all I've got to say.

Mr. Iarocci: Thank you, Joe, I appreciate your comments and your opinion here. Edwin Pateto, please.

**Mr. Pateto:** I pass, Tony. I agree with the others.

Mr. Iarocci: So, you do agree with everybody that has spoken so far?

Mr. Pateto: Yes.

Mr. Iarocci: Okay, Richard Stiglitz, please.

**Mr. Stiglitz:** I thank you all for your time. I agree directly with Scott and George. I am a commercial fisherman here since 1969. I believe that's about 36-37 years' worth, 38 years. It's been a long time. I have been promised since the early eighties that if we went along with all these programs, that we would get more fish. It's time to quit taking away and it's time to give us our fish back.

Every time you all want to change something, if you want to take fish away, you just change the way you count fish, and all of a sudden you take more fish away. You need to keep counting the fish the same way you always have; and now that the stocks have rebuilt, be honest with us, and say, look, the stocks are there.

There is not a person in this room that will tell you that these stocks have diminished. Every person in this room is going to tell you the stocks are out there. It's time to give us some fish back. This 1,200 pounds a day or whatever the hook-and-line guys get to catch -- it's like Bobby says, when they can go out there and make some money, they're going to make some money. There's probably half the fishermen fishing today than there was 25 years ago, and they're still catching the fish.

They're catching their limits. By eleven o'clock in the morning, they have to go home. They're worked a half a day. Well, if you guys worked a half a day, you'd get paid half a day's pay, and that's what you'd make. Everyone in this room works for half a day's pay. I gillnet fish; I get to go catch two catches of fish for a whole year.

I used to do this from the 1<sup>st</sup> of November all the way through April, and I could catch fish in November. I catch them in December, January, February, March and April. I get to catch two catches of kingfish now, if I'm lucky, and that's all we get to catch. There is no way you can tell me that I fished that for 15 years, and it was fished like that for a whole lot of years before I started, and that all of a sudden, because we started counting kingfish, that everything is in trouble, and we have not done it for 25-27 years -- I think it started in about the early eighties -- and you're not going to tell me it hasn't rebuilt.

I know it has and everybody in this room knows. I want more fish that I can catch in my gillnet. These guys want more fish that they can put on their boats and sell. These recreational guys want to come to the dock with enough fish, so they can put some fish in their freezer. The stocks are there. Let us have our fish; quit taking it away from us.

Well, now you want to take it away, and you don't even have a reason for taking it. We're doing to precaution. Well, with precautions, you've got a room full of table that ain't going to be here anymore. Thank you. Any questions?

Mr. Iarocci: Thank you, Richard. Our next speaker is Tim Daniels, please.

**Mr. Daniels:** Thank you, Tony, I appreciate you all coming and giving us the opportunity to speak, although many times it seems like it's in vain when we do speak. I would like to say that I do appreciate the Gulf Council's stand they have taken here tonight and we heard the gentleman say.

I would like to say for the record that changing this quota on the South Atlantic is unacceptable to all the fishermen in this county that fish for kingfish. I am a member of MCCF; I am a member of OFF. And the statement that George Niles read into your rig a while ago, I will see that you get a copy of that from OFF and the same stand. I was told to present that tonight. The president of OFF is out of town. He was supposed to be here.

I will do a lame job of presenting that, but I will send that to you. It's the same thing as MCCF. The fishing organizations in this county are organized, and they're together that we do not need a change. I don't think that you should change it without taking into account -- what I haven't heard here tonight is the economic fallout that would happen if you go changing these fisheries.

I don't think any changes for any of these fisheries that we have should be changed in any way without first the economic study to see what is going to happen to the fishermen, because the fishing community have become very fragile in this county. We were the number one fishery in this county for years and years and years, until the federal and state came in and began to clamp down on us and slow us down and stop us and change and prevented us from fishing the way we used to.

I am also a pilot that sets the kingfish, and I want to tell you, for the record, the last year, the 2006 season, from Marquesas Island, the Tailend Buoy, and the Channel, straight down, on one day I counted 16 bunches of kingfish after our quota was filled.

Mr. Iarocci: Tim, how many of miles was that, if you could put it on the record?

FROM THE AUDIENCE: About 15 or 16 miles.

Mr. Daniels: I counted 16 one day, and I didn't swerve off looking for them, where there was mackerel fishing at the time. I went back the next day, down the same route, and counted 22 bunches of kingfish. That is the most kingfish that I've ever seen in the 25 years I've been flying for kingfish.

I used to have 20 and 30 kingfish boats working under me, and I've got about seven now. The fishermen that understand the system that we have here have been promised more and more. It will come; do this and it will work out. It's not working out because every time it comes up, it seems like that you come up with a plan, as managers, before you talk to the fishermen to decide what the plan ought to be.

I believe you should come to the fishermen; I believe you should come to the fishery and tell us what you've got in mind and let's take it at that level and decide how we should handle it and where we should go. We have took enough licks; we don't have anymore to give; we're done; we're struggling.

The hurricanes have changed the patterns of the fish, they have tore up our equipment. It has removed docks; it has tore up the traps; it has changed the way the fish are moving; and we don't even have our feet on the ground for that, much less the government coming in and trying to change the issues here and give us less fish in the long term.

That's what our perception is of this. If you reduce that, it's going to flow over into our Gulf stock, which we fish on the south side of this island, all the way down. It's going to flow into that system and ultimately we're going to lose. I don't think there is anybody in this room that can disagree with that. I think it's a fact of life.

So, show me the study, show me the stuff to prove it, come back with all this information, and let's talk about it, because I don't think that we should be changing the rules and changing the system and changing the fisheries over maybe this is going to happen, like Bobby was talking about. I don't think anybody here will disagree with that. I would like to see you leave it alone until you get the information, bring it back, and let's talk about it at that time, and we'll be happy.

And the 3,500 pounds of mackerel I've heard said, the same thing. Do you expect me and everyone you've asked here tonight to understand the economic repercussions of changing that up there and then catching more at the time that we catch what few we catch here in the Gulf? The price may change; you may glut the market. I need some studies; I need some information. When I go to get a driver's license, they gave me all the information I needed to know how to do it.

We don't have this information here tonight. I need to know how many fish is projected they're going to catch by changing from 1,500 to 3,500. I'm going to want to know how many are they going to put on the market in that other month, so that we understand. February and March is now most of the time that we catch our commercial gillnet Spanish mackerel on this coast.

In all fairness, I want to see those guys do as good as they can in this. If it's not such a great impact on the price and floods the market out by opening up that, I want them guys to catch the fish, but I don't know what it's going to do. Will it cut the price to twenty-five cents a pound for all of us? You may have the information, and I may be standing up here preaching to the choir, I don't know, but it hasn't been presented to me, so I don't understand it.

So I would like to see more information before I can make a judgment on the 3,500 pounds up there. I don't know how many boats you're talking about. I don't know what kind of volume it is, and our fishery is mainly February and March on the west coast for the gillnet. That's not traditional; that's what we have been forced into.

So, I would appreciate it if you would reconsider all of this and leave it alone until we get the information, you get the new stock assessment, and get all this straightened out, because there's nobody that don't believe from the boats that used to be let go in this country that catch mackerel and kingfish, unrestricted, seven or eight months of the year, going slap up to Naples and fighting and catching kingfish, and we're cut down to 12 or 14 boats now that fish for kingfish in the net sector, and we can catch that in week, and we used to fish them for three months with three times as many boats, something is wrong with that. We're not short on kingfish at all.

Mr. Iarocci: Tim, Kate has got a couple of questions for you.

Ms. Quigley: So, first, I just want to address the 3,500 pounds, right now in March, right now, they can take an unlimited amount of kingfish because before they were restricted to 3,500 pounds in the mackerel season from April 1<sup>st</sup> to November 30<sup>th</sup>, and then they had other restrictions after that. Now, they have changed the season to March 1<sup>st</sup> to November 30<sup>th</sup>, but they didn't transfer the trip limit of 3,500 pounds.

UNIDENTIFIED SPEAKER: Kate, are you talking about Spanish mackerel or kingfish?

Ms. Quigley: Sorry, Spanish, yes. So, right now they are unlimited, and the proposal is to limit them to 3,500, so it would be a decrease, from unlimited this one year to 3,500. So, the thought process is that if you have unlimited; they're going to catch too much; they're going to flood the market, there would a price decrease or something that. So, the proposal is to go down to 3,500.

This was supposed to have been done before, and it wasn't, and they're trying to fix the problem right now. So that's why I said before it is largely an administrative change, so it's a decrease. I just wanted to get that information out, and then I have a couple of questions for you.

So, I'm staff economist, and I'm in charge of just supplying the council basically with the economic analyses of various things, not all of them, but some of them, so it helped out on the economic analysis of Amendment 18. And just to give you an overview, basically what we did is we took that or looked at what were recent catches the previous years. We looked at the catch for five years, and we took a look at the recent catches and what is being proposed.

The TACs being proposed for kingfish, and I think it's 7 something million pounds. We took a look at recent catches, we took a look at the commercial quota, which is 3.7

million pounds, then we said, okay, what have recent catches been for the commercial fishery, and they don't bump up against the commercial quota right now. The commercial catch is not bumping up against the commercial quota right now.

I do understand your comments in the long-term, though, was it going to happen, and that's something that's difficult to predict obviously, so we did what we could for a short-term economic analysis, so my question to you is what type of economic analysis would you like to see in the future? So, yes, we can go out and speak to fishermen about what they think a lot of that or more of that needs to happen, what would you recommend?

Mr. Daniels: Are you concerned – and I've heard this floating around, and I'm not sure – are you concerned about the displaced grouper fishermen going into kingfishing?

Ms. Quigley: That is written into the document under the cumulative effects section. That is one of the concerns. The primary concern is that, yes, it's the best available data and we have to use it in some way. The secondary concern is – well, I'm not sure if it's secondary, but the second concern is, yes, we've got snapper-grouper fishermen who just had a decrease in their catch limits, are they going to go ahead and then more heavily fish the mackerel stock. That was something brought up in the document, as well.

Mr. Daniels: Mackerel or kingfish?

Ms. Quigley: Well, for both, I believe is what they're thinking.

Mr. Daniels: Have you stopped to find out and run an analysis to find out how many boats could go into that fishery?

Ms. Quigley: Yes, it's about 557 people who own the boats for snapper grouper and kingfish permits. Now, that doesn't mean they're fishing; that's just how many permits, and we have a real hard time getting a handle on how many vessels are out there.

Mr. Daniels: You know, it would seem to me that you have at your disposal other ways of putting something in place to stop new entrants into that fishery at a different time. You may already have it in place. All you have to do is use it. You may have that. I know you have at your disposal to have a cutoff date. You know, I got the little letter that said after this date you may not be allowed to fish in this fishery.

So, why would that not be a simple fix that you have a date set there that anybody coming in, at some point you could say, well, there's too many coming in. The date was back there and you knew you were at your own risk, wait a minute.

Ms. Quigley: A control date?

Mr. Daniels: Yes. Why not use something of that nature instead of putting this whole system that we're all accustomed to, that we're kind of familiar with and we understand, and we're sitting here waiting a better stock assessment, to have more fish allocated to us, and here this council comes along and says, we're fixing to start cutting. That scares the hell out of us. We've been cut until we haven't got any bridges left. So, you have other ways to make – if you put me on the council, I'll bet you I could come up with some better system than that.

Mr. Iarocci: Tim, hold on. You were talking about the kingfish stocks you're seeing, and I'm curious what you're seeing in Spanish mackerel fishing. Are you seeing good stocks like you have in the past this year?

Mr. Daniels: You've got to know that these hurricanes has raised havoc with all of our fisheries. The crawfishing, the stone crabs, the kingfish, the mackerel, the pompano, everything we fish has been discombobulated, the same way our homes got discombobulated and our cars and our streets. So, it's unfair to say anything in the last three or four years, with the magnitude of the hurricanes we've had, that this is status quo.

Nothing is the same. Whenever they closed us down to netfishing kingfish, my opinion at the time was that 80 percent of our fishery was in state waters, and 20, maximum 25 percent of our fishery was outside.

Mr. Iarocci: You're saying kingfish?

Mr. Daniels: Kingfish. And about 85 or 90 percent of our mackerel fishery was in state waters the way we traditionally fished, and those fish from year to year fluctuate, and this year there are not that many mackerel show up. Last year and the year before, lots of mackerel showed up. I have seen years prior to that, that there was a – and to do the Gulf mackerel, which I don't want to get this guy on me, but the Gulf mackerel, there was nobody fishing commercially, net fishing the Gulf mackerel for 10 or 15 years.

They quit because the price got so low, because they knocked us out so bad, we couldn't sell them and make any money. And we just revived this fishery in the last five or six years. And there was mackerel everywhere.

And just like this year -- as an example, the pompano fishery has been slack, and easy and hard and no fish, and two or three thousand was a great big deal, and this year, due to the hurricanes, the pompano showed up here on this west coast, and it was unbelievable as to how many pompano there were.

And the mackerel next year -- you know, the crawfish this year was different, everything is so different. And it's hurricane related; it's the way things are in the fishery. And to

jump up and do something real quick without all the information and without years of research to figure it out just does not work.

Mr. Iarocci: One last thing, Tim. Thanks for your comment on the 3,500 pound trip limit. I think when you look at the economics and how that could affect from unlimited down to a smaller in that time of year, which is when you guys traditionally catch these fish, getting that looked at now – and I think Kate has got that strong message from you, and I think the other people that have talked about it, and we'll see what we can do about getting a current study on that. It's a very valid point.

Mr. Daniels: And I do want to say for these hand-liners on the kingfish, I think if you want to do some good and have some public hearings, that each one of these councils should come to the fishery and the area it's in and, say, just one time, have one meeting and say, okay, you hand-liners what can we do to help you here?

What can we do to make this fishery better for you; is it wrong; is it right; what is it; and what can we do in our power to get the goodwill of the fishermen, to get some relationship going with the councils, to get something started where we can work together.

And then when you get a problem, instead of just doing it, I think the best thing you could do is come to the fishery, the place it's going to happen, and say to us here is what we need to do, what is the best way for us to go about it with the less pain to you, and let the fishermen come up with a plan that will least affect them and help us work, where we can work together. And I think that's a must in the future as the managers of these stocks.

Mr. Iarocci: Thank you very much, I appreciate your comments. Jose Blanco, please, next.

**Mr. Blanco:** My dad is a fisherman all his life, and you know they fished here in Key West, and I respect the law. When it comes to, what you call it here, the marine patrol comes out with the attitude of trying to bust you because you've got three or four fish more, all right – like a couple of weeks ago, I came in with 1,257 pounds, I had to take seven pounds off the weight and take it home. You know, this is ridiculous.

We need the 3,500 pounds, all right. How come up north they get it and we don't? The same fish is going to go back the same way and they're going to still fish. You don't think to Mexico and –

Mr. Iarocci: Are you talking about kingfish here?

Mr. Blanco: The kingfish.

Mr. Iarocci: The 3,500 pounds were talking about is mackerel.

Mr. Blanco: Well, we need 3,500 pounds, a daily limit for kingfish, too. 1,250 is not doing it. We run 70 or 80 miles sometimes, all right, and spend two days out there to be able to catch 1,250, you know, and sometimes at nine o'clock we've got to come home, you know. You don't been to Mexico. You should go and see how they slaughter the fishery.

Down here, we respect all that, so we've got to do something about it, because I'll tell what, I have broken the law myself. I've got to put food on my plate for my kids, I am going to break the law again. If I can bring in two or three thousand pounds of king, I'm going to do it.

There's a lot of fishermen here who will back me up. That gentleman right here, number one. He's the number one fisherman on kingfish. I didn't say he is breaking the law; I'm the one who breaks the law; he doesn't, but he knows what I mean. I believe they are all going to back me up.

Mr. Iarocci: Jose, do you Spanish mackerel fish, too?

Mr. Blanco: Yes, I've got a license, too, but this year, I haven't found them, and last year I had about 500 pounds, one day only.

Mr. Iarocci: Okay, George, would like to make a comment on the record, please?

Mr. Niles: Yes, regarding trip limits for the hook and liners down here, about four years ago, three or four years ago, our organization petitioned or whatever or sent a couple of letters to the Gulf Council asking for a small-type A trip limit, weekly trip limit, you know, you can catch so much per week and then you have to come in or whatever – you know, we had a couple of different ideas of trying to get what the fishermen have been talking about.

I mean, some times we've got to run north of the Dry Tortugas, take Bobby Pillar, for instance, and that's a 200-mile round trip for him for 1,250. I mean, the Gulf Council never got back to us as an organization, never heard a word from them. I just want to put it on the record, you know, with the Atlantic Council, I know at some Atlantic meetings that we do catch some Atlantic kingfish down here in April.

If we could get a higher trip limit, because everything we do catch in April is that far away; it's 150 to 160 miles round trip from Key West. We really need a higher trip limit to help these hand-liners. I mean, these trip limits were made when the price still was sixty cents. We're paying \$2.45 as of today, and that was our main reason for petitioning the Gulf Council to help us out with trip limits. You know, I would just like to get it on

the record with the Atlantic Council that, yes, we do need higher trip limits down here for us for king mackerel. That's all I've got to say.

Mr. Iarocci: Thank you, George. I want everybody to know this is jointly managed with both councils, and, like I said, in the next amendment, Amendment 19, there are going to be changes of how management could go in the future. Degraaf, would you like to make any comments on that or about the --

Mr. Adams: What about the IFQ?

Mr. Iarocci: George, you need to come back up. I want to make sure everybody is on the record.

Mr. Niles: I talked about IFQ's the other day with a gentleman that I spoke to that I told you about earlier, and he had a lot of problems with IFQ's on the hand-line kingfish, because he says some parts of the -- the whole region in the Gulf, they don't show up year after year. I guess, you know, for instance, the Panhandle of Florida, I guess sometimes they cut straight across the Gulf and they don't come in certain places.

You know, I don't fish up there, but that's what he was telling me, that in some places they don't catch hand-line kingfish some years and some years they show up thick. So, you know, to go to IFQ's, it would be kind of hard. And as far as down here --

Mr. Adams: Well, you've got coupons and if there's no fish then, then there's no fish.

Mr. Niles: But then you're taking them coupons from somewhere else that the fish go. You have couponed out your quota; and if you own coupons and you're from Alabama and there's no fish in Alabama, but the fish to go Florida, you've taken fish that potentially can be put on plates in America and taken them out of the pie.

Mr. Adams: Well, the people from Alabama can buy coupons if they run out.

Mr. Niles: They can rent if that's put into the IFQ.

Mr. Adams: Right.

Mr. Niles: For instance, down here why I would be against them, if we have a good lobster season down here -- we're multi-species down here. Very few people fish for one species. You know, most people stone crab, lobster and hand-line kingfish. That's what we do.

And if we have a real good lobster season or a real good stone crab season, they don't want to be chasing kingfish 150 miles round trip from home, getting up at three in the morning and running. So, what are you going to do with your quota? It almost forces

fishermen to go fishing, you know -- and I'm not speaking for all the hand-line fishermen.

So far I haven't heard too many people in the hand-line section speak for IFQ's. You know, if they've got a real good lobster season, they don't want to go chase kingfish, but if they have a real bad lobster season, they want to go chase kingfish. I mean, what we've done is working. Our stocks are healthy, you know. I mean, that's just the way that fishing is down here. We're multi-species; and if you've got to go catch another type of species, you want to be able to do it. And if you only own 5,000 pounds of the kingfish stock and you need to catch 10,000 pounds this year, well, if you only own 5,000, you're only going to catch 5,000.

But if it's like it is now, you just go fish harder and you'll catch your 10,000. You can't catch what you don't own if it's divided up into IFQ's. Yes, you can go rent it from somebody else, but that cuts down on your profit margin. I don't know if you're paying your bill at the hotel tonight, but this is the most expensive place in the United States to live. I mean, as far as money, we're just taxed, I guess you could say, down here to the limit. You know, it's hard enough.

We can't get anybody to work on our boats and everything because of the cost of living down here. We can't afford to go renting quotas from somebody else to go catch more fish when what we've got now is working. Nobody is complaining about the laws we have in place now, and we're applauding them. They've worked. The kingfish stocks are healthy. Those are my comments.

**Mr. Nicholas:** I am Josh Nicholas, and I represent the Florida Keys Commercial Fishermen's Association. I just want to back up what everybody said here tonight. I mean, I'm one of the youngest fishermen probably in Monroe County. I am only 21 years old. I mean, I have only been kingfishing for two years now on my own. I don't think it's right that at this young stage of my career that you all should come in and take fish from me.

I mean, the stocks are healthy. I mean, you don't have the current science to back it up. I think everybody thinks that this is just getting crammed down our throat. I think you all should just back off a little bit and take it slower, and maybe you'll get some more cooperation from these people. I mean, what everybody has said tonight is true. I mean, I don't want to take up your time. .

**Mr. Reed:** John Reed, commercial handliner. I think everybody in here will agree there's plenty of fish out there, you know, and I want to stay status quo. We know what we have now. It's been working. We have all dealt with that. We know if we could get more fish, it would be better.

The only thing that kept us from filling our quota this year -- well, we still might have a chance with all the wind. We know there's plenty of fish out there. Everybody caught their daily limit every day they went just about, every day weather permitting that we could go. There were lots of fish this year.

But I'm confused on this changing of the date thing. At March 1<sup>st</sup> would we be South Atlantic fish, then?

Ms. Quigley: Nothing will change with regards to –

Mr. Reed: To kingfish; that's just the mackerel thing?.

Ms. Quigley: That's just Spanish mackerel.

Mr. Reed: Okay, so the kingfish stock all pretty much is going to stay the same? I know a lot of guys won't agree with this, but increasing our daily bag limit for – you know, during the Gulf-biting fish, when we had been working and we made it through the whole season every year. We usually get the quota. Even though I know a lot of guys would like to catch more, now, you know, when we start in the South Atlantic, then I think we should have more because what they're saying is true, we've got to run a long ways, 100-120 miles some days.

And, if we had more fish after April 1<sup>st</sup>, when they consider that South Atlantic, I think it would really benefit us down here, you know. I don't think it would hurt the stock, and never fill the quota anyway, you know. So, we're running up to 1,250 there after April 1<sup>st</sup> and a long ways to get them.

You know, everybody else has gotten their 3,000 pounds a day, and I guess once they get above the Florida border, they get 3,000 a day in the South Atlantic, don't they? So if we could get a higher thing after April 1<sup>st</sup>, but during the winter I wouldn't go for any further amount than what we've got now because we just simply fill our quota too fast. Instead of fishing the whole season, we would have to sit on the dock for the last two months, and that's traditionally usually when our money is better, you know.

But after April 1<sup>st</sup>, I think we do need more, you know, more fish per day, 3,000 a day or whatever you can give us. That's pretty much all I've got to say, status quo, and everything. It's working. You know, we have been doing okay with what we've got. We keep waiting for the big promise for more fish, and certainly there was plenty of fish out there this year. Even guys that can't really catch kingfish were getting their limit. There was no shortage of fish.

The only thing we ran out of fish with for a little while, we had a big northwestern swell, and it just churned the Gulf into pieces, and then we had to wait a week or two for the

water to settle back down for them to come back. But, we'd already be closed off if it wasn't for all the wind that we've had this year. That's all I've got to say.

FROM THE AUDIENCE: John, how do you feel about raising this last 500 pounds to 1,250 a day? Would that help all you guys out?

Mr. Reed: Well, last year, remember, we went to 500 a day and we still didn't.

FROM THE AUDIENCE: Yes, I understand that.

Mr. Reed: We spent three weeks on the dock last year where we couldn't fish. I would consider like a different timeframe. Like, say, like this year now we're back into the middle week of March, we're only going to get three-quarters of our quota. The wind is blowing. We're probably not going to fill our quota this year. If we could come up with some kind of days where it got late in the season where we could boost it back to 1,250, then I would be good with that.

But like some years, you know, last year, Charlie, we got three-quarters of our quota quick, you know, and then by the last week or first week of March, last week of February, I am not sure what the exact date was, we were done, so we sat nearly a month on the dock where we couldn't fish, you know. I just want to be able to make the whole season, from November 1<sup>st</sup> until when they switch over to the South Atlantic and be able to fish, you know.

Now, this year we're going to get the shaft because the wind most likely, unless something really changes, we probably won't fill our quota this year, but I think we've only gone, what, two seasons now where we haven't filled our quota, and most of it under the same rules we've got now, the status quo thing. We've had fish everywhere this year, and there's no shortage of fish. I think everybody would say that, handliners and netters alike. There was a lot of fish.

But I think after April 1<sup>st</sup> we could certainly use more fish, because that's the time when we do have to run further to get our fish. You know, if we could get 3,000 a day, you know, because the fish, they're here like April, sometimes into May, and then you catch less. Now, most everybody goes on to something else, like them yellowtails start biting better, and we're a multi-fishery place down here. Nobody depends on one fishery or you wouldn't be able to survive, you know.

Mr. Iarocci: Thanks for your time, John. One last question; you had mentioned you do a lot of kingfishing. Do you catch Spanish mackerel?

Mr. Reed: Not usually. They're usually just not worth as much. Now, the days I can't catch kingfish, if we were shut off, yes, I would fish for Spanish mackerel.

Mr. Iarocci: And you do fish for snapper-grouper in both the South Atlantic and in the Gulf?

Mr. Reed: Yes, mostly in the South Atlantic, but I do fish them in the Gulf occasionally.

Mr. Iarocci: Thank you very much for your comments. Jeff, did you want to say anything?

**Mr. Laning:** Jeff Laning, Tunavision Charters. That's recreational only. Congress passed the extension of the Magnuson-Stevens Act just a while back. If I understand the provisions of it, that any law on the books, any amendments will be reviewed. That's the review of whether it is a quota, a closure zone, a time zone closure. And, the Act provides for proof to see if that law on the books makes sense, should we extend it another year or another term.

Tonight I have heard so many fishermen say we want proof before the amendment becomes law, when you're proposing an amendment. Well, that's what congress has provided in their Act already, and I am saying to the region that possibly you should look at it the same way.

Mr. Iarocci: Jeff, that's why we're here, that's why we're doing this. This is just part of it. That's why we're here to take this information. Ron, I think you have something else to put on the record?

Mr. Meyers: Yes. Well, I was a little confused about our testimony. Does this include any comments on ITQ's?

Mr. Iarocci: No, later on, once we get off the record, we're going to have a discussion. We're going to be talking about that, but I want to close this down before we get into that other comment. Anything else pertaining to this presentation? Bobby, if you would, step up, please.

**Mr. Pillar:** One other thing I wanted to bring up. You know, a lot of times laws are made because there's a problem up the coast or there's not a problem here, but there's a problem there, and they're trying to, how do they say it, micromanage the fishery or whatever. But, you know, a lot of times when you take laws, for example, from the east coast, they go 50 fish or 75 fish or whatever a day, you've got primarily a small-boat fishery up there that doesn't have to run very far offshore to catch their fish.

Down here you've got a large-boat fishery that has to run a hundred miles to catch their fish. So, you're making laws here that are drifting down on top of us down here. So, when you guys are making all these new laws and regulations, you've got to remember that the average boat down here is 40-45 foot or 35 foot, and the average boat up there, a lot of them boats is 25 footers and outboards and stuff that aren't running very far. So,

when you make one set of laws, you can't expect that one set of laws that pertains up here to work for a fishery down here. That's the only thing I wanted to bring up.

Mr. Iarocci: Thank you, Bobby. Does anybody else want to get something on the record right now before I end the public testimony and open this up to a direct conversation? I have two other comments I need to put on the record.

Steve Leopold from the Islamorada Charter Boat Association called yesterday and wasn't able to attend the meeting tonight, but he also wanted to have on the record, and he will be putting written comment in that he would like to see status quo, and he would like to see the council wait until 2008 for the new SEDAR.

And, also, we're waiting to hear from Bill Wickers out of Key West to see what the Key West Charter Boat Association – he couldn't be here tonight. He was supposed to be here to give testimony, also, and I think, Scott, you will be waiting to get back in touch with him to give comment, and that will in written testimony also that will be put forth to the council.

I want to take this opportunity to thank you all for being here tonight to give us comment on this. And with that, I want to close this public hearing and open it up to discussion.

(Whereupon, the public hearing was adjourned.)

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**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
MACKEREL AMENDMENT 18  
PUBLIC HEARING MEETING**

**Sombrero Cay Club Resort  
Marathon, Florida**

**March 14, 2007**

**Attendees**

**Council Members:**

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**Staff Members:**

Kate Quigley

Mike Collins

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