

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL MACKEREL  
REGULATORY AMENDMENT PUBLIC HEARING**

The Westin  
Hilton Head, SC

September 19, 2006

Summary Minutes

The Mackerel Regulatory Amendment public meeting for the South Atlantic Fishery Management Council convened in Hilton Head, South Carolina, on Monday, September 19, 2006, and was called to order by Chairman George Geiger.

Mr. Geiger: Good evening, ladies and gentlemen. My name is George Geiger and I'm a council member from Florida and tonight I'm acting as hearing chairperson on behalf of the South Atlantic Fishery Management Council. As Mac said, all of our other council members are here this evening. Susan Shipman was called back to Georgia, but along with all of our staff and we would like to thank you again for coming out and making your comments, your very important comments, this evening

The purpose of this hearing is to allow you to comment on proposed fishery management actions for the king and Spanish mackerel fishery in the South Atlantic region and we're seeking your suggestions on the alternatives for lowering the Atlantic king mackerel TAC, which lowers the commercial quota and recreational allocations, and changing the Spanish mackerel trip limits to correspond to the new fishing year beginning March 1st.

You should keep in mind these measures are proposed for regulation of the fishery and we are here to receive your comments on these proposed regulations. We're going to review those recommendations and comments during this meeting this week and determine if the regulations should be revised or modified based on comments that we receive here this evening.

This hearing will be conducted in the following manner. First, Kate Quigley, of our council staff, will present the proposed management actions and the alternatives that the council has considered. This information is contained in the public hearing document, of which paper copies are available at the table, and in the public hearing summary.

Then you'll be invited to comment on the proposed management alternatives, just as we did on the marine protected areas. All comments are going to be recorded by staff and shall become part of the permanent record. We ask that you limit your comments to consideration of the TAC changes and limit changes proposed through this framework action. Kate, of our council staff, will now summarize the proposed management actions and briefly discuss the alternatives that were considered by the council.

Ms. Quigley: First, there are three actions being considered under the regulatory framework and one action pertains to Atlantic migratory group king mackerel. This is a TAC adjustment and there are two actions pertaining to Atlantic migratory group Spanish mackerel. There's a TAC adjustment and a trip limit adjustment.

The purpose of Action 1, which is the TAC adjustment proposed in response to new stock assessment data, is to prevent overfishing of the South Atlantic migratory group king mackerel fishery. The purpose of Action 2, which is the proposed adjustment of the TAC, in response to new stock assessment data for the Spanish mackerel, is to maintain sustainable management of that fishery.

The purpose of the third action, which is to adjust the trip limit to coincide with the new fishing year, is to extend current trip limits for Spanish mackerel. What we're talking about here, and I'll go into this a little bit later, of course, is to adjust the trip limit to 3,500 pounds per trip for March 1st through November 30th.

The previous fishing year was April 1st through March 31st and now it's March 1st through the end of February and so what we're talking about now is providing a 3,500 pound trip limit for March, whereas before there was not one. It was for April through November and I'll go into that more in just a moment.

First, what I'm going to do is go into Action 1, which is the proposed TAC adjustment for Atlantic migratory group king mackerel, and so I'm going to provide some background information and go over the alternatives and talk about some potential impacts and I'll do that for each of the different actions. First, I'm going to talk about Action 1.

This table right here gives some data with regards to the South Atlantic migratory group king mackerel. Right here, I've got, in the first row, Atlantic migratory group. In the second row, I've got Gulf migratory group. Just to make it clear, this particular action pertains only to the Atlantic migratory group. Just the Gulf migratory group information is included for reasons I'll explain in just a moment.

The first column shows current TAC. You see the Atlantic migratory group ten million pound TAC. Then the second and third column show the king mackerel stock assessment information and so the best point estimate and the range under two different assumptions, a 100 percent mixing rate and a 50 percent mixing rate.

Throughout the document that we have available, we've assumed a 50 percent mixing rate and so you see here that the best point estimate is identified as 7.1 million pounds. That is quite a bit lower than the ten million pounds, the current TAC, and in the last three columns are the total estimated catches.

What you might notice is that the catches for the past three years have not approached the ten million pound TAC and they don't approach the -- They get a little bit closer to the

7.1 million pound best point estimate and now the problem here, the issue that we're facing, is that if the Gulf does not change their TAC, if they stay at the 10.2 million pounds and we stay at the ten million pounds, then that is quite a bit higher than the new stock assessment information, the best point estimates for the 50 percent mixing rate, that they identified and the stock could go into an overfished status.

Right here, we've got written out the various alternatives. As I said before, the current TAC is ten million pounds. The Alternative 2 is the preferred alternative, which identifies 7.1 million pounds, which is the best point estimate of the new ABC range. Alternative 2 is the low end of the new ABC range and so 5.3 million pounds. Alternative 4 is 9.6 million pounds and what I've got there at the bottom, what you can't see, is basically just stating what the new ABC range is, which is 5.3 million pounds to 9.6 million pounds, with 7.1 as the best point estimate.

Here are some of the potential impacts that could occur with regards to the biological environment. Alternative 1 would result in overfishing if the full TAC is taken. Alternative 2, which is the preferred alternative, would prevent overfishing. Alternative 3, which is the 5.3 million pounds, the lower end of the range, would have the highest probability of preventing overfishing and Alternative 4 would have the lowest probability.

Under Alternatives 1, 2, and 4, the commercial quota and recreational allocation identified as a result of the TACs that are identified in the alternatives, are still greater than recent catches for the past three years and for 2005/2006. Under Alternative 3, which is not the preferred alternative, the commercial quota and recreational allocation are below recent catches. If the entire TAC were taken under Alternative 3, this could result in \$500,000 ex-vessel revenue loss, which is 13 percent of the 2005/2006 fishery revenues to the commercial sector and 932,000 pounds to the recreational sector.

In addition, this could potentially result in early commercial closure and we took a look at some of the historical data. It looks like it could occur in November or sooner, all else being equal and so now I'm going to talk about Action 2, which is the proposed TAC adjustment to the South Atlantic migratory group Spanish mackerel.

Here I've got some of the new stock assessment data. Again, the first column is current TAC, 7.04 million pounds. The new stock assessment data shows a best point estimate of 6.7 million pounds with a range of 5.2 to 8.4 and the past three-year catches, in millions of pounds, is quite a bit lower than the current TAC and a bit lower than the best point estimate identified through the new stock assessment.

The issue here is Spanish mackerel harvested at the current TAC, the stock will not be overfished, because the current TAC is within the new range. However, the stock will have a higher probability of being overfished than it currently is. It's just going to be less conservatively managed under Alternative 1.

Alternative 1 is the status quo, 7.04 million pounds. Alternative 2 is the preferred alternative, 6.7 million pounds, which is the best point estimate of the new ABC range. Alternative 3 is the lower end of the new ABC range at 5.2 million pounds and Alternative 4 is the 8.4 million pound TAC and that's the top end of the new ABC range. The potential impacts from Action 2 are as follows. Alternative 2, which is 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, commercial quota and recreational allocation are still greater than recent catches. However, under Alternative 3, the commercial quota and recreational allocation are below recent catches and this could potentially result, if the entire TAC were taken, again, in \$605,000 ex-vessel revenue lost, which is approximately 23 percent of 2005/2006 fishery revenues and that is to the commercial sector and it is also, again, likely under Alternative 3 that a commercial closure is likely to occur in February or sooner and so there would likely be an early closure.

Now I'm going to talk about Action 3, which is the adjustment to the Atlantic migratory group Spanish mackerel trip limit. Under the current regulations, April 1st to November 30th, fishermen are allowed to take 3,500 pounds per trip and then there are a number of other regulations that apply after that.

I'm not going to go through those right now, because the change does not pertain to those. Those will stay the same between Alternative 1 and Alternative 2. This is largely an administrative change. Under Alternative 1, we have status quo, 3,500 pounds per trip for April 1st through November 30th, even though the new fishing year begins March 1st. Alternative 2, which is the preferred alternative, is 3,500 pounds per trip from March 1st through November 30th and so this is coinciding with the new fishing year.

Under Alternative 3, neither alternative is expected to impact the biological environment. Under Alternative 2, the fishery would open in March when other fishermen would be able to take fish in March, when other fisheries are closed. Alternative 2, also, a fishery closure may occur earlier in the year than otherwise, because in March there's not many fish being taken under Alternative 1 and that's what I have right now.

The next steps, the public comment period ends today. Revisions will be made to the framework document, which is in draft form, based on comments received. The council will discuss the document tomorrow and it will be finalized by council staff and then the document will be sent to NMFS for review and implementation.

Mr. Geiger: Thank you, Kate. For those of you folks who participate in the council process and know the staff very well, you may not have met Kate yet. She's our new economist, Kate Quigley, and Kate has extensive experience on the west coast and so thank you, Kate. Now we will open the hearing for your comments and first we shall hear from those persons who have indicated a desire to speak on their registration card.

Certainly if you haven't filled out a card or you change your mind and if you indicated you didn't want to speak, we'll get to you at the end of the comment period. On making your statements, please come forward, again, and speak into the microphone and identify yourself or any organization you may represent. The first person up is Andy High and then we have Kelly Schoolcraft. Welcome, Andy. Andy is a member of our Mackerel AP.

Mr. High: Now you've got the first half of my paragraph. Don't go that far now.

Mr. Geiger: Do you want me to finish it?

Mr. High: I don't think yours and mine will be the same. Again, I'm Andy High from Wrightsville Beach. I am on the current King Mackerel Advisory Panel and how I keep getting there, I don't know. I was in attendance at the Miami meeting when a lot of this came up. I got up and left the meeting early for several reasons, not the least of which I am disturbed by the way the meetings are being run.

I worked in private industry. I worked for DuPont for seven-and-a-half years before I came back to being a fisherman and I've sat in and put together meetings on numerous occasions for department heads, project managers, plant engineers, plant managers, corporate heads, as well as the corporate head for the whole division for engineering for textile fibers for DuPont and so I've got some experience in the meeting process.

The meeting in Miami, as well as the host of meetings I've attended with the South Atlantic Council, lacks a well defined agenda, as well as a purpose. They're fragmented, to be honest with you. When you told me that you wanted me down there and you told the advisory panel that the topics were just for a scoping document, I was floored. You could have gotten those through email and other types of communication.

Then when we started to discuss some issues, not everybody was wanting to be heard from. Guys, I like seeing you. I like coming down and hanging out with you and having a cold beer with you, but do not waste my time and I will not waste yours. That was 800 miles one way for me to come and now I'm sure you all will say that we would have flown you, but fat people don't need to be flying.

While I'm on the subject of the meeting, having the Mackerel Advisory Panel meetings always in Florida and usually in the southernmost part of Florida is kind of a slap to people like myself from North Carolina. I would ask that sometime you set aside an issue to try to move that meeting further up the coast, to Jacksonville or even a little bit of Georgia, to help minimize -- I used to have a reason to go to Florida when my parents lived there in Canaveral, but now that my father has passed away and mom is there with us, there's no reason for me to come to Florida and that's a long way.

We're here to comment on this regulatory amendment and so let me start by quoting from your executive summary I got last week in the mail. The purpose of this regulatory amendment is to propose management measures for the South Atlantic coastal pelagic

fisheries to avoid and reduce the potential, that word “potential,” for overfishing to occur in the Atlantic king and Spanish mackerel fisheries.

The tool that you’re using is the TAC with four alternatives. Included in the options is the low point estimates all the way to the high point estimates, plus a no action, and that’s perfectly reasonable and perfectly logical. Here’s where the rub comes in and at some point in time, you as a council will need to address this. The TAC figures contains a commercial poundage quota as well as a recreational poundage estimate.

I’ve just heard tonight that you all -- What do you call it now? An allocation and that’s the first I’ve heard of that one, but I could have been asleep. The only person who will be impacted here is the commercial fisherman. In the executive summary under Alternative 3, you expressed the impact as it will affect the commercial fisherman and the recreational. The commercial’s loss is addressed in terms of dollars as well as months lost to fishing and the recreational loss is addressed in the amount of pounds they will lose.

Unless I am mistaken, there is no mechanism in place to close the recreational industry down. They can continue to fish whether they go over their quota or their allocation, whatever you want to call it.

There is zero impact, zero impact, to the recreational community. They will be able to continue to fish under the three fish bag limit and so how is there any poundage lost to that side of the equation? Now I know what we’re saying is the estimate if they reach their quota then the bag limit would be zero, but I haven’t seen anywhere where we have the option of making their bag limit zero.

Let’s talk about this pesky little document that I keep bringing up to you time and time again called the Magnuson-Stevens Act, Section 303, Contents of Fishery Management Plans, Required Provisions. Any fishery management plan which is prepared by any council or by the Secretary with respect to any fishery shall, to the extent that rebuilding plans or other conservation and management measures which reduce the overall harvest in a fishery are necessary, allocate any harvest restrictions or recovery benefits fairly and equitably among the commercial, recreational and charter fishing sectors in the fishery.

How in the world does anything about the reduction of the TAC with regard to potential closures for the commercial side and no such closures on the recreational side fulfill this section of the Magnuson-Stevens Act as being fair and equitable? Yes, you reduced the numbers the same, but at some time, you will need to look at whether or not those numbers have any real meaning on the recreational side.

They absolutely have meaning on my side. An aside here before I continue, and I hope I don’t lose my place, but with the actions with 13C and what you’re going to do to me on sea bass, I’m going to have to rely more heavily on king mackerel and so yes, those numbers are going to go up as far as catch statistics.

With the actions with what's going to happen with the deepwater species, a lot of those guys are going to turn to the king mackerel permits they're not really using. There's a lot of I guess you could call it latent effort out there. It's going to come back to the mackerel stuff and so we're going to have a train wreck as you're pulling the TAC down and these people are trying to make a living and I'll see if I can get back on track here.

If you never intend on tracking closely the recreational catch and manage them with regard to their take, then the numbers you put up here are illegitimate and do not meet the intent as well as the letter of the law. Let me bring up an issue that has been beat around in some meetings, but we should start talking about it and it needs to be talked about with you all and that's the issue of the amount of king mackerel tournaments coastwide and the effect they are having targeting the major spawners for this species, as well as the general stocks.

Don't get me wrong. I am not against tournaments, but at the same time, questions need to be addressed. Each and every weekend in North Carolina, you can find two or three tournaments going on. I would dare say you could do that from Key West to Cape Hatteras and what impact does that have on the resource? Will this be allowed to grow at the exponential rate that it has? Should there be a federal permit on the tournaments so that they can better track their take?

My take on this is that when you have a tournament where there is a check to be earned that you artificially increase effort toward the take of king mackerel and hence, you become commercial. If surveyed, I would bet that you would find out that most of the participants would not have fished as much as they are required to in these tournaments. In other words, a participant may have gone fishing that weekend and may not and mostly probably would have not with the price of fuel nowadays, but at the most, I would bet you would only see them fish maybe half a day, whereas a normal tournament would be a two-day event.

Here are my recommendations to you. Set the TAC at 8.35 million pounds. This is halfway between the best point estimate and the top end of the ABC range. At the same time, commission a study that will come up with a better way to track recreational take, tournament take, and institute measures by which if they exceed their quota they have to stop fishing. Remember the Magnuson-Stevens Act says that it must be fair and equitable.

Determine the amount of tournaments that are current in the South Atlantic and levels of participation with a focus on finding a level of take for them that will not unfairly take fish from those who are chartering and truly recreational fishing and even though king and Spanish contain the same word, mackerel, you should separate the documents for easier reading. Jumping back and forth from king mackerel to Spanish mackerel is totally distracting and confusing to me.

Last, but not least, based on the document I received this week, hire a proofreader. Do not rely on Microsoft Word or Office to do the spelling and the English for you. My mother was an

English teacher and it bothers me highly when a document comes to me full of grammatical, capitalization, and spelling errors. It's very hard reading and thank you for your time.

Mr. Geiger: Thank you, sir. Next is Kelly Schoolcraft and Kelly is also a member of the Mackerel AP and Ben, I'll warn you that you're up on deck.

Mr. Schoolcraft: Thank you. I appreciate this opportunity to address you all and I see two familiar faces in here. My name is Kelly Schoolcraft. I'm probably the newest member on the Mackerel Advisory Panel. I share newness here with Kate. I see two faces on this commission that I recognize and I won't have any problems with remembering names, but the other people, I hope you give me a little bit of latitude in remembering names and I'm not much of a public speaker either.

Having that said, pertaining to the drop in the quota that we're facing, since 1998, that was the year that Amendment 8 was implemented, the moratorium on king mackerel permits has been in place. As of August 18, 2004, Amendment 15 went into effect and that's transferred it into a limited entry system.

The SEDAR assessment, which in this document that I received this week and there's a lot to be read in here, especially for a new member not knowing a lot of things, stated that there was an assessment done in 2003. The status of the stocks, which can be found in Section 6, 1 and 2, page 30, and I quote: Atlantic kings were not considered overfished and overfishing was not occurring in fishing year 2002 and 2003. That was the first assessment, according to these documents, ever performed on the mackerel, that I know of, since 1986.

The very next year, with only one year between stock assessments, SEDAR came out, the 2004 assessment -- Keeping in mind now that Amendments 8 and 15 were in place before this assessment, what drastic changes occurred in this fishery that constitutes lowering the TAC in one year, in one year?

With a drop in commercial quota to 2.6 million from 3.7 million, the chance for an early closure is greatly increased. Had this been in effect for fishing year 2004 and 2005, we would have shut down sometime in February or January. The fishery would have been closed. King mackerel fishing commercially is a wintertime fishery for the state of North Carolina. January and February falls into that category.

To shut down any of those two months or go back earlier is devastating to the guys that work there, since king mackerel is basically the only thing that we have now to fish for. We can't fish for striped bass. That quota gets caught in one day. Dog sharks, guys potting sea bass have had dog sharks in them and we can't fish for dog sharks and so a closure in the mackerel fishery would be devastating.

Fishing year 2005 and 2006 would have been a little margin and it would have shut down. 2006 and 2007, at best, speculation on what might be harvested, I don't know.

How much of the quota is caught already? Does anybody know how much? Is it 15, 20, 30 percent? Is there figures on that? At any rate, the winter fishery is just going to come about starting in -- Actually, for myself, it starts this month, but it will really come full term in October and November and December.

Any change to the TAC should be done conservatively, if at all. I personally, if you've got to change the TAC, would start with Alternative 4 and then go to Alternative 1 after assessment and review of the consequences of what the stock has done. Don't go to such a drastic change.

If Alternative 2 is put in place, then it will be my contention, as a member of the panel board, to suggest changes in the quota system to more fair and equitable division instead of a 30/70, which have now, 50/50 and that's fair and equitable. That gives everybody a shot. Since there is a -- I should say a quote, no hard quota by the recreational fishery closes. This statement can be found under current management measures in Section 6, page 32, in the third paragraph.

The recreational fishery is never going to close, to my understanding, the same thing like Andy said. You could have a one pound quota for the recreational and the way this reads, they're not going to shut it down, but they will shut down the commercial, because we do have a hard quota.

To the best of my knowledge, tournament-caught king mackerel is sold and they go against the commercial quota. That is shown by our trip tickets in the state of North Carolina. When tournaments sell their fish, they sell them to the fish house where I sell my catch. A trip ticket is made out and submitted and just by the trip ticket made out, I'm assuming right then and there that it goes against our quota and therefore, we're penalized of it, shortening the season.

Like Andy says, how many tournaments are up and down the coast and how many boats are entering? There again in this document, one of the biggest king mackerel tournaments, 500 boats participate in that and that's probably conservative. How much do they ever remove from the stock? They're targeting female spawners and they're targeting the big fish, which eventually will come back down to the smaller ones.

What to do? I feel like this needs to stop. Any kind of recreational-caught fish, whether it be king mackerel or snapper grouper, if there is a recreational quota for a federally-regulated fish, then if they're sold, that should not go against the guys that's out there making their living so they guy that's out there for fun can pay for his fuel. We're the ones out there trying to make a living and make our mortgages and send our kids through college.

The commercial quota needs to be for the fishermen, like I say, making a living. The sale of multiple bag limits by federally-permitted vessels, this is an enforcement issue. I don't know the answer to this question. I would assume it's highly illegal, but a charter vessel, whether it be a headboat or a six-pack guy, holds a commercial king mackerel permit and

I don't have any problem with that, but it's common practice, I know for a fact in my area and because of that, I'm assuming it's also common practice in other areas, that parties will donate or give or whatever their bag limits to the captain of that vessel and if he's got a federal permit, then he can sell those fish and there again, they go against the commercial quota.

To me, does anybody know if that's legal? Like I'm saying, he can sell a bag limit, but instantly a person gives him the other fish and that's way over his bag limit, but he goes ahead and sells them and that, to me, sounds illegal and if it is, that practice needs to stop and that's an enforcement issue. All this can be totally solved if you eliminate the sale of recreationally-caught fish.

Mr. Geiger: Kelly, if I could, I think you're reading from a lot of the alternatives that are contained in proposed regulations that we're going to consider. This is the regulatory amendment that we're considering this evening, is only in regard to the TAC on king mackerel. Those issues that you're addressing --

Mr. Schoolcraft: They affect the TAC, they do. You have people selling recreational-caught fish that are going against the quota and if the quota is lowered, then it's going to affect -- The TAC for our part is going to get caught up.

Mr. Geiger: I understand and I'm sorry. Go ahead.

Mr. Schoolcraft: That's where I was getting at on it. I don't see how -- I do respect Kate's knowledge in the economics and everything, but I again, like Andy, don't see how you can compare revenues lost to poundage lost. We're making it for a living. Poundage isn't going to mean anything for the recreational sector. They're going to keep on keeping on and we're going to have some time shut down when other fisheries are closing.

In this book, I find it hard to believe two things in this. Somebody did an assessment on what ex-vessel price -- According to him, back in 1982, ex-vessel price was \$1.43. I was commercial king mackereling in 1982 and I would say my ex-vessel prices was about seventy-five cents and so that would have meant that places around the country would have had ex-vessel prices in excess of two dollars for that to be an average and so that's erroneous.

Communities up and down the coast, the fish houses are closing down. There was a statement in here that says that Hatteras has four and we only have two now and it's because -- It's not because fish aren't out there to be caught, but it's because they're not getting the quantity they need to operate. Thank you.

Mr. Geiger: Thank you, Kelly. Next is Ben Hartig.

Mr. Hartig: Thank you, all, for having the opportunity to speak here this evening. My name is Ben Hartig. I'm a full-time commercial hook and line fisherman from Hobe Sound, Florida. I'm a past member of this council and also current chairman of the

Mackerel Advisory Panel. I'm going to speak primarily about Spanish this evening, mainly because I've fielded a whole lot of calls after the last meeting.

In our biggest success story in management, Spanish mackerel, we've lowered the quota in that last go around. It was hard for our fishermen to comprehend. The commercial side is going to go down 186,000 pounds and the other thing is when you have an AP meeting, please, if you know something is going to come up -- There's conspiracy theories and everything, but I don't buy into them and I know what happens in the council process at times.

Things come up at the last minute and you all want to move with them, but when you have the AP there and you're thinking about doing a quota reduction, you should have advised the AP at that meeting, early in the meeting, that you all were thinking about doing that and if you would have done that in Spanish mackerel, we have some mechanisms to ameliorate that 186,000 pounds.

We could have, at that meeting, in this regulatory amendment in Spanish mackerel, we could have gone ahead and taken another 5 percent out of the recreational fishery and that would have given us another 350,000 pounds. It would have actually given us a little bump and I think staff has painted a little bit of a rosy picture in Spanish. They didn't even mention that the quota had been caught.

Three seasons ago, we had a closure. We were down to 500 pounds for three weeks and in the last two seasons, we've had major environmental things that have happened in weather. There have been three eyes of three hurricanes that went across the exact area where these fish migrate in the last two years. The major over wintering area in Hobe Sound had three eyes of hurricanes go directly across this area and it's changed the migratory pattern of these mackerel over the last average weather patterns over the last seven or eight seasons.

You have weather that's really caused us not to produce the quota. The quota would have been caught in the last two years, under average conditions, without any problem. We've got too much effort in that fishery and I've been telling you all that for a long time. You all don't seem to want to do anything about it. Hopefully after this next round of scoping, we can get down and do something about the problems we have in Spanish. As I said, that's our best success story in management, the Spanish mackerel. Lowering the quota sends the wrong message and the weather, I've already said and I think I'll leave it there.

Mr. Geiger: Thank you, Ben. Again, we have a whole stack of folks here who indicated they did not choose to speak in regard to the mackerel issue. Has anybody changed their mind? Sean? Don't forget to state your name, please.

Mr. McKeon: I'm Sean McKeon, North Carolina Fisheries Association. I wasn't going to comment, but Ben reminded me of something when he mentioned conspiracy theories. I do not believe in them, but I am reminded of a very old Irish woman that I knew in

Dublin who, when asked if she believed in leprechauns, said, I myself, I don't believe in them, but I'm sure they're there. If you're Irish, you understand that kind of thing.

I sit here and I listen to this stuff and, again, I've been around a little over a year and in so many ways, if you were writing a script on how to destroy the commercial fishing industry, I don't think you could do a better job of it than some of the things that go on in some of the management measures that are being proposed.

I just want to say that I think that lowering the TAC here is going to be very, very problematic, particularly when I hear all day long overfishing, overfishing, overfishing and that's the problem. We don't have overfishing and it's not overfished yet. Some hypothetical distance in the future, we're going to have a problem and so let's put something on top of the commercial folks.

On top of 13C, people are going to choose to put their effort in other places and if you do lower that TAC, I think that you're going to find some problems there. I do think that Andy hit on something that needs to be addressed and that is -- I'm not particularly against, in very narrowly focused areas, for example, selling a so-called tournament catch and I'll tell you -- I'll give you a reason that I'm not so much against it.

There are some that sell that catch to support cancer victims. There was a case and I think there's one still going on up in I think it's Pirates Cove up in the Wanchese area where they came in and they were actually selling that and the money was going to child that had cancer, but I think the key to those very narrowly focused areas is that it's monitored and it's correctly attributed not to the commercial sector. That's very, very important and I think that in many instances we've got to look into and make sure that those things are distinguished and once again, if we are going to look at closures when the commercial industry meets their quota, their hard quotas, then you also have to look at monitoring the recreational sector and if and when they meet their allocation or their pounds, then that also has to be contemplated quite seriously or, again, you're looking at something that's not fair and equitable. Those are my comments and I appreciate that and thank you.

Mr. Geiger: Thank you sir. Sure, Kelly, come on back.

Mr. Schoolcraft: I would like to go on record saying that I'm not against the selling of tournament-caught fish, like Sean was saying, but there is a way that you could revise it to be done where you could sell a certain quota and take it out of the recreational quota, not the commercial. You could take X amount of pounds out of what is allocated to them and form a recreational tournament quota or something like that where they could sell their fish to help offset the costs of tournaments and make donations to groups.

That's fine, but I just don't want to be penalized, myself or anybody else, in view of everything else that's happening in the fisheries, to get a TAC that's lower than what's going to be detrimental to us and then have other people or whatever influencing that TAC. It should be a commercial quota. Thank you.

Mr. Geiger: Thank you, sir. Anyone else? That concludes the public hearing on mackerel and we stand adjourned.

Transcribed By:  
Graham Transcription Service, Inc.  
October 26, 2006

**Attendees**

Council Members:

Dr. Louis Daniel, Chair George Geiger, Vice Chair  
Robert H. Boyles, Jr. Columbus H. Brown  
Dr. Roy Crabtree David M. Cupka  
Benjamin "Mac" Currin Frank Gibson, III  
Charles "Duane" Harris Anthony Iarocci  
Rita Merritt Mark Robson  
John Wallace

Staff Members:

Robert Mahood Gregg Waugh  
Michael Collins Richard DeVictor  
Kim Iverson Rachael Lindsay  
Julie O'Dell Kerry O'Malley  
Kate Quigley

Public Comment Attendance Record:

Dr. Jim Berkson  
Kate Bonzon  
Dick Brame  
Tami Bream  
Eileen Dougherty  
Elizabeth Fetherston  
Dietmar Grimm  
David Harter  
Ben Hartig  
Andy High  
Valerie Hovland  
Caroline Keicher  
Greg McFall  
Sean McKeon  
Harry Morales  
Megan Mueller  
Kelly Schoolcraft  
Dr. George Sedberry  
Margot Stiles  
Dan Whittle

Other Participants/Attendees:

Monica Smit-Brunello

Dr. Joe Kimmel

Dr. Jack McGovern

Dr. Steve Branstetter

Andy Herndon

Hal Robbins