

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SPINY LOBSTER COMMITTEE

Jekyll Island, Georgia

March 6, 2001

DRAFT MINUTES

Spiny Lobster Committee Meeting

Tony Iarocci, Chairman
Lt. Cmdr. Dave Cinalli
Dr. Joe Powers

Dr. Ken Haddad, Vice Chairman
Dr. Louis Daniel
Charles Stone

Council Members:

Fulton Love
Dr. John Dean
Jodie Gay
Ebbie LeMaster

David Cupka
Glenn Durden
Wayne Lee

Council Staff:

Bob Mahood
Roger Pugliese
Dr. Vishwanie Maharaj
Kim Iverson
Julie O'Dell

Gregg Waugh
Kerry O'Malley
Dr. Kathi Kitner
Cindy Chaya

Observers:

Dr. Jim Weaver
Kay Williams
Terry Gay
Nancy Thompson
Fred Kinard, Jr.
Tracy Dunn
Ron Surrency
Janie Thomas

Monica Smit-Brunello
Columbus Brown
Marianne Cufone
Dr. John Merriner
Ronald Smith
Capt. Hubert Weber
Allen Sprouse

The Spiny Lobster Committee of the South Atlantic Fishery Management Council convened in the Club Ballroom of the Jekyll Island Club Hotel, March 6, 2001, and was called to order at 10:30 o'clock a.m. by Chairman Anthony L. Iarocci.

Mr. Iarocci: If the Spiny Lobster Committee members could please take their seats. Thank you, good morning. I would like to call to order this meeting of the Spiny Lobster Committee.

The first order of business is the approval of the agenda. Are there any changes in the agenda that any Committee member would like to make? If none, a motion to approve the agenda.

Dr. Daniel: So move.

Mr. Stone: Second.

Mr. Iarocci: Any discussion? Any discussion or objection? Seeing none, so moved. The second order of business, approval of July 14, 2000, minutes. It's in the minutes book, Tab 2. Any changes, corrections to the minutes? Any discussion? Motion to approve?

Mr. Stone: So moved, Mr. Chairman.

Dr. Daniel: Second.

Mr. Iarocci: Any discussion? Seeing none, the minutes are approved. The third order of business is a public scoping meeting on the issue of tailing permits in the Spiny Lobster Fishery, which is included in Attachment 1.

A public scoping meeting is a meeting the Council holds prior to deciding whether or not we want to change a management plan, change an amendment, or take any action. During this scoping meeting, the Council would like your input on the tailing permit issue and other issues in the Spiny Lobster Fishery.

With that said, I'd like everyone to turn to Options 1 through 5 and other issues on Page 2 of the scoping document. There are approximately 400 active tailing permits. 73 are commercial, 327 are recreational and charter permits.

The Council has been requested to take action on tailing permits. At the June 2000 meeting, a public scoping meeting was held and the Council voted to develop an amendment to the Spiny Lobster Fisheries Management Plan.

Some of the main issues that I've been hearing from talking to some people -- I'm going to list them pretty quick before I go through the scoping meeting.

People have given me input on: to prohibit the tailing permits; prohibit them from recreational and charter fishermen; maintain the current 48-hour at-sea requirement; limit the issuance of tailing permits to commercial fishermen, both divers and trappers; and

consider areas that are fished, example, Area 2, which is the Dry Tortugas, and to beef up enforcement.

I'd like to start up with comments from people that have filled out their cards. As I said earlier, during the scoping meeting the Council would like your input on the tailing permit issue.

I hope everyone has had a chance to go over the information provided. Before I open up the meeting to comment, Bob, is there anything you'd like to add to this?

Mr. Mahood: Besides the tailing permit issue, there are a couple other things that the Council will address in the next Spiny Lobster Amendment.

One is making the necessary changes relative to the state of Florida's change from the Marine Fisheries Commission to the Conservation Commission.

Also, I guess it was the Stone Crab Plan in the Gulf, which was modeled after the Spiny Lobster Plan that we have in the Gulf, the South Atlantic and with Florida, it was determined that the permitting system used by Florida may not be legally in line with the Magnuson-Stevens Act.

We will need to go back and readdress this, also, as part of our protocol relative to the permits and how fees are used from permit collection and this type of thing. Those are going to be more legalistic type things. I think the main issue for the fishermen to address is the tailing permit issue.

Mr. Chairman, you've covered the options. I would like to say in the scoping document the options are not mutually exclusive. In other words, you may have comment on more than one of those or more than one of those or what have you.

With that, I also would like to say that one of the reasons we decided to go ahead and hold another scoping meeting is that there's more emphasis being put on NEPA, which is the National Environmental Policy Act, and following those procedures.

Although, as I went back and was working on the scoping document, I think the earliest scoping document on my computer was early 1997, so it's not like we haven't been scoping this thing out over time. But, with that said, I think you've covered everything else. So, the scoping does cover both NEPA and the Magnuson-Stevens Act requirements.

Mr. Iarocci: Thank you, Bob. I believe that Ken Haddad and Monica will address the other two issues later. With that said, I'd like to start off with the first speaker, Captain Hubert Weber, please.

Captain Weber: Good morning to everyone. On the tailing permits on spiny lobster, I am a commercial fishing vessel that holds currently a tailing permit. I've had one ever since I started this, for almost 10 years now.

I was unaware that what I'm seeing here today that there's 327 recreational boats who hold a tailing permit. I'm kind of amazed that there are so many vessels out there, recreationally able to harvest lobster with this tailing permit.

I'm not quite clear -- are these boats limited to their six per person because they're in the recreational system? If they are just recreationally, what's the purpose of these vessels tailing their lobsters? If they're not selling the product, or if they are, why is that?

I'm a commercial boat strictly to earn a living. I'm out there for days on end fishing and lobstering during the lobster season. And for myself to be eliminated out of the fishery of lobsters because of tailing, I could not be able to -- at least 25 percent of my income would be lost during the course of the season.

We have to tail in Northeast Florida our lobsters mainly because our lobster bottom is almost four hours out in 50 miles of bottom. And we dive in 130 feet of water.

So, for us not to be able to tail our lobsters on the bottom would create hardships for us and unseen dangers, because our bottom time is very limited at 130 and 40 feet and so we have to work as fast as we can. Our lobsters are huge.

We have tails on our lobsters anywhere from a pound to a pound and a half. We have to tail them and then bag them on the bottom.

If you ever tried to take a lobster that's two and a half feet long and then stuff him in a bag, you're going to realize you have a fight on your hands, let alone try to put six or eight of them in that same bag.

So, it would be physically impossible for us to do so. We're also out there for over two to three days at a time. I've heard comments on this issue that maybe we could have storage tanks or holding tanks on our vessels to keep our lobsters alive.

Well, personally with me, that's not physically possible. I don't have the storage in my vessel. I don't have the financing to even consider doing it. It would be cost-prohibitive for me to even think about that.

The weight issue is another factor for me. You would add 4 or 500 more pounds just on equipment on my boat and not to mention leaving the lobsters whole, the extra weight that it would cause me to have.

And then, if I'm driving in 50 miles with all that extra weight, you're talking an extra fuel expense. It's just not feasible for those of us in Northeast Florida to even consider not tailing our lobsters.

As a matter of fact, I mean, if that came down to it we'd have to stop all together. And I don't see that as an option. I believe that the recreational fishermen or those who hold the 320-something permits for tailing is just ridiculous that they even have them at all. I don't see why we can't put a stop to that.

On the other end, the commercial divers, I believe, have a fair right to be out there harvesting lobsters. We've had the permits for years. We've showed over a course of time that we're producing a product, and we've created in Northeast Florida alone the necessary product for our restaurants.

We demand a high dollar for our lobster tails. They're going for \$13.50 a pound. And they're requested all the time because of the quality of the tail.

Now if we do not tail them, then that quality would drop, our price would drop and, again, it would not be feasible to even consider going out there for lobsters, and then you would eliminate the lobster market for us, personally.

So, I don't see why we couldn't continue with Option 3 of the 48-hour sea requirement, as we've been doing, and issue it to all commercial fishermen who do this for a living and also the trap fishermen in South Florida, I guess.

I'm not really familiar with South Florida, but that may be for someone else that's more familiar with that. I'm sure they're in the same position that we are in.

I would imagine they don't go to the fish market every six hours down there either. So, I would think for the commercial fishermen or trap fishermen down there, it would be needed.

Here in Option 3 on C, I see designated spearguns and powerheads are prohibited gear on vessels with tailing permits. I don't even know why that was even thrown in there. That's probably just another fly in the ointment here for some reason.

I mean, consider this: I go out there for 50 miles. I'm out there for two to three days and all I do is lobsters? I mean, what would be the point of that? If I'm not allowed to have a pole spear or a speargun on my vessel so I can go shoot snapper grouper, cobia or amberjacks, you're telling me here, if you put C in there, that all I can do is go out there for 50 miles for three days and tail lobsters?

Why, I'll either have to make a trip strictly for fishing or strictly for lobstering, which is just not feasible for us. So, I think C needs to be stricken altogether out of there.

I think Option 3, A and B issues, is about the only thing I see in here that's going to work for everybody. The recreational fishermen, unless they come up here and give a valid reason why they need a tailing permit, ought to be eliminated out of this process. Thank you.

Mr. Iarocci: Any questions from the Committee?

Dr. Haddad: I wanted to clarify something. I think you just said A and B under Option 3 were acceptable to you.

Captain Weber: Well, issued to all commercial fishermen and also to all the trap fishermen in south -- I'm assuming it's in South Florida. I mean, I don't want to eliminate another commercial fishing entity in here.

Dr. Haddad: So you'd want them both together; you wouldn't want one or the other?

Captain Weber: No.

Dr. Haddad: You wouldn't want B only?

Captain Weber: Excuse me?

Dr. Haddad: You wouldn't want B only?

Captain Weber: No, because if you just put B only, that eliminates us.

Mr. Iarocci: For the record, I think to clarify this, you're talking about issuing it to commercial fishermen, both trap and divers; is that what you're saying?

Captain Weber: Yes, both, fishermen, trap and divers. Yes, that's correct. I don't see where recreational divers or fishermen really need a tailing permit if they're not selling the product.

Mr. Love: Yes, Mr. Chairman, I'm not on this Committee, but are there any recreational divers in this 130-foot area that go out there and harvest lobster?

Captain Weber: Basically, in our area, I'm not aware of any, and I pretty much know all the people that are out there. There are recreational divers who go out lobstering.

As a dive instructor in Northeast Florida and as a former charter boat captain, I've taken groups out there to lobster before, but they stayed within their recreational limit of six per person.

They've taken Hawaiian slings and bags and they bring them up whole.

Normally, a recreational diver doesn't have the experience in 130-20 feet to begin with to harvest more than one to two lobsters a dive. So, you know, recreationally bringing up one or two lobsters whole is not unreasonable for them. There's no reason for them to even separate the tail.

Mr. Love: The reason I ask that is you said it was a major problem to get a lobster in a bag whole to bring up.

Captain Weber: Commercially, for us because we're looking to bring up volume of lobsters, like six, eight, ten lobsters. And our lobster sizes in Northeast Florida, for us, average almost ten pounds whole, to twelve pounds.

To wrestle one into a bag when there's no others in the bag is hard enough as it is. But then you try to that at 120 feet while you're hanging on in the current, trying to take your next lobster and shove him in that bag while the other one is trying to get out, I've had one almost drown me one time because I wrestled him.

I couldn't get his tail off he was so big and then I had to pull my knife out and cut his tail off. So these things are humongous, the ones we are dealing with.

Mr. Iarocci: Next speaker is Captain Ron Surrency.

Captain Surrency: Good morning, I'm Ronnie Surrency. I also own a charter and a commercial boat. I've been commercial diving in the Northeast Florida area for about 19 years now. I'm kind of the same way with Hubert.

I also hold a tailing permit. About 30 percent of my income comes from lobster diving up here in this area. Like he was saying, we definitely -- it's a lot different than South Florida where, you know, they can crab or get crabs in five or ten foot of water, fifteen foot.

You've got to get at least in 100 foot before you even start to see them. Most of us that commercial dive out there, it's like in 130 foot and 120, 130, 140, 150. Just for the safety factor, we kind of need to tail them.

In the heat of the season, there's about 15 hours of sunlight in the daytime. Most of us have a boat that's 30-foot long and there's a lot of hot sun. If you tried to keep the crab whole for two days, like any crabbing business, the crab would pretty much rot.

It would be an unsalable product. The crabbers, they come in and sell crabs every day. I'm not real familiar with lobstering down in South Florida.

I know a little bit about it, but I think they pretty much sell on a daily or a couple-day period and stuff like that. So we get about eight or ten in a dive.

Then as far as not having any kind of powerhead or speargun or anything on board, we kind of need that with us on the bottom because when you get down there, it brings a lot of sharks, or predators hear a commotion on the bottom, and so we kind of need that for protection so we need to have that on board, also.

I would definitely agree that if there's a problem with having it for his trap boats where they're telling them if the lobster is not at least at six inches and then they can tell the heads, I would think that you could solve that problem by making the size limit maybe a little bit bigger or something where it would meet.

Then, you know, they would have the option. Definitely give them the option to have a tailing permit. That is not a problem in our area. I mean, we don't -- I've been doing it, like I say, 19 years, and I don't think I've ever seen an illegal lobster in our area.

Most of them are, you know, like Hubert said, we get 10-12 pound crabs; and to get them in the bag, that's kind of tough. Just even five, to get five of them in a bag is just about impossible and stuff. So I vote for that same Option 2.

Mr. Iarocci: Thank you, Ron. I've got a question for you. I think for the knowledge of the Committee, if you could, because I've heard a lot of different people and I know a lot of recreational anglers do go down and pole spear or spearfish.

I know, as a commercial diver, that it's too much work to go ahead and spear a lobster, go through the whole nine yards with it, but for the record -- and I'd like maybe the next speaker to address this question, too -- how you guys do harvest the lobster where you don't pole spear, just for the record and for common knowledge, too, please.

Captain Surrency: Usually, they're real thick in that deep water because it's, like, again, it's 40 and 50 miles offshore and so when you go down on the ledge, I mean, they're pretty thick.

We've seen 100. We've seen 200 on a spot.

And it's just about every spot, you know, there's at least, I'd say, 50 to 100 crabs on each spot out there. I'm also a member of the Jacksonville Fishtails. It's a dive club out of Meridian Divers in Jacksonville. There's about 40 members.

I would say out of those members there's probably maybe five or ten people that actually go out there in that deep of water and dive out there.

Now, as far as somebody going down with a pole spear, I can't really talk for them and stuff like that. But I know there's not a whole lot of people, recreational, that do it.

I mean, there's some hard-core recreational fishermen in our club and they go out there and stuff, but then most of the people in our area aren't even aware.

I wasn't even aware that you could obtain a tailing permit unless you had a commercial boat or you were a commercial. I thought you had to show like 20 percent of your income, like in every other fishery, with the National Marine Fisheries Service to get a tailing permit.

Mr. Iarocci: Yes, but my question to you is, Ron, how do you harvest the fish?

Captain Surrency: Well, we just pretty much go down there and grab them. Like I said, they're so thick, they come walking out there to you and they're pointing at you, you know, like what -- just grab a hold of him and kind of wrap him up and then go on to the next one.

In 130 foot you have about a -- just if you're diving straight on air, you have about a 10-minute bottom time. If you just swim straight to the bottom with 30,000 pounds, if you swim straight to the bottom or came straight up, you know, you're going to take half of that time just to do that.

So, I mean, you're talking very, very limited time of diving up a lobster. So, in our area it's not really like a diver can really overfish the fishery or something like that. But that's pretty much how we obtain the lobsters in our area. They just walk out there to you. I mean, they're walking on top of each other, they're so thick.

Mr. Iarocci: Thank you. Any other questions? The next speaker, Allen Sprouse, please.

Mr. Sprouse: Allen Sprouse, commercial fisherman, Northeast Florida. I addressed this issue back in June at the meeting at the Cheeca Lodge. Basically, I can speak on behalf of our fishery in Northeast Florida.

Our trips consist of -- they're multiple-day trips. As Hubert has indicated and I indicated in testimony before, that our fishery starts at about 40 miles offshore and there's really no significant lobster inshore of that.

I mean, you'll see a few lobster here and there but there's not a commercial fishery inside of that. There's a little bit of recreational.

With the multiple-day trips, it is imperative that we have these tailing permits. We need it for the quality of the product. The fish houses in our area, they demand tails. We don't sell whole lobster.

If we don't separate the tails out there, the lobster tail does turn black on us. In fact, when I bring lobsters on the boat, it's of the utmost importance to have those immediately either dipped in a product similar to what shrimp are dipped in, or we dip them in a bucket of ice water and then they're iced down immediately because they will turn black.

If they're black, we don't get paid for them. We have developed a market in Northeast Florida, and we are getting relatively good money for the lobster tails.

As far as the recreational fishermen, have I experienced some out there, yes, I've seen a few out there. There's not a whole lot of recreational fishermen in that depth of water.

But I do believe there are a few boats in that area out of St. Augustine, that the way that the permit is structured, the federal permit, that they are able to obtain that permit without any income requirement.

Even though they don't have a snapper grouper permit, they do have these lobster tailing permits. I don't know if they have to abide by the bag limit or not on that. Somebody here might know that.

But I do see some of those boats, particularly at the beginning of season, I see a lot of boats that I don't see out there all year, and I can see ten boats around me, and I know they don't have snapper grouper permits but I do believe they are obtaining these lobster permits.

As far as the way that I harvest the lobster, when we go down on the spot, there's a lot of lobster around. Like Ronnie indicated, they're walking around everywhere.

You'll see a little piece of rock out on the side of the ledge and there are just 10 or 15 lobster standing around it. So we basically grab the lobster, and we separate the tail on the bottom. I don't use a bag.

I wear an extra large shirt over my wetsuit and I'll put the tail in the shirt and then I'll surface. It's virtually impossible, impossible for us to dive and bring up whole lobster. It just can't happen because they're negatively buoyant.

Whereas fish, when we harvest fish on the bottom and we start to make our ascent, you make about two or three kicks off the bottom, the fish, the belly on them will embolies and therefore it brings you up.

In fact, sometimes you will have to swim in a downward motion as the fish pull you to the surface. That's basically what I had to say on the issue.

My preferred option would be Option 3, excluding the recreational. I don't see what the purpose of it is. In fact, I didn't even know until last June that those permits existed. That would be A, all commercial fishermen, and maintaining the 48-hour time at sea. Thank you. Appreciate everybody's time.

Mr. Iarocci: Excuse me, Al, now are you talking about requiring an income requirement for these permits, too, or just go with what you just stated?

Mr. Sprouse: Well, I think that a lot of the problem lies and the way that it was written before that -- because I just renewed my permit two weeks ago and this is how I know this, because when I was on the phone with her -- I also hold a Spanish mackerel permit and she said, "Well, you need to send in income for that."

And then she said, "But for the lobster tailing there's no income requirement." I'm not suggesting that maybe that's what needs to be done, but I'm suggesting that is what has created this problem and why these people have these permits is because there was no criteria set for them to qualify for them. You basically picked up the phone, called over there and got a permit.

Mr. Iarocci: Mr. Mahood also has a question for you.

Mr. Mahood: Yes, Allen, since you are very limited, I know some of you dive mixed gas, right, and have maybe a little bit more time on the bottom. But how many typically can you get down in one dive?

Mr. Sprouse: Eight or ten lobster, max, really. But they're large lobster. I mean, our average tail is pound and a half. I mean, I've gotten them over two pounds, just the tail.

Mr. Iarocci: Any other questions? Thank you, Alan. The next speaker is Ms. Janie Thomas.

Ms. Thomas: This is a little different for me, isn't it? I'm here supporting our commercial fishermen in Northeast Florida. You all have heard them say how difficult the conditions are. Some of them are very extreme.

Also, that it's a rapid harvest of a seafood product. I fully support Option 3, maintaining the 48-hour requirement and limiting the issuance of tailing permits to all commercial fishermen, A and B, issue to all commercial fishermen and issue only to trap fishermen.

I definitely do not believe you should prevent the spearguns and powerheads on the vessels. They're out there to make a living and it's very costly. And I support these fishermen here. And I thank you very much. And in no way would this be a conflict between the lobstering that goes on in the Keys. I think it's two separate entities, perhaps.

Mr. Iarocci: Thank you, Janie. Any questions?

Mr. Gay: Thank you, Mr. Chairman. I'm not a Committee member but I know that Janie normally works with the shrimpers, and I'm wondering if any of the shrimpers keep the tailing permits if they're out multiple days at sea in case they happen to catch a lobster, they're able to tail it and keep it on board.

Ms. Thomas: I'm not familiar with any of them doing that. I'm not familiar with it. That's something I need to look into, I suppose. Thank you.

Mr. Iarocci: Thank you, Janie. I do have a written comment here from Monroe County Commercial Fishermen, Incorporated. Greg was not able to attend. I have copies of the letter that I'll hand out later, and I'll just give you a brief overview of this:

According to the Council's information provided in Table 1, the number of permits issued has increased from 1993. Although after a thorough review, in fact, the number of permits issued to the recreational/charter sector has increased and the number of permits issued to the commercial sector has decreased.

The issuance of this permit should depend upon what caused the Council to initially offer this permit. That was to aid commercial fishermen that were making trips longer than two days in an effort to maintain the quality of their product.

We, Monroe County Commercial Fishermen, support Option 3 that would maintain the 48-hour requirement and limit the issuance of tailing permits to appropriately licensed commercial fishermen. We firmly believe Option 3 addresses the Council's concern and will accomplish the desired management options.

It will afford fishermen the option to separate the carapace from the tail to limit the possibility of spoilage during an extended trip. This will ensure the quality of their product, allow them to adopt to future market shifts and changes in their fishing habits.

We request the Council to support Option 3 and allow commercial fishermen who take multi-day trips to be applicable for a tailing permit. Thank you.

I have also talked to a few of the trap fishermen down there and a few of the divers. Most of the divers in that area, they catch a smaller lobster and they're in shallower water. They dive habitat areas and it's not a big issue.

It's not a totally different dive situation than what goes on in the northeast. Now the trappers right now are worried. They're working farther and farther offshore. They are making multi-day trips and markets are changing, and there's a trend in the fishery that if they aren't going farther and staying longer, a few of them are talking about putting freezers on their boat.

So if they do put freezers on the boat, they will be tailing more lobsters in the future, and they are worried about losing their option for this tailing permit. Any other comments?

Mr. Stone: Yes, Tony, being from South Carolina, I'm not that familiar with the laws down here, but on the recreational, they're limited to, what, five lobster per day, six per day? Is that per trip or is it per day?

I mean, I'm trying to see why that they would need -- a recreational fisherman would need a tailing permit, because if they make a multiple-day trip, can they have 12?

Mr. Iarocci: No. Charles, it's six per day. And, see, during our opening day of dive season down there, which we call the "dive fiasco" without -- and I hate to keep going back to enforcement, and that's one of the main issues that they had talked about, too.

They wanted beefed-up enforcement for the illegal activities in the northeast, but they are allowed six per person. And what they do is they go in and they make multi-trips. And it's back and forth. But we're looking at a tag system. Maybe Ken can touch on that later on. But they don't need the tailing permit.

Mr. Stone: Well, that was my reason for asking that question. Why would a recreational vessel use or even obtain one unless he had reasoning to use them for some other reason. I don't see the need for recreational vessels at all to even have one.

Mr. Iarocci: Very true. Thank you, Charles. Ken, would you like to address that?

Dr. Haddad: No, but I'd like to ask a follow-up question, though, and show what I don't know here. Currently who's the permit expert on the tailing permit here today? Joe, are you it? On the permit, what are the qualifications for the permit now?

Dr. Powers: We were just discussing this. The requirements are they have to have a sworn statement by the applicant certifying that his or her fishing activity; (a), is routinely conducted in the EEZ on trips of 48-hours or more; and (b), necessitates the separate of carapace and tail to maintain a quality product.

Now the sworn statement, this is printed on the permit application, so by the fact that they apply for it and sign for it, that, in effect, becomes the sworn statement.

Mr. Iarocci: Ken, anything else?

Dr. Haddad: Does it discriminate? Do you know when you have a commercial versus recreational? Does it ask?

Dr. Powers: There is no requirement for that question.

Mr. Iarocci: Ken, I think Bob would like to answer that.

Mr. Mahood: To give a little history to that, Ken, initially when the Council allowed for the tailing permit, it was primarily to address concerns of fishermen fishing the Tortugas areas with traps and the northeast diving.

At that time, in my recollection, there were about 25 people that would be effected and have tailing permits. I think initially that's about what was issued. And there were requirements at that time. You had to prove -- and you were supposed to be a commercial fisherman.

What happened is when the permitting system in the NMFS region changed about -- I can't remember how many years ago that was -- that designation between commercial and recreational was lost. And at that point it just really proliferated and became an issue that we have talked about for some time. The initial intent was never for it to be recreational.

Dr. Haddad: With that said, then, if it was not -- I'm trying to think from the recreational side. And we've heard some argument this morning that one of the issues with these big lobster in Northeast Florida is you can't get that many in a bag.

That wasn't the original intent to deal with, anyway, because the recreational fisherman could argue that case if that were the purpose of the permit in the first place.

Mr. Mahood: Yes, that's correct. It was the amount of time you're going to spend at sea relative to the quality of the product. And it was an effort by the Council to try to help these fishermen.

As a matter of fact, at that time the state of Florida was very much opposed to issuing tailing permits just for the belief that, obviously, there's no way you can keep people from sticking them with a spear if they're allowed to remove the head immediately from the animal.

Mr. Iarocci: Any other comments?

Dr. Daniel: Well, I guess, along Ken's line, that would be the question I might have to maybe some of the fishermen in terms of if you do go down there and you're just lobstering, you're limited to about two live lobsters that you can handle on a single dive? I mean, are you --

I guess my concern is along the same lines and it just kind of popped in my head as terms of, you know, maybe down in South Florida where you can go out there and you're diving in shallow water and you can go down, and a recreational fisherman can probably easily get their six lobsters over the course of a day as opposed to in this area off of

Northeast Florida where they would make the effort to go, you know, 40-50 miles offshore.

They may be limited to one dive a day, two dives a day? I don't know how many dives they can make in one day. But does this constrain their ability to take the bag limit if they're not able to handle more than one or two lobsters in any one dive? And it may be it's just an issue to consider.

Mr. Stone: I fail to see where a recreational diver would need to stay for 48-hours. What would he do for 48 hours if, you know, he goes out and gets his fish? I mean, that's kind of ridiculous to think that he is staying 48 hours every time he goes out. So I just don't see the need for it.

Mr. Iarocci: Okay, without further discussion, I think we should turn this into -- I'd like to close the scoping part of this meeting and turn this into where we look at the draft options. I'd like to review draft options paper, Attachment 2, please.

Mr. Mahood: And one of the things I would like to go over first, before we actually go into that, is the timing of moving forward with this. Right now our time schedule is if the Council finalizes their options at this meeting, staff will prepare a public hearing document or a draft amendment to the Spiny Lobster Plan.

As you recall, this is a joint plan with the Gulf Council, too, so how this timing will be affected by that may be dealing with the Gulf Council. And I've already alerted Wayne and I will be talking with him about it depending on what we do here.

But at that point in time, our intent would be to hold, after the June meeting, approval of the document at the June meeting, we would hold five public hearings during September of this year with the intent of coming back to the Council at our December 3-7 meeting for approval for Secretarial review.

And, again, a lot of this will depend on how the Gulf Council can move on it. Again, what we're doing will only pertain to the South Atlantic. But some of the measures, also, when we get into the part relative to the permitting system, will deal with the Gulf. So, we're going to have to coordinate that with the Gulf Council.

So, today I think what we want to try to do is make sure that the direction to staff is the specifics we want to deal with.

Right now we're looking at three things. One is just the language relative to the management structure or the change to the Florida Conservation Commission. That's pretty straightforward.

Mr. Iarocci: Yes, Bob, I had asked Ken -- and to backtrack a little bit, I had talked to Kay. The Chairman of the Gulf Council is sitting in the audience and I had talked to her earlier about this and said we'd be working with her in the future and just keep in touch.

I like having open communication on joint management plans so we don't have a failure to communicate there. But I did ask Ken if he could address this, being, you know, representing the state of Florida on this first option measure here.

Dr. Haddad: I think it's just a simple technical change. As best I can tell with the language, we just need to replace Marine Fisheries Commission with Florida Fish and Wildlife Conservation Commission and strike "governor" and "cabinet".

Mr. Mahood: Yes, and I think some of your administrative procedures, the way you go through your administrative procedures has changed a little bit.

Dr. Haddad: I have to see that. That's why I was asking you if you had a copy of the amendment, to get real specific. But I assume this can just be handled easily.

Mr. Mahood: So with that, Mr. Chairman, I guess we need to go ahead and take some -- we probably have taken a formal action on this, but let's go ahead. It would be cleanest if we go ahead and take some formal action on, I guess, Option 2, if everybody agrees to that.

Mr. Iarocci: Is there any more discussion on Option 2? Any questions? Would anybody like to make a motion?

Dr. Haddad: I'll make the motion.

Mr. Stone: I'll second it.

Mr. Mahood: That's under 4.1.1., Option 2.

Mr. Iarocci: Any discussion or objections to this? Could we call for a vote? All in favor raise their hands; anybody opposed. All right, and the motion was approved. Discussion?

Ms. Smit-Brunello: Yes, Bob alluded to this, and it says under 4.1.2., under discussion of current management structure issues, that we're going to look at the ways, I guess, or the amount of money that Florida requires for the permits and I assume maybe for the traps and those sorts of things, because this came up within the last year or actually over a year under the stone crab fishery and it's pretty similar, I think, in some respects to the way we have the spiny lobster fishery set up.

And the Magnuson-Stevens Act precludes any permit fees beyond the administrative costs that are incurred to administer those, so we may get into some sticky issues. It's just actually a heads-up, kind of, to the Committee because we're going to be looking into that, and I guess we'll work with staff as well and we'll have more information as it develops.

Dr. Haddad: Are you saying that a fee is being charged for the tailing permit or are you talking about anything to do with lobster somehow gets umbrellaed into this?

Ms. Smit-Brunello: I should have made that more clear. I don't know that any fees -- I'm not sure what fees are being required for the tailing permit, but that's not what I am talking about.

If you're in the EEZ off of Florida, around 1994, I think, pre-1994 you had to obtain a federal permit to fish in the EEZ commercially for spiny lobster. I believe in 1994 that was changed.

Now if you want to commercially fish for spiny lobster in the EEZ off Florida, you need basically the Florida commercial permit. So, that's what I was looking at, that permitting structure. I know some issues have been raised with stone crab and I don't know at this point whether it's going to get more involved or not involved. I'm just kind of giving -- I wouldn't call it a warning, I would call it just an informational heads-up.

Mr. Mahood: Yes, and at this point that's why we don't have any options listed there because we're not sure exactly what the options are, but it's going to be a legal situation, I think. It's not something we can choose from, at least at this point.

There may be some choices within that, but the problem is it's part of our protocol to allow the state of Florida to establish these things, but yet it's not in compliance with Magnuson-Stevens. Somehow we're going to have to rectify that.

Ms. Smit-Brunello: That's right. And there may be things that the Council, different options, I guess, that the Council will need to look at. I just can't say yet at this time.

Mr. Iarocci: Yes, I believe we should have that at the next meeting. I think we all are in agreement that it's time to move on with the tailing permit issue here.

I think we should address 4.1.3, the next item on the agenda here, address tailing separation permits, the tailing permits, and I think we should definitely go for formal action here. I would like to see somebody make a motion to address this.

Mr. Mahood: Yes, one of the things that you may see here, there's a number of, well, two in particular -- let's see, Kerry, go down to Option 3D and E, which actually says D and D, but it should have said D and E.

One of the things that you'll see in here, the material you have -- and I should have indicated it. I've indicated on the overhead, but I failed to do it on the options paper I sent out. There are some things in here that in the past the Council has determined that they weren't going to consider.

But because of all the emphasis, again, on the NEPA process and in the NEPA process, you need to, in the final document, have all the things that the Council has considered, even if they have rejected them.

In the past we've kind of thrown some of this stuff out once the decision has been made, but now we're ensuring that this material stays in the document that we meet the new NEPA -- not new NEPA requirements but the more focused NEPA requirements, maybe, is the word for it. So you will see some things here and you may in your mind think, "Well, gee, didn't we vote to get rid of that at one time or another?" But we will include everything.

And these are the two that I dredged up from the past that we have rejected. I'll have to go back. There may be even some other things that we will bring back in as options that were considered but not approved. So with that, Mr. Chairman, I'll let you run through this, the tailing permit and come up with some specifics from the Council so we can incorporate it in the draft amendment.

Mr. Iarocci: Thank you, Bob. Yes, if I could, like I stated earlier, if somebody would make a motion or want to address this right now, open it up for discussion.

Dr. Daniel: Just to go back to what I was talking about earlier, I think it seems like -- and to address Charlie's point about the 48-hours -- I think you have two issues here. One is product integrity.

You don't want these long trips to have to have the lobsters remain intact and jeopardize the integrity of your product over time. But then there's also an issue of safety and access by the recreational fishermen and those folks that are diving in deep water that would like to have the opportunity to harvest their bag limit of lobsters and give them that opportunity.

Now they may not need that opportunity in South Florida. But that opportunity is confounded somewhat by the depths and the sizes of the lobsters for the recreational fishermen up north. And I think it's a point that just needs to be discussed.

I mean, I don't know the lobster fishery very well, but I'm on this Committee and I see that little conflict in my mind. I mean, it doesn't necessarily have to be 48-hours. There are options here that don't include a 48-hour provision.

But there may be some discussion on the possibility of allowing tailing for the recreational fishermen, if they keep their heads. I know the discussions we've had about the commercial guys having to keep the heads and the mess that it creates and the problems that it creates, and especially when you're gone for long periods of time, especially down in South Florida and, you know, a tractor-trailer full of lobster heads for six days.

Yes, that's a mess. But if a recreational diver were to go off of Northeast Florida and take his bag limit of six lobsters, and he was able to have the heads in his possession when he landed to show that there hadn't been any foul play in harvesting those lobsters, it may bring a little more equity into the situation. And that's just something for the Committee to consider.

Mr. Stone: Tony, I'm not going to make this in a motion, but I was wondering why we couldn't do something on the grounds of allowing the commercial fishermen -- and I'd love to see this changed to instead of saying all commercial fishing, all commercial lobster fishery that we are talking about here -- to use tailing permits.

And, that recreational fishermen would be allowed to tail permit but may have to keep their heads, which would only be six. But if they have a permit and they are a commercial diver or do have commercial permits, then they'd be allowed to discard the head.

But in the recreational fishery, I see no need that they could -- as long as they have six tails and six heads, then I don't know why they would have to have a tailing permit. But they could be allowed to separate it to preserve the quality of the fish. But if somebody wants to try to put that in the form of a motion, then I'll --

Mr. Iarocci: To add to that, and something that I've heard and from dealing with this issue now in talking with different people -- and I think this chart has been included and there's copies of it at the table -- we're pretty much looking at this deep area up off of Jacksonville, which is Area 722, and some of these other areas -- and I guess Area 736 off of Fort Pierce where these guys are diving the deeper water, and Area 2 off of Tortugas.

Tailing permits are -- and as you can tell by the number of tailing permits issued, it's not that big of a deal, Charles, and it's an issue, too, the commercial trappers in the deep water that are making trips, and it is -- and everybody I've talked to is saying it's a simplified thing with the 48.

But if the Committee wants to go forward with addressing what you just stated, keeping the heads for the six for the recreational, I have no problem with it. Further discussion, please.

Mr. Love: I'm not on this Committee, but are there recreational boats that go out that maybe carry 10, 15, 20 people that would dive for recreational lobster? And another question is -- I'm somewhat confused here -- how do you distinguish between a commercial lobster fisherman and a recreational lobster fisherman? Is there a percentage of his catch required when he applies for a lobster tailing permit or a license so you could identify him?

Dr. Haddad: Well, I'll go back to Joe. There's really no -- all you do is sign something saying I'm out more than 48 hours and you're done. There's no other --

Dr. Powers: Not only that, it says "routinely out" and routinely isn't real well defined, either.

Dr. Haddad: So, the answer to your question is it's pretty much wide open right now. You can get one just by signing a document.

Mr. Mahood: But you do; there is another part of that. As far as determining a commercial from a lobster fisherman in Florida, they do have to have the Florida permit or the species endorsement. They do have to have a license.

Dr. Haddad: Well, that's what we need to get some details on as to whether, along with that permit you're required already, because that's where the recreational issue doesn't add up here. If you already require an SPL, a lot of recreational folks have SPLs. You know, it's how far do we carry this? So it's hard to say how many people right now -- either everybody qualifies or really just people that sell their catch qualify.

Mr. Iarocci: But, also, to add to that, they have to have a restricted species endorsement, which you have to have at least a percentage of your catch, \$5,000, or a crew share statement which we covered earlier. You have to have that.

That qualifies you as a commercial fisherman in the state of Florida, and most of the recreational divers do not have that. They have not qualified through the restricted species endorsement so they do not have that commercial -- they might have a saltwater products license but they don't have the restricted species endorsement.

Mr. Mahood: And I might point out -- I don't have the numbers but the lady that supplied the numbers did say that fairly -- I think, what is it, 79? And we'll be providing more of this information -- the people both in Florida and at the National Marine Fisheries Service were very helpful with providing the data and we will be getting some more precise information.

But I think it was 79 on the latest table that I showed you -- 73. There's a lot more than 73 commercial fishermen. A very small percentage of the actual commercial fishermen, spiny lobster fishermen have licenses or have the commercial endorsement.

I'm not sure what the terminology is in Florida, but the 73 is just a small part of that. So there's a lot more commercial fishermen that just don't have the tailing permit. I think, Ken, most of your trap fishermen that fish in the close inshore waters, they wouldn't have any need for a tailing permit. They keep them alive, anyway. They like to use the shorts for bait so they have all the tanks and everything.

Mr. Gay: Yes, I would add that some of those tailing permits are bandit boats, as well, up my way. We'll occasionally catch them. You know, as far as a big commercial fishery developing, the Council pretty much took care of that a few years ago when it limited us to two.

So there's no trap fishery or anything that ever developed before, but the bandit boats do catch them, you know, on their hook-and-line gear and will bring them in and sell them. And they're out for extended periods of time, as well. So I know for a fact some of those permits are up my way.

Mr. Love: Well, Jodie has brought up another question. I know they used to catch lobster in Key West, the shrimp fishermen do. And they stay out for long periods of time. Are they still allowed to keep legal tails in the shrimp fishery in Key West now?

Mr. Iarocci: There are some shrimpers, yes, and they do have tailing permits there. And I'd also like to add -- and I'd like to just put this up for discussion, too -- commercial fishermen that do hold -- and this is something that I'd like to maybe discuss for part of an option -- that do hold the Florida Saltwater Products License with a restricted species endorsement.

And, see, there's no need for a tailing permit as we've all pretty much discussed for the one-day trip. They do not need it. And, also, that's why I think it's very important we add that 48-hour because that eliminates anybody to have tailed lobsters on the boat on a one-day trip. And as Bob alluded to earlier, definitely, even a lot of the times the trap fishermen use the live lobsters for bait, to put a bait when you don't have the short lobsters to put back in the bay.

The day-trippers, the day commercial lobster fishermen do not tail their lobsters. And I think to get through to where the recreational divers would try to qualify, they do not hold the restricted species endorsement so that would be one of the options to let them not qualify for that permit.

Dr. Haddad: That's why I'm thinking that we must be talking the charter industry in some way, the charter dive industry. And at a minimum, we need to be collecting a little more information on the permits to know who we're issuing permits to because right now it doesn't sound like we know.

Mr. Iarocci: Any more discussion? Well, I thought this was going to be a simple issue. Apparently I was sadly mistaken. I'd like to move this thing along, but I'm bogged down in this right now.

Is there direction on where to go with this right now?

Mr. Stone: Could we go with another option that said all fishermen who hold a commercial lobster permit would be issued a tailing permit and that recreational fishermen, if they spend more than 24 hours at sea, must retain the heads of their lobster.

Dr. Haddad: I talked this over with some of my staff, if this direction were brought up, and they had serious concerns with allowing anybody that had a lobster, that was a commercial fishermen for lobster to be able to have the permit, I mean, just be a blanket setting. And there's law enforcement issues tied in with this that become significant when you open it up to the whole industry.

Dr. Daniel: It's always fun what you learn in the back of the room. I think one thing that I didn't know in my discussion is that there is a limit of two lobsters north of Florida, and it's six in Florida.

And because of the size of the lobsters up off Northeast Florida, there has always been some discussion -- and this is for folks who don't know this -- there has been discussion about a two-lobster limit for those extraordinarily large lobsters.

And it may be that not being able to tail those lobsters essentially puts a de facto limit on those big animals up in Northeast Florida. And so I think that's a point that we might want to consider in our discussions that I was unaware of.

Dr. Haddad: Are we trying to give direction on a single option or can we just say, "Hey, Option 3 and 4 need to be explored"?

Mr. Mahood: Right. What we're developing -- what will happen from this small options paper will be more of a full-blown public hearing document. We need direction on where you want to go with it.

Now you won't make a final decision even with what to take to public hearing until the next meeting. So this is all wide open now. And, again, like I say, and like Louis just kind of pointed out, a number of the people that have talked about this since 1997 are gone and we have new people.

It's almost like we're starting from scratch. And a lot of this information will be available in the public hearing draft. But, yes, at this point in time we don't have to zero in on any option. And even when we go to public hearing, we don't even know for the public if it's

better if we're considering something specific. So, yes, we will flesh out anything that the Council directs us to do at this point.

Dr. Haddad: Well, then, first I have maybe a clarification. On Option 3A, to me it makes more sense if the word "only" replaces "all." I just want to know what is that statement referring to relative to the 48-hour requirement and limit issue to commercial fishermen?

Mr. Mahood: Commercial fishermen are all those legally permitted in the state of Florida as commercial fishermen.

Dr. Haddad: So that is saying --

Mr. Mahood: The trap fishing and divers, the whole works.

Dr. Haddad: As a modification to that option, it would be anybody can qualify; open to all commercial fishermen that are fishing lobster?

Mr. Mahood: Correct, that would have the proper licenses or endorsements. Another issue that came up, initially we looked at only the trap fishermen off the Tortugas, but then I think we did leave it open to divers off the northeast.

They made a case at that point, also. Never was it the Council's intent for recreational or charter people to have the permit. That was something that just happened in the progression of time. As a matter of fact, there used to be the requirement that you had to be a commercial fisherman to get the permit.

Now some of the other problems that we, which we still have to deal with, is this 48-hour requirement. How do you prove that? I mean, a guy goes in and he signs a statement that says, yes, I spend a lot of my time out over 48 hours.

That's something we've talked about, I think, at the June meeting or maybe even before that. We're going to have to look at somehow to delineate that. It's pretty hard for anybody that's making a judgement, giving out the tailing permit, of whether that guy is really out, you know, relative to the 48-hour requirement.

So we'll be looking at how we deal with that, too. I'll be talking with Monica a little bit about some of the ramifications of that.

But I guess the bottom line to your original question, it's wide open right now. We'll flesh out whatever the Council wants us to do at this point.

Mr. Iarocci: Bob, excuse me. To add to that, I did do some inquiring about trip limits and stuff like that. And I called a couple of fishermen from the northeast and I dealt with some people that work with NMFS up there.

And, you know, they do have a "days at sea" thing up there, people to have a block. And what they have to do, they have to do a call-in. And I talked to some of the fishermen here; and we could put something down to qualify for and if the 48-hour time limit is an issue here, we could have the Tortugas fishermen and the divers that do make longer than 48-hour trips call in when they go out and call in when they come in to verify and document that they do have -- and their trip limits and logbooks should also verify this. So that's one of the things we can look at in the future, too, with this issue.

Ms. Shipman: I'm not on the Committee. I'm curious when y'all are getting together the data and the information on this, how many shrimpers north of, say, the Cape hold a tailing permit? I'd be interested to know that.

Mr. Mahood: Yes, I made a note to try to get that breakout information. I don't know if it's available in that definitive of a breakout, but I will talk to a lady at the National Marine Fisheries Service.

They actually had to go back. The reason that you got a new handout on the table is they actually -- since permits are issued on a birth date relative to starting for a year, it rotates through the year, so it's very difficult for them to go back and look at how many people are in the year, and then they also have to break out how many of those people during that year had the proper commercial licenses and endorsements, and then I'm not sure they have the detail to look at.

They may at the state of Florida level. I'm not sure they do at the NMFS level, so I'll check. I made a note to check on it and see if we can get a breakout of the 79, you know, are some of them shrimp vessels, are some of them divers, are some of them trap fishermen or whatever? But, I'll be talking to her about that.

Mr. Stone: Mr. Chairman, we don't have to have a preferred option, I don't think, to take this to public hearing, do you?

Mr. Mahood: You don't because, number one, you're going to see another document before you even have to make a decision about public hearings.

Mr. Stone: Rather than try to clarify it, I'd just make a motion that we carry this forward to public hearing as it's written and then get the input that you can out of it, and then maybe have a little bit more defined area.

Mr. Mahood: Well, I would ask maybe you get a little more definitive because we will now go back and start looking at biological, social and economic impacts. If you leave everything there, we can't do it by June.

I mean, we need to know that you -- number one, we assume you're not going to take any action. I mean, we will still flesh that out. Prohibit tailing, are you going to prohibit -- I get the feeling we're not talking about prohibiting tailing overall, so I think maybe if we're going to allow some sort of tailing to ensue, then maybe we can leave it open at that point.

Mr. Iarocci: Charles, I think you're on the right track here, but I also think, to follow up with Bob, I'd like to see that motion followed through but I'd also like to -- I agree with Bob on this. We could go through some of that. We could cross out, delete, some of these things throughout these options and then go forward with that, if that's okay with the Committee and Bob.

Mr. Mahood: Yes, and they won't delete. I mean, no action, we will certainly do the impacts relative to no action. We will certainly do the impacts relative to prohibiting tailing, although we would do it condensed as opposed to each one of those options under that.

And then Option 3, which seems to be somewhere in that realm of what the Council is most interested in -- and I've made notes that from your perspective, Charles, that you would like to look at something relative to the possibility that recreational fishermen harvesting lobsters from the deep water are not required to have tailing permits but may need to keep the heads and the tails, or we may want to draw some line there that they would be able to have tailing permits in those deep water areas. So, if that settles your question, we will have that in there.

Mr. Stone: Yes, that would do it.

Mr. Mahood: And, also, as Susan said, we'll try to get some detail on who actually holds tailing permits. And then I've also got the call-in requirement that Tony talked about.

The other thing that we've talked about in some detail is this Option 4. You know, I forget the word in the regs there that you mentioned -- not a substantial number or -- routinely, yes.

I mean, we might want to tighten that down a little bit, too, to determine what we mean by "routinely." And it could be either as an Option 4, a percentage of their trips in the past year in excess of 48 hours or this type of thing. So, I think we're getting a good feel. If you're going to make a motion, maybe zero in a little bit on, say, Options 3 and 4 with these other considerations that we've talked about. At this time I have the feeling the Council is not open to just prohibiting the tailing permit, and that would certainly help us in our direction.

Mr. Stone: Well, I'd rather leave the motion with some of these people in Florida that know it a little bit better than me. But, Option 4 is absolute nothing because no

restriction. You've got zero to 100 percent, so it doesn't make any difference what you put down, whether you put down 1 percent or 99 --

Mr. Mahood: That would be a number that we would pick.

Mr. Stone: Yes, okay.

Mr. Mahood: We would have to fill that in. And that's just the range at this point that you would choose from. And what we would then do, try to go back -- and I'm not sure, again, whether some of the data exists but we could possibly go back and look at log books.

The problem, as I think some of the gentlemen pointed out that the dive, they're going out on multi-species trips. If they find lobsters, they may take lobsters but they actually may be out there fishing for snapper grouper species.

But maybe we can somehow look back at some of the logbooks and determine if there is some way to establish a percentage of trips that are taken. Now in the case of the trap fishermen in the Tortugas, I suspect there is some way to get at that information.

Mr. Iarocci: Let me add to that, too, Bob. I think also that when we do come to the dock in Florida, the Florida trip tickets, part of that, the questions that are asked on there, how many hours you were at sea, all you have to get are the documented tickets; and you will see anybody that does make a trip and is out longer than the 48-hour period, it's documented on that trip ticket. It has to be done to sell to a licensed Florida dealer. So that would cover that 48 hours.

Mr. Love: And Option 4, wouldn't that also tie in up there with Option 2 under D, the geographic area you're talking about? Those two, you could kind of put them together and it seems to me like that would work.

Mr. Iarocci: Definitely, Fulton, that's what I had stated earlier.

Mr. Mahood: Yes, and that pertained to when we were prohibiting tailing, say, in all areas except the people fishing in the Tortugas, this type of thing.

But that is certainly a possibility even under the -- especially in the case where Charles was talking about, you may want to make allowances for some recreational activity in the deep water. I think we could look at -- the map you have of Florida, like Tony pointed out, has the grids where that normally would occur.

Mr. Iarocci: Any other discussion?

Mr. Gay: Thank you, Tony. I'm not a Committee member, but in listening to your discussions on the call, I assume you're talking about a call in to say you're leaving the dock and a call back to say you're back at the dock requirement.

I think that would create some problems in that you could legitimately be considering staying two days and the first day the weather gets bad on you; and if you've got tailed lobsters on board, you're going to be illegal so I'm not sure that's one we want to spend a lot of time with. But we might want to at least think it through a little bit further before we move forward with it.

Mr. Iarocci: Oh, yes, Jodie, I was just throwing it up for discussion on a way that these guys could qualify; not to have it full time, just to qualify for the permit. Any other discussion?

Well, as I stated earlier, I thought we could get one main thing, but from listening to the input and listening to the information that we don't have, we need to go back out.

We need to add a lot more information and data to this issue right here. So I'd still like to move forward with this thing.

Mr. Mahood: Yes, and Charles' original motion would be fine. In looking at this, I think the way we're going to have to attack it anyway is we can address everything that you have here, if you want to go ahead and make that, Charles.

Mr. Stone: Okay, I make a motion that we carry this forward to public hearing.

Mr. Mahood: Well, develop a public hearing document.

Mr. Stone: Yes, develop a public hearing document, right.

Mr. Iarocci: Second for that motion?

Mr. Cole: Yes, I second it.

Mr. Iarocci: Discussion?

Dr. Haddad: Before we take this motion and not have one that narrows it down some, I want to clarify what Bob just said. Are you saying, as you look at this, maybe it's better to not narrow it down?

Mr. Mahood: Well, the more I think about our NEPA requirements, and I started looking back through, we're going to have to address these anyway. So at this point, I think at the next stage, where we actually have more of a public hearing format document prepared for the Council that, yes, we would hope that they might pick some preferred alternatives

to put the public on notice that this is what you're looking at. But at this stage I don't think that's needed.

Mr. Iarocci: Any further discussion? Call for a vote. All in favor, raise your hands; all opposed. The motion passes.

Mr. Mahood: Mr. Chairman, I would say one thing. If this was easy, we'd have done it in 1997.

Mr. Iarocci: From doing a little bit of research -- and, like I said, I appreciate all the help. This is my first chairing of a committee. I thought it was going to be cut and dry, I really did.

I thought there were a few things here and we were going to deal with it at that certain level. But, I'll tell you what, I am getting an education. Anything else? Any other business anybody would like to bring up right now? Okay, I'd like to call this meeting to an end.

The meeting was adjourned at 11:55 o'clock a.m., March 6, 2001.

[Tape of Proceedings on File \(3\)](#)

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Spiny Lobster Committee
Jekyll Island, Georgia
March 6, 2001

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SPINY LOBSTER COMMITTEE

Jekyll Island, Georgia

March 6, 2001

DRAFT MOTIONS

INSERT MOTIONS

Spiny Lobster Committee
Jekyll Island, Georgia
March 6, 2001

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SPINY LOBSTER COMMITTEE

Jekyll Island, Georgia

March 6, 2001

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