PUBLIC HEARING
BAYWATCH RESORT & CONFERENCE CENTER
NORTH MYRTLE BEACH, SOUTH CAROLINA
JANUARY 21, 2013

MR. McCAFFITY: My name is Chris McCaffity. I am a commercial fisherman out of Morehead City, North Carolina. I wanted to comment on two of the issues, one of them being Snapper Grouper Amendment 29 with the gray triggerfish and what you are calling the ORCS. I think the way that you are doing those is very good. You're using the landings data, the high end, and then reducing it by 10 percent and make sure there is not going to be any overfishing. I support that measure. I think you're also doing a good thing about the split seasons to align with the vermilion snapper. They have lived together in many of the same areas and it is really important that both species are going to be legal at the same time. I think that is important that the council is listening to us, and I really appreciate that. Then with the triggerfish quota, it is not as high as the vermilion snapper quota. It is not going to be even with these ORCS.

What we need to do is consider that when we allocate or set the possession limit. That possession limit needs to be set at a level; and you can do it several different ways. You either start out with one possession limit that is going to be low enough to extend that season for six months, or for the large majority of it, or you can start with the high poundage limit that then reduces down to a level that fills that quota without a long closure. See if you could start out with 500 pounds or something like that and drop down to 100 pounds; and that would pretty well extend the season. That gives the consumer a dependable supply of that product through most of the year. It also reduces regulatory discards. Nobody really wants to see wasted fish. The size limits kind of touches on the wasted fish thing, too. All the fish houses I've ever dealt with, they told me we don't want your midget triggerfish; and if you brought them in, they wouldn't buy them.

The free market has pretty well taken care of that. Recreational anglers, if they want to clean the 12-inch triggerfish, more power to them; let them do it. Don't force them to throw back a fish. If they are only allowed 20 or whatever the limit is now on the recreational side, it would be better off from the scientific standpoint and from their benefit to just allow them to keep the first 20 that they catch regardless of size. There is a sad joke on the recreational side that you need a lawyer to go with you to follow all of the laws. Another size limit, you have to consider how it is going to be enforced, too. All laws, even the ones you guys write, they are enforced by the threat of force and seizure of your private property, all of that kind of stuff. You need to take that into consideration. I would like to see that the free market is what dictates the size limit on the triggerfish.

As long as you don't have a quota, it really doesn't matter what size that fish is or when it is harvested as long as you don't exceed the quota and overfish. I think that pretty well touches on the gray triggerfish. The black sea bass pots; I think some of the proposals Rusty Hudson talked about it on the webinar about just having the right whale critical habitat being the closed area and the rest of the areas open. I didn't really like the way the endorsement thing went down. I lost my bass pot tags; many other fishermen did, too. But those bass pot fishermen shouldn't be made to suffer, and I want to support their freedom to fish and do it when the market is right, when the fish are right. In the middle of the summer; that is not the best black sea bass time. The wintertime is when you're going to have the bigger fish and the better price. By doing that, you would also open up the opportunity for a pot fishery for lionfish.

I was at the Marine Resource Education Program down in St. Petersburg; and you were there for the first part of it. The fishermen during the second leg of it that were from the Caribbean, they talked about how they would take female gonads from a fish and use them as bait. They took nothing more than milk crates, zip tied them together, cut a hole, took a flower pot with the bottom cut out of that for the funnel and stuck in there with a couple of bricks and the female gonads. They said they would be stuck full of male lionfish, nothing else, no bycatch of any kind; no females either, just male lionfish. I would like to see that we try to create an exploratory fishery, anyway, and see if we can do that off of our coast and try to control the population of that invasive species. Create another market and profit from it. I guess for what you are scoping today that is pretty much what I had to say, but I am always happy to answer questions and have a discussion.

I'll be part of the visioning project. I will try to work on that. I do urge the council to really look at we need to manage each individual species, as I mentioned with the triggerfish, to avoid these closures. We have over a million pounds of our quotas now allocated to dead discards, and we really need to try to get that under control and reduce that. The biggest way we can do it is by avoiding these extended commercial closures that we have now; and to a lesser degree the recreational closures. I just wanted to add one more thing about the triggerfish and all fish with small mouths. We really need to look at the circle hook mandate and consider removing that. Fish like a grouper and snapper; the circle hooks work very well with them. They have decreased the mortality rate, and that was the reason for putting them on there.

I would also encourage the council to ask John Carmichael in the stock assessment going on with gag grouper – that is off of this subject – to look at reducing the mortality rate in the stock assessment for gag grouper based on the circle hook use. But then think about it is not very effective on triggerfish and it is making a lot of people basically just break the law to fish for triggerfish with a J-hook instead of a circle hook. I wish I had a triggerfish here so that you could see how it is to dehook a triggerfish with a circle hook in its mouth. It tears his mouth up. It is going to break a lot of their jaws to where if you have the discard they are going to die, and they are going to starve to death slowly because of that. That is just a wanton waste of the resource of something that you need to look at; that we can't just do that kind of thing, it is unethical. That was my comment on that. Thank you.

MR. MERSHON: I'm Wayne Mershon, President of the Council for Sustainable Fishing, also owner of Kenyon Seafood, a federal dealer for our fishery. I would like to thank you for the opportunity to provide input on a number of proposed fishery management plan amendments that are either up for scoping or public hearing. These are our comments for council consideration. Snapper Grouper Regulatory Amendment 16; the black sea bass pot fishery closure, November 1st through the 30th; we believe the action the Fishery Council took in Snapper Grouper Amendment 18A in 2012, such as capping the number of vessels utilizing pot gear at 32, limiting vessels to 35 pots, requiring the pots be back to shore after each trip and establishing a commercial trip limit of 1,000 pounds reduce the potential for any interactions with right whales, even though there has never been any reported document of a whale and pot gear interactions. The Council for Sustainable Fishing also supports allowing a black sea bass pot fishery November 1st through April 30th, even if it is restricted to the areas outside the defined right whale critical habitat, such as considered in new Alternative 6 of the proposed amendment.

Moving on to Snapper Grouper Amendment 29, the only reliable catch stocks approach; we support amending the Fishery Council's ABC Control Rule proposed in Action 1, Alternative 2; to adopt the SSC's recommended approach to determine ABC values for only reliable catch

stocks. Action 2; we support the application of revised ABC Control Rule through the selected unassessed snapper grouper species in the low-, moderate- and high-risk category using the risk tolerance scalars in Subalternatives 2B, 3B, and 4B. Fishermen would benefit from the higher ACLs that would result from the amended ABC Control Rule and the application of the higher risk tolerance scalars. Gray triggerfish, Action 3; we support Alternative 4, which would specify a minimum size limit for gray triggerfish of 14-inch fork length in federal waters off North and South Carolina, Georgia and Eastern Florida.

From the standpoint of yield of a 12-inch or smaller triggerfish, it is not large enough to benefit commercial markets and it is pretty small even for a recreational fisherman to eat. We think the fishery could benefit from a minimum size limit of 14 inches. Action 4; we support Alternative 2, which would change the allocation of the commercial ACL to 50 percent from January 1 through June 30th and the other 50 percent from July 1st through December 31st each year. The gray triggerfish season would then mirror the seasons for vermilion snapper. Since these are co-occurring species that are caught together, this alternative would reduce bycatch of both species. Action 5; we support the use of trip limits to manage commercial fisheries; however, this action needs more alternatives for an analysis. Consideration should be given to establishing a trip limit for gray triggerfish that is combined with a step-down trip limit when 75 percent of the commercial ACL is met or is projected to be met.

A range of step-down trip limits such as 50 pounds, 75 pounds, 100, 150 pounds should be considered. Coastal Migratory Pelagics Amendment 24, modifying sector allocations for Atlantic migratory group Spanish mackerel and Gulf migratory group king mackerel; the Council for Sustainable Fishing supports optimization of fishery ACLs. It is clear that in both fisheries the total ACL has never been landed in the 10-year time series within Tables S-1 and S-2 in the scoping document and that the commercial sector has exceeded this ACL while the recreational sector has landed decreasingly lower proportions of its ACL. The Fishery Council should consider reallocation alternatives in both fisheries. Coastal Migratory Pelagics Mackerel Framework Amendment 1; modify an annual catch limit ACL for Atlantic and Gulf Spanish mackerel migratory groups; the Council for Sustainable Fishing supports the alternatives that would increase the ACLs for these fishery groups. Consideration of our comments is appreciated, and I thank you all very much for hearing me.

MR. SOLANA: My name is Alberto Solana. I have a snapper grouper unlimited permit. My boat is out of Wrightsville Beach, North Carolina. Our main method of harvesting fish is spearfishing. A lot of these amendments don't have too much effect on us, but I would like to say something about Amendment 29 and the changes in triggerfish. Although I agree with increasing the size limit on triggerfish to 14 inches, I just feel like there is not enough data on triggerfish to make any changes in ACLs or any size limits on them. As far as I'm concerned, I spearfished all the way from Rhode Island down to Key West; and gray triggerfish in my eyes is a highly migratory species where massive amounts of them are all the way in the North Atlantic and massive amounts are taken in the Mid-Atlantic area and even New England area and back to here. I would like to see more tagging programs and more information taken on them before you make any more changes in it, although the 14-inch size limit I would agree with. I would like to say that the changes in trip limits are another thing I really agree with and I like it. I think it should be used with more of the species, especially triggerfish. Definitely in my eyes we have very little bycatch, if any, but I like being able to having all the fishery seasons opened at the same time even if we're only allowed 50 or 100 pounds trip limit. I would agree with the motion to do that and just have a step-down trip limit on there. I think it has worked really good. This year we saw a start of it with the gag grouper. They just didn't jump in fast enough or lower the

trip limit enough to keep it open throughout the season, which would have helped us a lot. Even 100 or 50 pounds of gag a trip, it makes a big difference. I would like to see the step-down work, even jumping in when it hits 50 percent of the ACL to a certain level and then continually dropping it. That is about all I have to say about any of the amendments up here. Thank you.

MR. CONKLIN: Alberto, there is a stock assessment going on with gray triggerfish right now.

MR. SOLANA: I saw some of the data.

MR. CONKLIN: There are discrepancies in some of the aging on the fish. There has been more information gathered on those. Hopefully, when that comes out, we'll be able to make a more educated decision on what to do about gray trigger.

MR. SOLANA: I was just curious if that was ever considered in any of the stock assessments or data collection. They are on the migratory species category in my eyes. Most people here think they go inshore and offshore, and that is that. I have seen just through my commercial fishing career from all the way up in Rhode Island and Massachusetts; in the summer they are there and then they start migrating back in the fall. We would follow them going right down along the coast. It is not just a couple fish. It is I would say a good portion of the whole stock; half of it is migratory and half of it is staying here and moving inshore or offshore, staying in the same area. I was just wondering if that was ever mentioned in any of the stock assessments or any of the data just doing a tagging program just to find out more about them.

MR. CONKLIN: I can't give you a clear answer on that. Maybe David or Tom might know something a little bit more about what has been done previously.

MR. SOLANA: The main thing that I am just saying is I think you should definitely get some more data on gray triggerfish before we start making any new ACLs or any size limits on them, just to understand the stock and the species a little bit more.

MR. MOORE: My name is Captain Matthew Moore. I run a charterboat out of Little River, and I also commercial fish out of Wilmington, South Carolina, where my primary tool for harvesting fish is speargun during the wintertime. During the stock assessment for Amendment 29 with the triggerfish, have they taken into consideration that probably a couple years ago when they started making everybody go from J-hooks to circle hooks that the number of triggerfish that I was bringing in by charter significantly dropped because of the use of circle hooks, because of the dynamics of their mouth and how they feed and how they are pickers and everything. I saw a lot less fish coming back to the docks triggerfish-wise because of the circle hook. I want to know if that was taken into consideration while doing the stock assessment by looking at all of our trip reports and everything.
Another thing, I will state that I do agree with split season that co-exists harvesting of triggerfish with vermilion snapper, because a lot of guys going after vermilion snapper during the daytime, they have trouble getting on a bite during the day when the triggerfish are awake, and the triggerfish chew them up. They wait until the triggerfish go to bed, lay down in the rocks or on the sand at night until they can get the majority of their vermilion snapper. I will agree with the split season. That's all I've got to say.

MR. CUPKA: Matthew, I don't know if it is being considered specifically, the impact of the different hooks on a triggerfish, but it is I guess considered indirectly in that the type of hook is

going to impact the catch. Catch is one of the data elements that go into the assessment. It is kind of considered indirectly, but I don't know that they have looked at it directly.

MR. MOORE: Yes, I hope like NOAA and the scientists weren't like, oh, my God, the population is plummeting, and like look there is this less fish coming back to the dock; you know, it is because you made us use different hooks. Like I said, I do a lot of diving. I watch them chew up the hooks. They are a bait-stealing little fish. They have a small mouth, fused teeth. They are just hard to hook on the small circle hooks, and you've got to go to a wider gap, smaller shank or a smaller diameter circle hook if you want to get them. Then you are obviously breaking lines and breaking hooks with weaker hooks if you do get attacked by a jack or something like that on the same one. Then you are leaving hardware into a fish, and that is not good.

MR. CONKLIN: Well I've got your e-mail and I am going to try and find that out for you and get back with you as far as the circle hook question.

MR. MOORE: Like I said, a lot of my target fish is not triggerfish; it was just a thought and a concern of mine.

MR. FORD: I didn't see anything other than what was caught over the last – I don't know eight or nine years, as far as the king mackerel and Spanish. I was really surprised by the figures. The king fishing has been atrocious here for the last I would say four to five years. I tournament fish and I recreational fish and I commercial fish. I noticed about five years ago that the decline in the kings was absolutely related to these Virginia boats that were coming here wiping out all of our menhaden, our pogies. That went on year after year; and now when we're out and we're looking at our screens, you don't see the bait balls on your screen that you saw five or six years ago. To me it makes complete sense that the kingfish are smart enough to leave an area when they have nothing to eat. They have nothing to eat. You are looking for a restaurant out in the ocean and Long Bay is like a desert. It doesn't have a whole lot of artificial reefs.

It doesn't have a lot of structure. It is almost like the Saudi Desert, except for an occasional manmade reef. Now that these Virginia vessels cleaned out big, large pods of the pogies, I think basically the kingfish were smart enough to move elsewhere. Now this year was better than it has been for the last four years. This year I saw them coming back; and someone told me that those Virginia boats were banned from harvesting the pogies so close to the beach. Now I don't know whether they were banned or not. But, I believe that the king fishing has been bad basically because the bait fish aren't here. If the bait fish aren't here, the predators aren't going to be here. I don't know the status of these Virginia – it is a big company in Virginia. You are aware of them? You're not one of the shareholders, right? They sell the oil, the pogy oil. They make fertilizer. I don't understand how boats from Virginia can just come down here and wipe out our bait fish. I think that that is a big problem. That is all I wanted to say basically.

I hope they've been banned. I know that Captain Brant out of Ocean Isle and his family have been fighting to get them out of North Carolina because of the pogy situation. We just don't see the bait balls on the screen anymore that we used to see. Your whole screen would be covered. Now occasionally you will see a little blip on the screen. I think it definitely ties into the lack of fish. You are going to go look for a restaurant; and if there is no restaurants, well, then you will head somewhere else. That is all I wanted to comment on.

MR. CUPKA: Thank you for your comments; and you are right, pogie is an important food fish.

MR. FORD: Pogie, menhaden; up in New York we called them bunker. When I first came here – I moved here about 13 years ago – I always called them bunker and nobody knew what I was talking about down here. Bunker; what are bunker? Then they said pogies, and we call them menhaden up in New York as well. The best fishing I ever had in New York under the Verrazano Bridge, when I was 16, was one year the pogies made it up the Hudson River. I was with my dad under the Verrazano Bridge, and all of a sudden we saw miles of pogies. Boy, did we catch the fish. We caught striped bass and bluefish all summer. Then they disappeared and the pogies never came back under the Verrazano, at least while I was fishing there. The fishing went back to catching hackleheads and eels, because they follow the bait.

MR. CUPKA: Like I was saying, they are an important food fish and are managed primarily by the Atlantic States Marine Fisheries Commission, which are states from Maine to Florida, because it is mostly an inshore fish. Many years ago they were banned here in South Carolina, and I'll tell you why; because there was a state senator, Senator Drummond, who was fishing off Georgetown and one of those pogie boats set their runaround net around Senator Drummond. Well, he went back and had a law passed saying that they couldn't fish for menhaden with runaround nets in state waters. That was many years ago. At one time there were a lot of factories, even in this state that processed menhaden. We used to have one down in Johns Island, and another one further down toward Beaufort, Lady's Island and all. But over the years they've all gone out of business and have been consolidated. Now the big one is out of Reedville, Virginia.

MR. FORD: That is the one I'm talking about.

MR. CUPKA: Yes, and then there is one in the Gulf that also works out of Pascagoula down there. But they are important fish, and the Atlantic States Marine Fisheries Commission within the last couple years have started paying more attention to them. What they are trying to do is limit the harvest of them, because they are so important as food fish for striped bass, bluefish and various fish.

MR. FORD: Absolutely. If you don't have something for the fish to eat, they are going to go to Alaska. They're going to go to Florida. They are going to go wherever they can find food. If they wipe out the bait, what is going to keep them here? The water in Long Bay is surprisingly devoid of fish life in Long Bay. I mean, for such a big expanse it is devoid. You watch your screen, you don't see anything. You are watching your screen; you don't see the bait balls anymore. There is nothing for the fish to eat.
I was just fishing in Biloxi in the kingfish tournament. The bait fish are everywhere, and the kings are there; big kings. One of the records came out of there two years ago out of Ocean Isle guys that I know, in Biloxi. But when you go out and you throw a cast net in Biloxi, you fill it up in a minute and there is just an abundance of bait. That is why they have the tournament; they have the national tournaments there. You are going to go where the fish are. Long Bay, there are not a lot of pogies in Long Bay, they are just not here anymore. You see little and it is a shame. I think if they bring the bait fish back, they wouldn't have to worry so much about quotas and what is happening with the kingfish. They are so worried; well, they didn't catch that many this year, so they must be in trouble. They are not necessarily in trouble; they are somewhere else. They are not going to stick around.

MR. CUPKA: Like I say, Atlantic States is paying more attention to the importance of bait fish and trying to reduce the directed harvest on them so they will be available to provide food for

these game fish. I know what it used to be like. I worked for South Carolina DNR for 35 years, and I saw what happened with pogies in this state; but they were outlawed, the fishing for them. Senator Drummond did outlaw them years ago.

MR. SEBASTIAN: The only one I'm concerned with is the black sea bass trap, and it is currently closed down for, what, like a five-month period or something along those lines? I come from the recreational headboat/charterboat fishing. I don't mind letting those guys trap, that is fine, but I think that if not now, at some point in time there should be some type of delineation, a distance where they would have to stay maybe offshore to protect the headboat charter fisherman; because if they've got a 12-inch limit and we've got a 13-inch limit, we can catch almost the same poundage of fish roughly. They are trapping those areas right around the inlet where the charter/headboat guys have got to make their money. By the time we hit our open season, man, there are no 13-inch fish to be found. If you can kill two birds with one stone, hey, save the whales, save the headboat/charter fishing guys and let us make some money.

Push them to 20 miles offshore or something along that depth, 15 miles off. Just give us that 10-mile, 15-mile bump; where when our season comes in, we'll be able to make some money and our customers, which number in the thousands to tens of thousands versus 32 trappers, will be able to go out and have a really good time and enjoy themselves and come down and spend millions and millions and millions and millions and millions and millions of dollars in South Carolina, because that is where the real money is and not 32 guys making money off traps. That is pretty much about it.

MR. SHUMAN: I'm a recreational charter captain. On that amendment with the bass pots, the only think I would suggest was to have a depth or a mileage; you know, 15 to 20 miles before – in other words, they can't set them inside of that. I take a lot of families in Myrtle Beach here, and the kids love catching those things. But when you have somebody out there setting pots and scooping up all the things, it is just not good. Like Cam had said, all of mine are vacation people. They come down here and they have a blast. They have a blast out in the water. I teach them about fishing and the different fish that are out there, and it is a good thing. I want to keep it going. Thanks.

Transcribed By:
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January 2014

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
North Myrtle Beach, SC	January 21, 2014

YOUR NAME (PLEASE PRINT): JOHN SCHUCHMAN

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 156 RED TEP BLVD LITTLE RIVER SC 29566

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [x] Snapper Grouper Reg Amendment 16 (bsb pots)
- [ ] Mackerel Amendment 24 (allocations)
- [ ] Mackerel Amendment 26 (permits)

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YOUR NAME (PLEASE PRINT): CAMERON SEBASTIAN

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 228 GREEN LANE DR

EMAIL ADDRESS: CAMERON@COASTALSCUBA.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): LITTLE RIVER FISHERMAN PUSH

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YOUR NAME (PLEASE PRINT): ANTHONY (JAY) FORD

TELEPHONE NUMBER (& AREA CODE): 843-602-7232

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 3512 - SUMPTER ROAD LORIS 29569

EMAIL ADDRESS: AJF1214@YAHOO.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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YOUR NAME (PLEASE PRINT): Matthew Moore

TELEPHONE NUMBER (& AREA CODE): 937-657-4157

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4462 LRI Ln. #808, Little River SC 29566

EMAIL ADDRESS: mjmoore83@Live.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): EEZE Fishing Inc. Orion

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LOCATION OF MEETING (CITY & STATE): North Myrtle Beach, SC

DATE OF MEETING: January 21, 2014

YOUR NAME (PLEASE PRINT): Alberto Solana

TELEPHONE NUMBER (& AREA CODE): 9084613061

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 2732 Chandsworth ln

EMAIL ADDRESS: Albiesol@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): EEZ Fishing Inc "Orion"

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DATE OF MEETING: January 21, 2014

YOUR NAME (PLEASE PRINT): Wayne Mershon

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 1159 Palmer Place Murrells Inlet, SC 29576

EMAIL ADDRESS: KENYONSEAFOOD@SC.RR.COM / sustainablefishing.org

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Council for Sustainabe fishing

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YOUR NAME (PLEASE PRINT): Chris McCafferty

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 110 Salem St. Morehead City NC 28557

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [x] Snapper Grouper Reg Amendment 16 (bsb pots)
- [ ] Mackerel Amendment 24 (allocations)
- [ ] Mackerel Amendment 26 (permits)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
North Myrtle Beach, SC	January 21, 2014

YOUR NAME (PLEASE PRINT): Tracy Edge (SC House representative NMB-Little River)

TELEPHONE NUMBER (& AREA CODE): 803-734-3013

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 1423 Edge Drive NMB SC 29582

EMAIL ADDRESS: schousegop@aol.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): SC House of Rep

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing: just to make a general statement

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
- [ ] Mackerel Amendment 24 (allocations)
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Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
North Myrtle Beach, SC	January 21, 2014

YOUR NAME (PLEASE PRINT): Kenny Moore

TELEPHONE NUMBER (& AREA CODE): 843-446-5777

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 3911 Gladiola Ct. Unit 201 MB, SC 29588

EMAIL ADDRESS: kenmoore@coastalanglermagazine.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Coastal Angler Magazine

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
- [ ] Mackerel Amendment 24 (allocations)
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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
North Myrtle Beach, SC	January 21, 2014

YOUR NAME (PLEASE PRINT): Dean Foster

TELEPHONE NUMBER (& AREA CODE): 843-735-5070

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): P.O. Box 31046 Charleston, SC 29417

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Foster Associates / PEW Charitable Trusts

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE) North Myrtle Beach, SC	DATE OF MEETING January 21, 2014
YOUR NAME (PLEASE PRINT) Chris Stevens	TELEPHONE NUMBER (& AREA CODE) (843) 281-9159
MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE) 4219 Ellis Dr. Little River, S.C 29566	
EMAIL ADDRESS	
BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE) HURRICANE FLEET	

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE) North Myrtle Beach, SC	DATE OF MEETING January 21, 2014
YOUR NAME (PLEASE PRINT) Tom Swatzel	TELEPHONE NUMBER (& AREA CODE) 843-222-7456
MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE) PO Box 1311, Murrells Inlet, SC 29576	
EMAIL ADDRESS tom@swatzel.com	
BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE) Council for Sustainable Fishing	

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
- [ ] Mackerel Amendment 24 (allocations)
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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
North Myrtle Beach, SC	January 21, 2014

YOUR NAME (PLEASE PRINT): John Tinker

TELEPHONE NUMBER (& AREA CODE): 843 424-9320

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 550 Hammock Ave, Murrells Inlet, S.C. 29576

EMAIL ADDRESS: johntinkermi@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
North Myrtle Beach, SC	January 21, 2014

YOUR NAME (PLEASE PRINT): TOM KEEGAN

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): C/O CONGRESSMAN TOM RICE

EMAIL ADDRESS: 2411 NORTH OAK ST, MYRTLE BEACH 29577

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

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- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE): North Myrtle Beach, SC

DATE OF MEETING: January 21, 2014

YOUR NAME (PLEASE PRINT): BARBARA MACKINNON

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 323 59TH AVE N

EMAIL ADDRESS: NORTH MYRTLE BEACH, SC 29582

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE): North Myrtle Beach, SC

DATE OF MEETING: January 21, 2014

YOUR NAME (PLEASE PRINT): D. GRANT MACKINNON

TELEPHONE NUMBER (& AREA CODE): 843-249-3454

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 323 59th Ave N., NMB, SC. 29582

EMAIL ADDRESS: MACKINN@FRONTIER.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

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Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
North Myrtle Beach, SC	January 21, 2014

YOUR NAME (PLEASE PRINT): Dan Aves

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 14 Baxberry Cir

EMAIL ADDRESS: Carolinaaves, NC 28467

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): NA Seacoast anglers

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
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- [ ] Mackerel Amendment 26 (permits)

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Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
North Myrtle Beach, SC	January 21, 2014

YOUR NAME (PLEASE PRINT): Melissa Morgan

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 894 Sandridge Rd Little River SC 29566

EMAIL ADDRESS: Morganmelissa35@yahoo.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Little River Fish House

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [x] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [x] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [x] Snapper Grouper Reg Amendment 16 (bsb pots)
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Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
North Myrtle Beach, SC	January 21, 2014

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Addis McGinn	843-742-7056

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
894 Sandridge Rd Little River SC 29566

EMAIL ADDRESS
addismcginn@yahoo.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Little River Fish House

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [x] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
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PUBLIC HEARING
DOUBLE TREE BY HILTON
ATLANTIC BEACH, NORTH CAROLINA
JANUARY 22, 2013

MR. HAWKINS: Thank you for the opportunity to provide comment. I am not representing anyone but myself. As a North Carolinian, I really appreciate the opportunity that the council makes for local meetings. A lot of people can't get away and travel to the centralized meetings, so thank you very much. I have several comments. Just going through the advertisements that the council had put out; one is the adjustments for the allowable biological catch for unassessed species. Is it correct you are taking comments on that? Just a simple recommendation; if you have no doubt on those, in the state of North Carolina we've looked at a running average over the last ten years when we didn't have biological data on a species. I just recommend you look back and you set the ABC again as a technique capping that at a running average over the last ten years. Then I recommend that the council flag those or prioritize those species, and then ask the NOAA staff or the states, because the states might have enough interest in a particular species that they might be willing to try to do an assessment at least for the data they have collected.

I'll just move on if that is all right. Also on the gray triggerfish, that is one of the more valuable – as you two know and I'm sure Anna knows – one of the more valuable bottom fish we have in North Carolina. I would ask that the council consider doing away with size limits – some countries are doing that – and set a cap or a poundage limit. Then when they approach the poundage limit, scale it down and would stagger trip limits to make it so it is cost prohibitive for the commercial person to go out; and also consider a closure again for the recreational fisherman and put out educational material for the recreational fishermen and for the commercial fishermen. I don't prefer a split commercial season.

I would rather have state-by-state quotas. Better yet, I would ask the council to consider as a long-range thing to recommend setting a target mortality rate for each state and let each state develop the step-by-step measures that best fit its state to try to manage that fish within the fisheries that exist within that state. For example, the fishery for gray triggers off North Carolina might be entirely different than the fishery for gray triggers off Florida. Allowing that flexibility for each state; hold the states accountable for those mortality rates; let them actually show a fishing plan where the council could quantitatively evaluate the measures that the states are proposing, somewhat similar to the concept that the Atlantic States Marine Fisheries Commission where each state provides fishing plans on how to comply with the enacted or the proposed Atlantic States Marine Fisheries Commission plans for a particular species.

I recommend on gray triggers setting a commercial limit and then stair casing or knocking down the landings to still allow some small landings and not a complete closure; because what happens, as the council is aware, when we manage intense quotas in North Carolina, you have underage's and overages. On an underage, then I would allow the staggered-down trip limit will allow at least the council or the state to allow some limited landings. Then when it reaches to the point where you are running the risk of overing the total allowable catch, then apply the surplus to the following year as a penalty.

Then if it is an underage, also carry that over to the following year. In the past a lot of states and some management agencies have considered letting that go to the resource as a buffer, but again

these fisheries are so intensely managed, I would treat it more like a business plan where if you go over you're penalized; if you go under, you're actually not penalized. Okay, on Spanish mackerel, I would recommend that the council defer to the ASMFC for management of Spanish mackerel in the state of North Carolina – most Spanish mackerel are caught within state waters – somewhat as what the council did for red drum. The council could work with ASMFC if they have any recommendations on or any total overall objectives on how to deal with Spanish at least on the Atlantic coast. I can't speak for the Gulf Coast; but again off North Carolina most Spanish are landed within three miles.

If they decide to continue trying to conserve and to manage Spanish mackerel in the South Atlantic, then I recommend state-by-state quotas also on that. State-by-state quotas allow more flexibility for each state; and again it recognizes the diversities between each state. If you have administrative or bureaucratic issues between certain states not having the accurate inventory system, then I recommend that NOAA hold those states accountable and not penalize a state such as North Carolina that has an accurate inventory system. We are penalized if some other state or some entity does not. I strongly recommend state-by-state quota if the South Atlantic decides to continue managing Spanish.

DR. DUVAL: Jess, just to let you know, the council took final action – I think it was back in September – to actually establish a northern regional quota and a southern regional quota for Spanish. I think from North Carolina's perspective, we advocated for state-by-state quotas, which I know that you are aware of that. I just wanted to let you know sort of where that finally ended up was that northern regional from North Carolina north, and then southern regional from South Carolina south; quotas for both king and Spanish mackerel. I just wanted to make sure you knew about that.

MR. HAWKINS: Thank you and thank you for your efforts, both of you and also Anna for trying to again provide more flexibility for the geographical difference between how these species are landed and how they utilize the coast off those particular states. Then on the scoping documents; again, I saw where the council was taking comments on king mackerel. Okay, somewhat to mimic my Spanish mackerel comments, I recommend strongly state-by-state quotas and I would recommend separate permits for Spanish and king. They are entirely different species, as the council knows. Off our state they inhabit most of the time distinct areas. A Spanish fisherman, whether he's a recreational or commercial, will generally go to certain areas; again with Spanish nearshore; king, 5 to 10 to 15, depending on what water temperatures are here. I would recommend separate permits.

It is usually a different type – and I'm sure the council is aware of this – different fishing platforms are utilized to try to harvest these fish. A less wealthier recreational fisherman will be more apt to try to fish for Spanish than they would for a high speed, elongated recreational boat to try to access the king mackerel stocks off North Carolina, which are usually again 10 to 15 miles. On the snapper grouper, on the black sea bass; I would urge that the council do what it can do to try to allow for a winter season off North Carolina. That is the prime fishing time. I realize if you are trying to cut mortality and harvest, that you might target peak fishing times, but that is when there is – if you look at overall efficiency of the fisheries in North Carolina, that is a time when our bottom fishermen could utilize access to that resource, and so stricter limits might be appropriate during that time. But again I just as a general statement urge that the council consider allowing North Carolina to have some type of winter season, both recreationally and

commercially for black sea bass. To repeat some of my earlier comments, I just urge the council to try to allow each respective state more flexibility in how they manage those particular stocks and stay under the overfishing levels; hold those states under a strong standard so that they know there is accountability, but again give those states the flexibility. We're blessed in our state in that we have a lot of fishery-dependent sampling, and that we have an excellent inventory program for recreational and commercial. Our state managers, such as Dr. Duval and our Marine Fisheries Commission; we do have a governance set up and we do have the professional staff to allow us to professionally manage our fisheries off our state.

Thank you very much for the opportunity to comment. It is nice that our government allows its citizens to comment on measures that are being considered and even measures that are just being talked about. I am really thankful that the council holds scoping meetings and just encourage them to continue to do that, because a lot of people are misinformed. A lot of people aren't as well informed about it as you council members are or as in your job Michelle, in the scoping aspects. I strongly encourage the council and all fishery management agencies to try to do so.

MR. MOORE: My name is Brian Moore. I just want to comment on Amendment 29, on the gray triggerfish amendment. I feel like as a dealer the best move they can make is split the seasons and allow trip limits of, say, 1,000 pounds until they get to the last 25 percent and then go to 500 pound trip limits. This would allow for the best production for the resource as far as money produced; because once the market floods, the prices drop and fishermen don't get the most bang for the buck. This would allow a continuous supply throughout the whole year, I hope.

DR. DUVAL: That was 1,000 pounds and then go down to 500 pounds once –

MR. MOORE: When there is only 25 percent left. You would split the seasons, too, just like the vermilion snappers. Then just mimic the same season. That way they have enough they can make a living, but it still allows for a continuous supply all year long so it doesn't flood the market at any one time. I also want to comment on the recreational and commercial sectors. As a vessel in the South Atlantic Council, and it is in the South Atlantic is commercial, it should be commercial and not recreational. A vessel should either be recreational or commercial, one or the other and not both. That causes a lot of problems on the dealer side, because you have a lot of recreational-caught fish that are being sold when the commercial seasons are closed, because a boat can get away with it. That is the loophole in the federal regulations and not the state regulations in North Carolina.

DR. DUVAL: Brian, you are saying that vessels that are dually permitted, they will –

MR. MOORE: Well, no, you should only be permitted – if you are federally permitted, you should be able to catch the commercial quota if your commercial vessel and not the recreational quota. When you leave the dock that day, you are commercial or you are recreational, one of the two. You are not both.

DR. DUVAL: That is the way it is supposed to operate right now. What you're saying is that is not the way it is actually operating.

MR. MOORE: It is that way in the state but not in the federal regulations. Also, the last thing I want to comment on is the lesser amberjacks. That category needs to be divided up among the bar jacks, the lesser jacks and the banded rudderfish; just kind of like the shallower complexes with the groupers. That needs to be divided up among each species and not be controlled by having them all go up into one species. That's all I have on my comments.

MR. BURGESS: Tom Burgess. I would like to comment on Amendment 16 and some of the things the council is working on. To my knowledge, when the council passed Regulatory Amendment 19, it was the intent of the council to revisit this to trigger a biological opinion. I was going through the scoping document today, and I saw that the council is considering, according to the scoping document, submitting Regulatory Amendment 16 in December of 2014. It is my understanding that a biological opinion has to be completed at that time to submit Amendment 16 to the secretary. It is my understanding that it cannot be submitted without a biological opinion to assess the threat to whales.

I guess you could say it is a deadline about when the council needs this biological opinion, and I really hope that Protected Resources has it prepared at that time and not to further stall this to being submitted. That is about all I have to say on that. As far as the November through April calving season; I was reading through some comments from Sharon Young of the Humane Society to the National Marine Fisheries Service on Amendment 16 scoping. It seems like they are thinking that November through April is the calving season; but I think from what I understand that, that would be just setting up say some goal posts about when the first documented calf might have been observed on the front end, November 1st, and also the latest one sometime in April.

But I think that the core calving is done – this would not be considered core calving. I would say 90 percent of the calves are born within a two-month timeframe, January and February. I will comment more on that on my written comments to the council. I think it is November through April is much too long. I think that this really comes into a migration situation when you start with November 1st. I would like to see the council separate these two issues, migration and calving, and deal with them separately. Now according to the information on calving this year, December 18th, to the best of my knowledge, is the first known calf that was born off of Georgia. If we had been fishing this year in November and in December here in North Carolina, it would have been a migration issue as compared to a calving issue.

That is about all I have to say right now at this time. I'm going to submit written comments before February 3rd, I think is the end period, and address these issues, the letter from Sharon Young; and she stated several times about the Atlantic Large Whale Take Reduction Team in her comments. I am a member of that team, and I didn't support those comments, and I didn't have anything to do with them. I would address that, also.

DR. DUVAL: Just to make sure I have the date down right, you said the first calf that was born this season was December 18th off Georgia?

MR. BURGESS: That is correct. There is information put out all the time on the calves, the survey information and all that; but I will go ahead and have that narrowed down for you in my written comments.

MR. COX: Tom, I've got a quick question for you while you're here. You are still on the whale take team, right? With all your experience bass potting, have you been able to show those guys and talk to them a little bit about your interaction with or seeing whales while you have done this as long as you've done it?

MR. BURGESS: Well, yes, the whale team is aware of what happened in Amendment 18A and as far as the decrease in effort. The head of the Northeast Protected Resources, Mary Colligan, the lead on the whale team, stated in front of the full team that they consider the southeast to be a very low risk to whales due to the density of gear and the sightings of whales. With that information, I think many members of the team realize what is going on as far as effort in the southeast, whale sightings off of North Carolina, or lack of sightings with the survey data and the co-occurrence, which is the relationship between gear and whales, is very low. That is where they are there.

MR. COX: Yes, with the experience that I had bass potting; I view that the whales that we have seen were just like they had told us in that critical area in that shallower water. It just seems like at some point there would be some wiggle room where you guys could do your work a little bit further out. I was just hoping that at some point you will be able to convince them that we see that there. But, anyway, thank you so much for showing up. I appreciate it.

MR. TUCKER: I'm David Tucker, you guys know me. I'm here representing myself as a South Atlantic permit holder and a fisherman, as well as a business owner in Blue Ocean Market, a local seafood market here in town that supplies local restaurants with seafood and regional customers with fresh local seafood. First I want to comment on a few of the amendments, some issues I have with them, and then I would like to make a couple comments on some general issues that I want you guys to take into consideration. I want to agree with what Brian said earlier about Amendment 29. I would like to see a separate ACL for almaco jacks and see that split up from banded rudders and lesser amberjacks instead of all grouped together. As far as the sea bass pot amendment, like what Jack was saying; that makes a lot of sense to me if we're having trouble with whales, let's move further out where we can fish, have some wiggle room where we can fish and do things.

I also want you to consider we're not even close to catching the sea bass quota this year; it has been limited to such few fishermen. You can't bass pot all winter. I want you guys to consider letting some of the people that were forced out of it back in, because some like myself, I mostly grouper fish, but sea bass pot was something I used to do some of in the wintertime to help get through closures in grouper season. Just because I didn't have a huge quota on my permit, I got cut out of it, a lot of fishermen did, because I was just taking a few pots and just catching a few at a time. Some fishermen don't have to be able to catch a load of sea bass to make it. Sometimes we can catch 3 or 4, or 500 pounds and have a good day doing it.

Then I want to discuss the trigger. I'm in favor of somewhere around 1,000 pound trip limit on that amendment. Maybe when the season gets 25 percent caught up and the quota is 25 percent caught, let's drop it to 500 pounds. That way we can have triggerfish more year round and maybe a split season like vermilions; I would be in favor of. It is really tough. I'm in restaurant sales, and it is mostly what I do. It is really tough. You have customers buying a product from you and then all of a sudden they go six months and don't have it; it is hard to pick them back up. I am seeing restaurants more and more – this isn't just on triggerfish – there are a lot of

different fish – they are moving more and more to frozen products, something they can count on because we've become so seasonal here. Last year, this time of year the weather was nice, and the boats were coming in with 2, 3, 4,000 pounds of triggerfish on the boats and the triggerfish market got flooded. The price went way down. That is not good for the fishermen. It is tough on the dealers, and we had more fish than we needed; but then all fall we had no triggerfish. If those fish could have been caught later in the year; it would have been better for everybody. It would be better for the restaurants, the fishermen the wholesalers, everybody.

I would also like to be in favor of a size limit on triggerfish, maybe around 14 inches, to get rid of the little guppy triggerfish that are coming in. There is really not a market for that. It is hard to do something with them. The fishermen think that a triggerfish eight inches long is the same thing as a triggerfish that is 18 inches long, but it is not. Nobody wants a piece of meat that is two or three inches long. I feel bad about even cleaning it. That is kind of what was on my mind about the amendments that you all are here for today.

I just want to talk about a couple more broad issues that affect me as somebody that fishes and does every aspect of the business. I mentioned earlier the availability of product is really tough, because we've become so seasonal in different things. It is hard to have something like vermilions for two or three months and then not have it for two or three months. People come in the retail market and they don't see stuff anymore; they don't know what to do. They just stop buying fish. Some people love to buy little vermilion snappers. They will come in every week and buy one or two of them. Then all of a sudden you go the middle of March through June you don't have them, then you lose those customers.

Another thing that is on my mind as a fisherman and as a wholesaler is we're on a quota system with grouper. The red grouper quota, we didn't even come close to getting met this year. It still closed up December 31st, and I don't even know if we caught half the quota. I mean you guys would know exact numbers, but I would love to see it keep going or something change so we could have grouper year round here. It is impossible. As soon as we close up, if you are on the east coast, the Gulf and importers know that, hey, these guys are closed up on the east coast, we can get whatever we want to for our fish; and that is no good, especially when we're not even coming close to catching these quotas that have come up.

One other thing I want to speak on is I do not like these little seasons that is in place, these little one-week American red snapper fishery seasons, this one week of triggerfish opening up; it is no good. American reds were open for a few weeks this fall; I didn't catch any. But on the last day I went fishing right before Christmas, I caught probably 100, 150 pounds of red snappers, six fish that were 20, 25 pound fish and I had to throw them all back. I am not asking to catch all the – I mean, I understand, I am all about rebuilding stock and helping the population out, but on a species like red snapper say, hey, we need bycatch, you can catch 50 pounds or 100 pounds of bycatch per trip, or maybe each fisherman is issued 20 tags or something. You can catch 20 red snappers to bring home through the course of the year. It is just awful to see 20-pound snappers floating off behind the boat. That is pretty much all I've got to say. Are there any questions?

MR. COX: David, I appreciate you stopping in and making comment. I hear what you're saying about all the quota left on the table is definitely something we need to look at.

DR. DUVAL: I was actually just looking at the red grouper ACL today; and at the end of December the latest numbers were – it was only 33 percent of the quota had been caught. That is a lot of fish on the table.

MR. TUCKER: You've got to consider other things like it might not be caught just because there haven't been that many people trying to catch them. I haven't been red grouper fishing in three years, because I've been catching – one reason is because I've got two little boys so I don't make as long days as I used to. But we're catching gags 2, 3, 400 pounds of gags a day inshore. It just makes sense to fish for that. That is what I have been doing; I haven't been running 50 miles to catch red grouper; but I went a couple times after gag season closed this fall and I had good days, without even being out there in years. I would love to see it – if we don't catch our quota, let it keep going. We don't interact. I understand closing for spawning seasons of gags and we need to help them out, but we rarely catch the two together up here. Now I can't speak for what is down south, but, anyway, thank you for hearing me.

MS. GASKILL: Sandra Gaskill, Harkers Island. Well, of all the things that has been taken away from commercial fishermen, gear changes, they've had quota put on them, bringing gear in and – well, for me it is taking away. There are a lot of commercial fishermen that have lost their permits; and my husband has black sea bassed for 45 years. Out of all the time he's been fishing, he has had pots and he has brought them in every day. He has never entangled a whale, never caught a whale. There are a lot of other commercial fishermen that were out there fishing, and they had more pots than what he had. They didn't bring their pots in; they had maybe 2 or 300 pots; they didn't bring them in; and they never encountered entanglement with a whale. There is something going on here that is not right. It is not on record anywhere that there is a problem with this is our area; so why punish these commercial fishermen for something they haven't done, just because it has come up. You've got all these things you've stopped; the pots are taken in every day, which my husband did, anyway.

They are right there all day long with those pots, and they can see if a whale comes up and they know they are not going to sit there and let a whale get entangled in a pot. As I have said before, the pots are 12 X 12 square; and up north they use large pots. They don't call them pots; they call them traps, and they weigh 1,000 pounds. They allow them to set them and there are whales going by every day or whatever, and they could catch them in the end but they are allowed to fish with a pot with the gear. Like I said before, I knew Dennis Spitsbergen, and he was one of our council members and a mighty fine man. He was fair to the fishermen and he was fair to the fish or the whales or whatever; he was concerned. He came up to me, it has been years back, and I will never forget it. He isn't on the council today. But he told me, he said "Sandy, whatever you do, don't call your husband's gear pots." I said – "No, don't call them traps. I said, "Well why; what is a trap?" I came to him and I said, "What is a trap?" He said, "Because we don't call them traps?" We didn't then; my husband called them pots like a crab pot.

He said, "Well, because they are large and they do many things that a little crab pot wouldn't do, especially with the little lines." He said, "And your husband's gear wouldn't do that." I know it to be the truth, because 45 years; if it was going to do it, it would have already been done and these whales would be entangled. But it is not true. Now after all these regulations they put on these commercial fishermen, I can't understand -- It is like I said; I understand it is not the council; but whoever is in charge of this – and I know everybody wants to protect the whales and so do I, but I don't want to protect them until it puts me, my husband and all them commercial

fishermen that do it for a living pot fishing out of the water, because they make most of their money in the wintertime. These months that are taken away from them are winter months, and that is when the fish are the best. Like I said before, my husband went black sea bassing, and I think it was July or August when he saw some bass. The way I understand, the man said the price will go down. He said, "Why is it going down?" He said, "Well, because the color is wrong." He said those are like a light gray color or whatever, and they need to be black in order to sell them and get a good market price for them. Well, to me that is crooked, because these fishermen – I mean, not what the dealer done, but what it has caused him to have to do. My husband wouldn't bother with it a lot of times in the summertime.

They didn't go out there and get in the way of a lot of people. Some people did, some people didn't, it is according to what you have to do. But these months are really needed by the commercial fishermen in the winter months. I say leave it alone. Open it all up and let these fishermen fish like they have all this time. My husband did it for 45 years and he has not been by himself. There are other people that do it, too. The thing about it is this is about making a living; and if you can't get nothing for your fish because of the time you go and everything, going out with it, I mean it is ridiculous. Just like my uncle said – and I've seen it, too, and I know a lot of you have. There is Deadliest Catch; you will see it on TV. Any of these people that are trying to put this in place, you watch Deadliest Catch. They tell how large their pots are, they are 1,000 pound pots. You also see them right there working, and you see the whales are blowing off from them with a great big line hooked to it. Now if there was any damage to be done, they could do it.

But nothing is said evidently, because they keep it up. But I don't think just because – and I was thinking maybe with all these regulations, maybe some of these people are sitting around these communities, or whoever these people are; they don't like it because some of their people has been taken out of the pot fishery with permits, and they say, "Okay, I'll get these fishermen back. I'll fix it so they can't go in the winter months." That is when they have the best fish. The best fish is in the winter months. In the summer a lot of times they head up north and you get what is left; and like I say when they change color, that proves something. It is very bad for the fishermen. It is taking money out of their pockets and it needs to be done right. Leave these fishermen alone and let them fish like they've been doing. Just because you've got all these regulations, give them more quotas, "My Lord, oh, we give them more quota; now what are we going to do; take them out of the water." It is not done right, and I appreciate your time. I hope everything works out better, but I say leave it alone, open it up and let these fishermen fish.

DR. DUVAL: Sandra, I just had one quick question for you. What is the shallowest that Albert has set his pots?

MS. GASKILL: I think it is 40 feet.

DR. DUVAL: How about the deepest?

MS. GASKILL: About 100.

MR. DAVIS: My name is Sonny Davis. I own the Captain Stacy Fishing Center, Captain Stacy Headboat and Charterboats. I have been in the fishing business a hundred years; probably over fifty years, I started in 1955. I've been trapping, bass potting, snapper grouper fishing, flounder

fishing north of Hatteras, fishing in the Gulf of Mexico. I have done it all. I tell you one thing about the bass fishing; we had two permits on two different boats, and we bass fished in the wintertime, wintertime only, because in the winter we caught bigger bass. I think the bass migrate north and south, and the winter was the best month to catch the prettiest bass. But we never used over 12 to 15 to 18 pots per boat. I've got an 80-foot boat; we could have put 100 pots on her. But you can't tend to over 20 pots and be right with it. But we did that every winter until the bluefin tunas showed up, and then we spent most of our time chasing bluefins. When the bluefins didn't show up the past few years, we went back to bass fishing. A couple years ago they came up with this regulation if you didn't use your pots a certain amount, you didn't catch a certain amount of fish, you would lose your pots.

They talk about protecting the fisheries. Now in my book that is not protecting a fishery. We've got two permits and we are lying to the dock or we're doing some other type fishing and not using these permits to catch sea bass; we are not hurting the stocks. But they took our license, anyway; in fact I think Jack lost his permits, too. That looks like to me that is just working backwards. But this winter we could use them very well if the weather would straighten out. Now we're snapper grouper fishing, which you can hardly get a day out there without the wind blowing. In fact, we've been out three days this whole year because of weather. If it wasn't for the weather being so bad, we could probably be doing some bass potting.

The price of bass should be up now, because in the wintertime we always got the best prices for our fish. They were better quality and all of that. The thing that gets me so bad is they talk about protecting the fisheries, and they take my two permits that I've had for years, ever since they started with the permits; take mine away from me because we're not using them. But they are talking about protecting the fisheries. If we're not using our permits we are not hurting the fisheries. That gives more stock for the people that are out there fishing with them. That gives the stock more to them where we're not hurting it at all. I think that is the worse rule that they've ever come up with. I guess that is all I've got to say about the sea bass. Thank you.

MR. McCAFFITY: I'm Chris McCaffity and I commercial snapper grouper fish. I want to talk about, first off, I guess the bass pots are a hot topic here at this meeting. I would like to say that I lost my bass pot tags. I never even set a bass pot, but I bought a permit that had tags and I renewed them every year just so that when the time was right. I was raising my family and everything and really didn't have the time to focus on it like I can now when I start back, Lord willing, in May. I wanted to be able to use those pots. It is a little disappointing or very disappointing that they were just arbitrarily taken away right before the stock doubled basically; the quota doubled that we could keep, and really negated the whole need for that endorsement scheme.

As the other fishermen have stated, the wintertime is when the bass pot fishery was the best, because that is when the fish were here, the price was high, the fish were big. That was something that you could do a little closer to shore in safer conditions then trying to go out there; out there to the break basically to target some of the other legal snapper grouper species. It does compromise our safety at sea as we are regulated out of one fishery after another and really forced to focus on just a few different species at a time. I mentioned at the other room there about I've never heard of any kind of a closure in New England for the lobster traps that are much larger than the bass pots, and many, many, more of them. I think that sometimes these rules are just kind of arbitrary. If not enough people say anything, they put them in place. If

enough people say, no, that is wrong, they will relook at it. At the very least, go to the critical habitat designation that they have for right whale and make that your closed area. That is pretty minimal impact to the fishermen and I think most people could live with that. The bass pots, if you are going to continue this closure like you have now in the wintertime, it is going to affect future pot fisheries that we could develop for lionfish. I went down to Florida for the Marine Resource Education Program this summer and talked to fishermen from the Caribbean that had developed a way to target nothing but lionfish, a very clean fishery, by using the female gonads as bait. They took nothing more than two milk crates, zip tied them together, cut a hole, put a flower pot, a plastic pot with the bottom cut out as the funnel going in with a couple of bricks and that bait in there. They said they would be slam full of male lionfish.

No other fish would go in there because the lionfish were in there and they didn't want to get harassed by them. I think we need to look at the very least allow those of us that lost our tags to kind of do an experimental fishery possibly for the lionfish. I'm not saying we should exclude anybody ultimately, but that would be a good place to start by giving back a little bit of something to those of us that have lost something. We really need to look at that lionfish thing. We need to thin them out if we can. They are an invasive species that are eating many of our juvenile fish. If we don't do something to put them in check, then the fishermen are going to suffer, the consumers are going to suffer. What you guys are doing, all of it will be for naught, because of something else that came in and destroyed the fishery. That is pretty much it for the black bass.

But the triggerfish thing, you guys are looking at removing size limits on a lot of fish based on the fact that you have quotas now. I understand the reason behind size limits. Before there were quotas in place, I was one of them that supported them when they came out. But now that you have quotas in place, like vermilion snapper, you are allocating 35,000 pounds of our quotas to dead discards. I believe that is for the post-closure discard mortality. With each species that has a size limit, there is a certain amount that is allocated from our quota, you are planning on a certain X number of fish dying based on the size limit. I just urge you to think about when these laws are passed – and these are laws that you're writing basically. They are enforced basically by the threat of force. Just because somebody catches a 12-inch triggerfish or 11.75 inch triggerfish, they really shouldn't have to worry about a fine or possibly having their property seized and being in prison if they can't pay the fine. That is really excessive to do that kind of thing. It is less than 5 percent of the catch on the commercial side that is actually under 12 inches based on the presentation that we just saw. The free market pretty much takes care of that; because most fishermen don't want to sit there and catch runt triggerfish. The market doesn't want to buy the runt triggerfish. There is really no need for that law.

I really encourage you to look at some of the others. At the very least go back to the very minimum size limit that it takes for the fish to breed once. A lot of these have been arbitrarily increased over the years and led to – like with silver snapper being 14 inches. That kind of hurt the market for the plate-sized silver snapper in restaurants when they were 12 inches. You affect a lot more than you realize with good intentions I understand with the size limit thing. I do hope that you will just not even put one on these triggerfish. Remove the circle hook mandate for these smaller fish like triggerfish. The grouper and snapper, I can understand that and the circle hook, it may have a positive benefit on that. I would also encourage the council, since that law was passed based on reducing the mortality of fish caught with the circle hook, with the gag grouper assessment coming up or being done now, you need to ask John Carmichael to relook at

what allocation or what percentage you are going to allocate to dead discards and reduce that based on the circle hook mandate that was not in place before or when the last stock assessment was done. I applaud looking at the split seasons and aligning it with vermilion snapper. I think that is a great way to do this. I think most of our fish really you need to have that split season. You need to manage each seasonal quota with appropriate possession limits to avoid the extended closures. I know a lot of boats – some of the bigger boats have argued that; well, we need more fish, the 1,000 pounds on B-liners is too restrictive. They may say the same thing if we go to a low poundage limit on triggerfish. Well, you could really not even have a poundage limit for the first 75 percent of the quota as long as that final 25 percent is considered a bycatch allowance with a possession limit that is low enough that you do not continue a targeted fishery; but you are still allowed to keep those that you accidently catch while targeting those with a primary quota still available.

That is something we need to look at for all species that we avoid any extended closures, have everything legal at the same time, just some fish are going to have a higher limit than others based on the amount of quota available. For triggerfish, I think based on the options presented there, I think you should start with 500; but like I said, it really doesn't matter as long as you are going to go down to the level, like 100 pounds or possibly 75 so that you do extend that season. I think that pretty well covers it. I do applaud the council for listening to us. I think you're trying. I realize as I've gone through this process for several years now, that most of the people on the council are good people that want the best for the fishery.

It is really up to us as the stakeholders, through the visioning project, to present the council with our recommendations for what we want to see for the future of our fishery. Limiting waste is a big part of it, feeding more people, increasing the quotas by doing things like enhancing the fishery with artificial reef habitat and also protecting our freedoms. I hope the council will not consider any more vessel monitoring systems or anything like that that will restrict our freedom and violate our constitutional rights. I thank the council for listening to us and the outpouring of public comments that led to a unanimous vote opposing the vessel monitoring system.

MR. FREEMAN: My name is Robert Freeman. I operate Sunrise Charters for the last 30 years, and I have fished off of Morehead for 42 years now. Some of my comments are not directly covered in the presentation that was made today. I feel like the complexity of some of the data and information that was there is kind of overwhelming. Taken in order, I had heard some comments from council members recently that made it somewhat encouraging to think that there was going to be some action taken on eliminating the requirement for circle hooks in the snapper grouper fishery. My experience is we are damaging fish, tearing their jaws up, breaking their jaw. We actually had an American red last year gut-hooked with a circle hook. You just cannot get those hooks out without doing significant damage; and there is no way the fish is going to live from there.

Another vein I am opposed to from what I've seen creating the 12-inch size limit on the triggerfish; I would like for the council to also consider something a little bit novel in the creel limit for the bottom fish. If we're fishing 15 to 24 fathoms or so, we can anchor on one spot and catch B-liners, sea bass and triggers all on that one place. The sea bass are pretty aggressive biters; and usually we will catch the limit of them in the first two or three drops on that spot. Then you try to catch the B-liners and triggers off that same spot, you are going to kill ten times the creel limit of sea bass or you are going to be discarding a bunch of them and they float off; at

least a third of them don't go back down. I really think that something more constructive so far as the survival of the fishery out there is to let the fishermen say, okay, I'll take my 15, 20 fish whatever; I will let them all be sea bass – that is the end of the fishing for them – rather than 5 bass, 5 B-liners, 20 triggers or whatever. I do think that we are seeing too many of the fish float off and not being utilized; and it is not doing the fishery any good at all. We keep raising size limits. The sea bass went from 10 inch to 12 inch to 13 inch. If the customers wants to keep a12-inch sea bass, let him keep a 12-inch sea bass and leave that 13 incher down there to put more eggs out. I think that is the areas that I wanted to comment on.

DR. DUVAL: Bobby, basically you are saying really just have sort of a 20-fish bag limit for the snapper grouper complex to try to cut down on some of those discards?

MR. FREEMAN: Well, you are allowed 5 sea bass, 5 B-liners, something today – if I was a Philadelphia lawyer or tried argue the point; I was reading some of the South Atlantic Council's material, and it said you could have 10 snapper. Well, I would like to argue that I want to catch and keep 10 B-liner snappers. Then it also says you can keep 5 B-liners in addition to the 10 snappers, so what is it? There needs to be some clarification there as to the 10 snapper that I'm going to be allowed to keep per person. The thing that has killed our charter business – and I hear more and more people getting out of the business or selling boats or giving it up, because the person in New York can no longer justify coming down here. I've seen my business drop from 127 trips six years ago to 95 trips last year. They can't do the cost that we have to keep going up on price because the fuel costs have doubled in the last five or six years. Then you cannot survive by not passing that on to the customer; but some of them get discouraged and decide they just can't drive down here from New York and they've got to buy that $4.00 a gallon fuel also.

It is driving us out of business and discouraging anybody from new boats getting in the business. I know somebody recently said they had gone from like 13 charterboats to about 5 over on the Morehead waterfront. I don't see anything that is going to make it get better, because the fisherman wants to take fish home. That is what he's coming here for. Everybody is not coming down here to take a picture of a marlin. They want to catch fish and go home with something to eat. The limits, creel limits, size limits and all this is discouraging that from attracting the customers down here.

MR. COX: I just had a question for you. I was surprised – you do a lot of snowy fishing out there; so what are you seeing out there?

MR. FREEMAN: Well, I try to. That is something – you know, comments were over here that a blueline tilefish assessment had been made. I don't know whether it is finalized or not. I don't know whether there is anybody else that is at this meeting today that targets blueline tilefish other than maybe some of the commercial guys, and I don't know that is happening. Who is being interviewed or where is the data? How are they collecting the data that is being used in these assessments? I have been at it 42 years out there, 30 years running charters. I commercial fished in 1981. Yes, there is some decline in what is out there, because you can't drop on a place like we did one trip. Three boats of us anchored up and in a day and a half pulled 7,000 pound of grouper off of a spot without moving the boat. I don't know where a place like that exists today, but we were catching 20- to 30-plus-year-old fish. They won't come back in the remainder of my lifetime, but there are a lot of snowy grouper and tilefish out there.

The fact that some of the fishermen are not being interviewed in these assessments, it really bothers me. I called Dr. Crabtree last January and this 523 snowy grouper limit is an absolute travesty. It is ridiculous. I asked him, I said "Who is catching these fish?" "We don't know." "How do you count them?" "We don't know how." But June the 6th, I think it was, they shut it down, so obviously somebody thought they were being caught. Quite honestly, if we had kept all of them that we were catching, we will catch more than that in half of our season. You go out there on a given day and catch 40 or 50 of them. It is just not that difficult. I'm talking about 4 or 5 hours of actual fishing time with hooks in the water. You have got to go where they live and know where they live. We've got some spots, we'll log it down; primarily tilefish here, so that is where we'll go fishing now. We still go out there in a short period of time and get our three tilefish per person limit. A lot of them like them. That is what they want to go for.

MR. COX: I agree. I know you do a lot of snowy fishing, so I appreciate your commenting on that. It sounds like that stock is doing better, and I hope that some time in the near future we'll see some flexibility in those limits.

MR. FREEMAN: We need something besides what we've got. We can't go out there and catch the blueline without killing some snowies. They are just not going to come up from the depths they come from and survive. That ought to be allowed in a creel limit of some sort, and no more of that one fish per boat per trip. We'll go out two days, you can have one snowy grouper; it is ludicrous.

DR. DUVAL: Bobby, I know that part of the reason that – well, the reason that the law required shutting down the snowy fishery early this year was because the regulation is written that if the running average of the catch exceeds that ACL for two or more years in a row; that is what happened with the snowy grouper, because obviously with 523 fish; I mean, there are just too many boats that are going to be able to catch the fish to stay within that. I mean there is no way to stay within that number of fish. That is one of the things the council is struggling with. That is why they had to close it down, because according to the information that the agency had, the quota had been exceeded by 300 percent. There were 1,500 snowy grouper that had been caught. That is a reason that had to be shut down.

Then blueline tilefish, I know that quite a few of the charterboats north of Hatteras actually will target blueline when the tuna aren't biting. Up there it is kind of usual, because those fish are found on muddy bottom. It is a little different than down here where you are finding them a little bit mixed up. The other thing that I learned from this past year because we have been seeing the recreational catches of blueline tilefish go up; and mostly everyone has been assuming that is a North Carolina fishery, but there were actually a lot more blueline tilefish caught in Florida last year; at least according to the information that National Marine Fisheries Service had. That is just some stuff for you to take back. I know it is not a satisfactory answer necessarily.

MR. FREEMAN: No it isn't. Thanks for the comment. It doesn't make me feel better, but I continue to be bothered by the fact; you know, I don't like paperwork, but anybody targeting those fish, so that there is some data that would be for me believable, was that each of us to fill out a catch report. You went out there and you caught these things or whatever. I know I have sang this sad song before, but probably 15 or 20 years ago I was submitting catch data to St. Petersburg. The idea was – and it was I think charterboats catch data; king mackerel, Spanish mackerel and the whole gamut of what is being caught from North Carolina to the Keys. Some

months – and I would get a monthly report. Some months the snowy grouper would be included in there and other months it would not. I'm thinking, well, I'm going every month, why is the data not there? But I was told the fact that there were less than three people submitting data on that one species, they couldn't use it. Well, I would a whole lot rather they use that then some number that has been made up on the computer by somebody that has probably never caught a snowy grouper. That is the thing that just troubles me immensely.

DR. DUVAL: One of the things that the council has talked about is looking at a harvest tag program for species like snowy grouper where there is such a low limit on them. I am hopeful that we could get that ACL changed so that there is more fish for the recreational sector, but that was one of the things that we were looking at. Like you are saying, you get a tag you catch a fish. The council has looked at – it has kind of backed off on that a little bit, because there has been a lot of feedback from folks that are not interested in having a harvest tag program. They feel like it is a catch share and they are not interested in that. We're kind of in a tough place, because having a harvest tag program would actually allow us to have better information and you know exactly who is catching the fish.

One of the other things that have been brought up is having like a snapper grouper stamp. You can't go fish for those species unless you have that stamp for the charter, for the private angler, so that we would know who to interview for the information. If you don't have that stamp, you wouldn't be able to fish for them. Those are some of the things that have been tossed around to try to get at better data. I know some of the charterboat captains in the Gulf are very interested in having electronic reporting. Kind of like the headboats do now; you can report on your phone, you can report on your iPad, you can go back to your computer and just log it right in. That is something that we're looking at as well. Are there any thoughts on any of this?

MR. FREEMAN: Well, I don't have a smart phone, because I am not smart enough to run one of them. But, yes, I would not have a problem with submitting the catch data or whatever if I felt like it is used for a constructive mechanism or I can see they are going to shut the fishery down, and they can show me, all right, you caught this and somebody else somewhere else caught it. But when you start talking about – I think it is close to 1,000 miles of coastline from North Carolina border to Key West, and our limit is 523 fish. That is one fish per two miles; ludicrous. Some of these guys that hunt and you tell them, okay, there is one deer out there per two miles; I don't think you would sell many hunting licenses.

It just is a credibility thing with me that I still haven't bought into the data that is used to basically put us out of business is compiled from real results. Some of the stuff that came out of the Expert Snapper Grouper Council where after the meeting in Pooler, there were blocks put on the map that were never mentioned by the group that was from North Carolina that they are going to shut down and create MPAs that were never part of what was even discussed by the representatives on our meetings. Jack, if you remember it otherwise, you tell me so. But there was a minority review submitted, and I don't know where that is at.

Basically it says you invited us down here because we have the experience and knowledge in these fisheries. I've still got the paperwork. I was cleaning out my closet this week and came across it. I think there are about eight places that over the years I had caught a Kitty Mitchell, and I had those coordinates and shared them with them. We came up and, all right, we're going to draw a box around that and you can no longer fish there. There were three of those boxes, and

you had told me since that they are not going to be on there. What that would have done was shut down almost a 20-mile long section of the break off here. There was just about a half to one mile gap between some of the boxes, but basically we were going to lose 20 miles of our fishing area out here, which is the closest to the inlet. None of us strike out in the morning saying, well, we're going to get paid by mileage today so let's go to the farthest place we can find to fish. It doesn't work that way. We need to be able to get to the shortest distance, give them the most fishing time, the least cost to the operation to the boat.

MR. COX: Bobby, I would just like to say this. You guys keep in mind that we have – while you guys are here – that we have our visioning meetings starting in March. I don't know if we know the exact data yet, but the council is very interested in ways that you guys want to change the process and ways that we might be able to move forward. I'm excited for being on the council during this process, because the council really is interested in it. I will tell you that all the council members are looking forward to input just like you're saying here now. Just keep that in mind.

MR. FREEMAN: Hopefully, I'm going to be in warm places in March. It needs to be different than what it is at. From my perspective – and I realize everybody hasn't built a career, what little reputation I've got, on catching the snowy grouper and all this. The guys call me still now; they have talked to somebody that used to fish with me, hey, we want to go catch those grouper. Sorry, buddy, we can't do that any longer. Well, why can't you? It is costing us business every year.

DR. DUVAL: Well, Bobby again, and like Jack said; hopefully even if you're not able to participate in one of the port meetings; we're looking at like the third week of March or something. There is going to be a flier going out to all permit holders, charter/headboat, and commercial permit holders about this visioning process. There are other ways for you to provide exactly that kind of input. What are some of the ways to manage the fishery that the council hasn't considered? I would appreciate it.

MR. FREEMAN: I'll be checking e-mail, but I've got some gaps I'll be gone.

MR. LAWING: My name is Andy Lawing; I live here in Atlantic Beach. I have been fishing the area here out of Atlantic Beach since the early 1970's. I have a lot of experience in the for-hire industry, currently captain of a snapper grouper boat here out of Atlantic Beach as well. Amendment 29 concerning the triggerfish; a few things that I'm hearing; one is that the triggerfish are being targeted more. That tends to happen, yes, in the fall and the winter when the B-liners close. As a snapper grouper captain and doing this solely for a living, if B-liners are closed, then we are looking for something to catch. The reds are closed, all the groupers are closed. Getting the 500 pounds of the B-liners we got helped us a lot. Anything that we can get to extend our season is what we're looking for, especially in multiples to try to keep from having so much bycatch; catching triggerfish and throwing back red grouper because they are out of season. We're fishing 250 foot of water. If I throw one back, no matter how I treat him, chances are not real good he is going to survive; and the same thing with the pinkies, the silver snappers.

I would really like to see in the trip limit scenario that you guys are talking about the triggerfish; you hear a lot of talk about all of these small catches, 100 to 500 pounds. Out of 600 and some snapper grouper permits, I would say at least 400 of those are day trips, people that have other

jobs and come out a day here or a day there; unlike boats like me that are out for three or four days trying to make a living at this would really like to see 1,000 pounds. If at some point during the season we have to drop it back as we get to a 75 percent, similar to what we did with the snapper this year; but don't take us to the 500, because that kills us. Try to extend this as much as you can.

On Amendment 16, the black bass; as of January the 9th, 55 percent of the ACL has been caught so far this year. I would really like the council to consider letting some of the bass pot endorsees that were taken away get an opportunity to reenter that fishery. There are so few things that we can fish for in the wintertime. As you've heard already today, black bass is a good wintertime fishery. I hope the council does at least consider having some reinstatements in that fishery as well. Also, the opening of the black bass pots in the winter time; it is my understanding that the right whale here is pretty much within the 60-foot depth limit. Give us the space outside of the 60 feet. That is all I had to comment on.

MR. TROUT: I'm Cliff Trout; Sea Trout II. I wanted to say about the pot fishing; I am one of the ones that still has a pot license. I would like to see it come back in the winter, because that is our best time for fish potting. Thirty-two guys can't hurt it. The whales; I've never seen a whale get in a small rope like that. I don't think anybody else ever has. We have the breakaways; we've done just about everything you guys have asked. That is about it on that part. The poundage; a big boat can't make any money with the poundage. That is one thing about it. I am going to a smaller boat. I also work on the Nancy Lee. We throw more – I wanted to say something about the circle hooks. I know a lot of guys disagree with me, but I'm there everyday watching it. We're throwing more dead fish back than I have ever seen. The black sea bass swallow the hooks. You can't get them out with a dehooker. By the time you do get them out, you have pulled the gills out of them. Small grouper are definitely swallowing the hooks. We're throwing a lot of them back dead. The sharks are loving it. I don't know too much about what else you guys were going to talk about on the permits or anything like that; the snapper grouper permits. I'll wait until we have the meetings where we get to talk about that, what, about in another two or three months?

DR. DUVAL: Those are actually for mackerel permits. What the council is looking at is right now king mackerel and Spanish mackerel commercial permits. It is one permit for all of the South Atlantic and Gulf of Mexico. What we're trying to get some input on is how people would feel about if we separated those permits by regions. In other words, you would have a South Atlantic king mackerel commercial permit and a Gulf king mackerel commercial permit. The same for Spanish mackerel, you have a permit for the South Atlantic and then a permit for the Gulf. One of the things; mackerel are managed jointly between the South Atlantic Council and the Gulf of Mexico Council. Sometimes it is a little bit of an unhappy marriage where we kind of want to do one thing in the South Atlantic and the Gulf wants to do another thing; but we all have to agree on what that thing should be in order for any action to move forward.

We've had a bit of a tough time with some amendments that we looked at earlier this year. There was some interest in looking at ways to try to I think reduce some of the number of inactive permits in the king mackerel fishery on the Atlantic side. There was some concern about the stock and if everybody who had a mackerel permit fished for mackerel, it would really overrun the quota. There is a new stock assessment that just started in December of this year, so hopefully that will be done by the end of 2014. But that is what we're trying to get some input

on is the commercial mackerel permits, both king and Spanish. There are some folks, particularly in Florida who fish both Atlantic and Gulf Coast for king mackerel. They go back and forth, and that is pretty much exclusively what they do.

MR. TROUT: I'm from the Keys so I did fish there; originally I was there. Okay, there is no way that we can fish for king mackerel here like they do in the Keys. Instead of doing that, why don't you break it up by giving South Carolina/North Carolina one type of fishing for the king mackerel, and doing something down there to the south, too; because we can't fish, they leave. That's it. As far as getting rid of some of the people, like the snapper grouper guys, we put out light lines and stuff, and we need those king mackerel. That helps with the fuel bill and everything else. We don't get the poundage that they can get, and we can't get that here.

DR. DUVAL: That as one of the things that I brought up is that these permits are a tool in the toolbox for our fishermen up here. The mackerel kind of come and go up at this end of the range. You are not always using the same tool all the time. Finding a way to make sure that the full-time commercial fisherman who needs that tool has it available when they need it is really key if we're going to look at something like that.

MR. TROUT: Right; it has got to be, because you keep taking everything away from them. If you take one more thing away, there are a lot of fishermen that just can't make it anymore. Like tonight, there would be more fishermen here, but Justin's working and he had to work his job. I mean, these guys have to have jobs now. They can't fish anymore this time of year. We can't afford to have much more taken away than has already been taken away. Just like over at the other meeting, it was brought up about the color of your sea bass. In the summer sometimes they will get a little bit lighter. Some of the dealers don't want to give you the price for the sea bass. They will say, well, you didn't have them on ice or you didn't do this or you didn't do that. No, we treat them the same every time. But you take one more thing away, we're done. I mean there are a lot of guys that are done.

Now like I said, I've been working on the headboats and stuff so I really don't have a lot of say so on what is really going on right now. But now that I've retired off the headboats, I am going to be full-time fishing. Now I'm going to be a little more interested in it. I know from talking to Scott and Chuck and all of us; we need every fish we can get that we can sell. We can't give up much more. Ralph had a bad year with the red grouper and things like that; but grouper move and fish have tails, and they're going to move. A lot of people don't quite understand that either, especially if they're not around. They do move, but, yes, it is just we can't give anymore up. For the king mackerel guys, I do understand the way they are in Florida; but here you can't run the same king mackerel law here as you do in Florida. I've fished for king mackerel down there and I brought a lot of king mackerel in. As far as the Gulf, it is different there, too. I think that that would be an alternative to break the areas up to where this would be something for us to do.

MR. ROBERTSON: I'm Jimmy Robertson; I run the Renegade II. I have been running the same boat for 10 years, the same owners. I guess I will start with the sea bass. We used to do the sea bass trapping until the quotas came out; and we just did it when the B-liners and basically the wintertime. We would do snapper grouper during the summer. The wintertime fishery was great for us, but we no longer can do it. I am very lucky to still have our bass trapping endorsement; like Sonny and some of the other people that had theirs taken away. To my knowledge, I am one of three boats, which I guess was Tony Austin and Mr. Gaskill who is

sitting over here behind me. It really puts a damper in our fishery if we can't fish for it. I would just like to say with the bass; when they turn white, you open them up in July. That is the hottest month. It is great for recreational fishermen, they can go out and catch them, but it is not good for a commercial fisherman.

If anything, pots should be opened up during the wintertime, at least from October right on. We should have a chance to fish. There are plenty of fish out there. These right whales, we don't fish but 20, 25 traps. That is all I fish. I've never had an interaction with a right whale. I've never heard of any interaction with right whales at all. It is pretty sickening that you put out the fishermen from doing their jobs and being able to make the money during the winter months over something that there is no scientific data even happening. Usually we are within five or ten miles of our traps either way, if we do split them up that far. Therefore, when we've got our traps out, we're right there with them. We don't leave them out there, they come in with us. That is the law now. Even if there was right whales coming through, we would be right there with our traps.

We're fishermen, we ain't trying to kill the fishery, but we're being treated as so. It really says something that we're not trusted to even take care of a whale. We're not trying to kill whales; we're not trying to kill turtles. We pay for bass tags every year and yet we don't use them, because the quota had been shut down before we even come into October and November. This past year I started up, got all my gear ready and was ready to go. They closed it down. It was November 1st where you couldn't do any potting at all. But the recreational was still open with plenty of quota. It is a lot of money being spent for us not to be able to do anything. We still run the risk of losing our endorsement. The lady I work for, Ms. Hill, she is worried about it every day whether we're going to lose it, because I worry about it. We can't put enough quota on there. If you all decide to go back and take our permit when the quota is set up to where we can't even fish it no way.

She is getting calls now from people in Florida wanting to buy her permit. I guess that has got a lot to do with trying to extend the season on the potting. She can't believe how much they are trying to offer, but we ain't getting rid of our permit. We just want something done so we can fish and everybody else can fish during the winter months and keep the fishery going, and we can make money during the wintertime. The tunas don't come in here so much that we can just – that is a gamble every time. But it is also a gamble we've got here making our money and then the season opens up for trawlers up north. They catch a boatload of bycatch, which drops our price, which does no good for anybody. We would love to see something done with that. I've got a lot to say I just don't know how to say it.

I also want to talk about the American red snapper. They should be at least a bycatch, some kind of bycatch. Every place you stop on, it ain't one type fish that is on that spot. If you stop there, you are going to catch a variety of fish. This summer we caught a lot. We stay away from the 8 and 900s up north; because the American snappers are so thick up there you can't catch a B-liner. You can't catch a jack; you can't catch a triggerfish or grouper because the snappers, they eat you alive. We ain't talking about small snappers either. These fish are 10, 12 pounds on up to 40 pounds. We're farmers of the sea. We don't like to see 30, 40 pound snappers float away because we can't keep them, and they don't live. You can deflate them, try to swim them and do all you can; it is just too much for the fish. That is just like going out there snowy fishing. You can't let snowy go out there.

Even if you vent them and everything, they just ain't going to make it to the bottom. I really think something needs to be done. We need a bycatch; I don't care if it is 100 or 200 pound bycatch. Something would be better than nothing is what we're getting right now. Also talking about in July, I think it was June of this year there were no more catching of the almaco jacks and no more triggerfish. Now evidently the ACL was set so low that it was caught up beforehand; but when you put split seasons on stuff and you put a quota on B-liners, and once those B-liners are caught up, there is nothing else for a fisherman to catch but go out there and target jacks, target triggers. That ain't a lot for us guys up here to North Carolina, because our weather is bad. We don't get to go out there and do that.

But those big boats down south and the guys get better weather in Florida; they are able to go out and they catch up all the quota. Come July when the B-liners, vermilion snappers open up for us to catch them, we're not allowed to catch the triggerfish or the almaco, so where does that leave us? We catch these B-liners and we're throwing over almaco, we're throwing over red snappers, we're throwing over triggerfish because we are not allowed to keep them. The ACL was set so low that it is being caught up. It really needs a split season, but it also needs more quota. There is no sense of catching fish and having to throw other fish back and not be able to keep them. If anything, we need a certain quota for each fish; 1,000 pound of triggerfish a trip along with 1,000 pound of B-liners and you give us – I don't know what is going on with the snowy groupers, I was hearing you guys talk about the 520 fish for the year. What is that?

DR. DUVAL: That is actually the recreational quota.

MR. ROBERTSON: It's the recreational? How is the commercial this year?

DR. DUVAL: The commercial quota is like 84,000 pounds and that was caught up – do you remember when that closed commercially?

MR. COX: It was sometime early summer, it seems like. If I remember right, it was summer, but I don't know exactly.

DR. DUVAL: I would have to go back and look online to see exactly when snowy grouper closed commercially, but they are back open now.

MR. ROBERTSON: I believe that was closed in June where we wasn't able to catch them all summer too, right? The same thing, because you've got the guys down south that go out and they targeted the tilefish and they targeted the snowy groupers. Come June and July there is no catching for them. Even the recreational guys can't go out and catch snowy groupers. You are going to catch your tilefish. You are allowed to catch your tilefish but you can't catch the snowies. When you can fish the deeper waters – sometimes the water is too cold inshore for us up here; we go to the deeper water and try to catch snowies, tilefish, B-liners. If we can't catch either, we're throwing a lot over and then you are just killing fish. You ain't helping the fishery at all. I understand what you are trying to do.

We are all trying to make this fishery last and we also want to make a living and make money; but we don't want to kill fish. That just makes less fish for us to make money on. I also understand there was a grouper quota left for the red grouper and scamps, and I see you all did take the gags off of that. I know that is closed down. I don't see why there ain't a bycatch on

that right along through the season, if there is plenty of quota left on that, why it should be shut down and taken away from us. The start of the B-liner season is January. I've caught four red grouper already. That was on small hooks. I wasn't even fishing for them. I don't think I caught that many during the summertime.

I want to talk about the size limit on triggerfish. You've already got a quota. If you are going to set up a quota system for 1,000 pounds or whatever it is a trip, I wouldn't suggest anything under 1,000 pounds because it is just ridiculous. There are plenty out there. The ACL was already set too low. A 12-inch size limit on triggerfish, any fishermen should know 12 inch is too small and they should be throwing it over. I understand you all want to put a quota on something, but you want to put a size limit. A size limit isn't going to help. If you've got a quota, it should be catch him, he is selling. It might not be that much, but it is better than throwing that fish back over and letting him die. To me you are just putting too much on it. You are just giving the marine fisheries man a right to come down here and start measuring out triggerfish to give you a ticket. As wide as a triggerfish is, 12 inches is a small triggerfish. Everybody should be throwing them over anyway. But a triggerfish is a hard thing to vent; they've got hard tough skin. It is hard to save them without stabbing them with a knife or something. You ain't sticking a needle through that hide.

MR. COX: Jimmy, let me ask you a question. When you are out in that deeper water, do you feel like your triggers are going back down if you do throw any of those back?

MR. ROBERTSON: Some of them are lively. If they are not all blown up when they come in, they will swim away. As far as venting them and throwing them over, I don't know, you are probably 50/50 on that. I just think it is better to have a little quota and catch what you catch. Once you catch that, that is it. Everybody should have enough commonsense in mind to know when they are getting close to that certain number and start staying away from them. But this summer it was ridiculous. You couldn't catch the triggerfish; you could not get away from them. Since it was closed, you all opened it up for the three weeks; I believe we got eight days of fishing; that was a 500 pound B-liner limits each trip that the triggerfish were open. We didn't get but eight days of fishing. But there are two guys in the back just like me; we had 50 to 55 boxes of fish in eight days of fishing. The fish were there, they had been biting, and we have been throwing them over all year long. The stock is there; we just need more. We need cooperation to get more. We don't mind helping you all out but we like to have our back rubbed, too. Thank you, I appreciate your time.

MR. DAVIS: While we're on this sea bass situation, I would like to see the bag limit raised from five to ten on the recreational part being they have come back so strong. If you go out on a half a day trip and catch five sea bass, you haven't got much to take home with you. I would like to see it be raised to ten if there is any possible way. Thank you.

MR. McPHERSON: My name is Ron McPherson; I'm a recreational fisherman turned charter captain. I've been fishing this area since the late fifties off and on. I finally got to retire down here about 10 years ago and set up my business. Now I do inshore charters. Just a few comments; I guess the one that is nearest and dearest to my heart is the black bass. I really appreciate the fact that you paid attention to the stock assessment. I'm glad that you got a stock assessment, and I'm glad that we are not having a closure this winter. That is very helpful. I would like for you to keep in mind that it wasn't but maybe four or five years ago when we could

keep 15 per person per day. I would very much like to see the 5 per person per day go up to 10 and see how the stock fares. If it doesn't seem to be hurting the stock, then at some later date, after we get our 10 and use that for a couple years, then maybe we go back to 15, which is where we were, what, five years ago I think, before somebody got all upset about the number of black bass that were out there.

I don't really think there was ever a problem. I think there were just problems. I don't think there was a problem with the fish; I think there was a problem with the data. Please let's get back to at least 10 per person per day. On the gray triggerfish, there was conversation about setting a bag limit of five recreationally and a 12-inch fork length size. I don't really have a problem with the 12 inches; in fact I'm not sure I would even keep a 12-inch one. You don't get that much meat off of a 12-inch fish. The five bag limit, I have a problem with that. I guess my question is has there been a stock assessment done on triggers?

DR. DUVAL: Last year there was a stock assessment that was started at the same time that they started the stock assessment for blueline tilefish. Unfortunately, they ran into some problems with the aging data. There were discrepancies. You use spines to age triggerfish, and they are very hard to read and there was a discrepancy between the two labs that were reading the spines. That is such important information for a stock assessment; it determines growth curves and natural mortality and things like that. They said, all right, we need to call a halt to this and start all over again. They are going to restart the gray triggerfish stock assessment. In August of this year is when the data workshop is going to be held. The council had some measures in Regulatory Amendment 14.

You might recall that was one that had a whole bunch of different sort of size, season, bag limit measures in there. We had some things on gray triggerfish like this measurement/size limit thing, and took them out because the stock assessment was going on. We figured we would wait until the stock assessment was done. Well, then we didn't have the stock assessment and then there has been some concern from the advisory panel and some other members of the public that triggerfish were really getting hammered and that maybe we needed to go ahead and put in place a minimum size limit and a trip limit in the interim, because the stock assessment won't be finished until sometime late in 2015. That is a very long answer to your question, but that is kind of where things stand right now.

MR. McPHERSON: Is this the one that the lady in the room next door was explaining; it is kind of a new system to look at determining how many pounds you can allocate? What are they calling it?

DR. DUVAL: The ORCS approach?

MR. McPHERSON: Yes, the ORCS.

DR. DUVAL: That is what has been used so far to set the total ACL for triggerfish right now, because we don't have a stock assessment. Once we have a stock assessment, they will look at basing the ACL on that stock assessment.

MR. McPHERSON: Okay. But I think she also said that the council didn't really want to proceed with setting a quota without a stock assessment. In other words, you all wanted to see a

stock assessment, but you were pushed into this ORCS or whatever you call it by fishermen who wanted to see some numbers, some quotas, right?

DR. DUVAL: The council is not pushed into the use of the ORCS approach, because that would be used for a whole bunch of species for which we only have landings' information. We don't necessarily have any other data, so that is kind of separate. I think maybe she was just referring to the fact that we included these gray triggerfish measures in this amendment that is also talking about using that other approach to set quotas, because there was concern from fishermen about the state of gray triggerfish, and that maybe we did need to do so something like at least impose a minimum size limit or something like that.

MR. McPHERSON: Okay, have the commercial landings gone down in the last couple years that would indicate that there is a problem with gray triggers?

DR. DUVAL: No, the gray triggerfish commercial ACL has been caught up the past few years early.

(Remark made off the record)

MR. McPHERSON: Okay, so from a commercial standpoint and the number of landings that you're doing commercially, it doesn't indicate that there is a problem with triggers, right?

(Remark made off the record)

MR. McPHERSON: How do you feel about the stock assessments that are being done these days; do you have confidence in them?

(Remark made off the record)

MR. COX: (Turned on microphone at this point) – where it is on triggerfish; and so Myra is answering those questions. I think it would probably do you some good to listen in on that as well on why some of the ACLs are set to were we have them now.

MR. McPHERSON: I listened to her and I saw the gyrations, the numbers that you have to go through with the multipliers and the percentages and all this stuff. I guess my concern is do we really need to do this? Do we really need to – if there is not a problem with our gray triggers, then why go through all these gyrations and have these quotas if it is not an issue, if they are not being overfished?

DR. DUVAL: We don't know that.

MR. McPHERSON: I guess my point is if it ain't broke, why do we need to try to fix it?

DR. DUVAL: Which part are you talking about? Are you talking about a minimum size limit, are you talking about a bag limit, are you talking about a trip limit?

MR. McPHERSON: I'm talking about the system that she went through over there that gave the poundage, and actually the poundage was going to go up slightly for gray triggers, but it is not a stock assessment. It is a scheme for figuring out something that you don't know the answer to.

DR. DUVAL: That is because the law requires that the council have an annual catch limit for every species. So what we're trying to do is –

MR. McPHERSON: Oh, hell, we're still fighting that; aren't we?

DR. DUVAL: That is why there are a number of different methodologies that the council's Scientific and Statistical Committee has looked at for species like gray triggerfish where we don't have a stock assessment. The method that Myra was talking about next door is for those species where we're like, okay, we have landings information and we feel like we have pretty good confidence in those landings; so how do you set it? The Scientific and Statistical Committee has previously used things like I think the third highest landings during a time span. They've used like the median, sort of what is the middle of the whole landing stream. This is a new method that has been used in other parts of the country to try to set these quotas, because the law requires it for those species that we don't have a stock assessment for.

Gray triggerfish is kind of in this weird middle place where we have a stock assessment that is coming up. We thought we were going to have one by now. Then as you maybe heard some of the commercial fishermen earlier talk about the fact that gray triggerfish have opened January 1st, and people have just kind of fished on the quota until it was gone; but people are catching triggerfish and B-liners at the same time, so they would really kind of like to see those species open at the same time; and for the commercial sector we have a split season for the B-liners. There is some desire on the part of at least a lot of the commercial guys to have a split season for triggerfish where it would match up with B-liners; so that when one is open, so is the other so that they are having to throw less fish back. When triggerfish closed early and folks were out B-liner fishing in the fall, triggerfish were closed so they were having to throw back so many triggerfish. That is a long answer to your question, but that is sort of how we got to where we are right now.

MR. McPHERSON: But for me the real answer is the – I can't remember the name of the law that we're operating under.

DR. DUVAL: The Magnuson Act.

MR. McPHERSON: The Magnuson Act that is so screwed up – well, it is, it is just screwed up. We could have made this a lot shorter conversation if I had realized that at the beginning, because I have run into that before. Until we can get that law changed, which I don't know if we'll ever live long enough to do that but we need to try. The other comment I would have is I was in Kari's presentation. We were talking about king mackerel, Spanish mackerel, and the fact that on the Spanish mackerel the commercial fishermen are catching more than their quota. I think the year before last it was 117 percent and last year it was 128 percent.

But the recreational did not catch their quota, so the two together didn't overrun so the commercial didn't have to pay anything back. One solution to this, that I guess it was part of your presentation, was that at some point in the year, let's say halfway through the year or two-

thirds of the way through the year, you run up the numbers that the recreational have caught, and if it doesn't appear that they are going to catch their quota, and the commercial have already caught their quota; you shift some of the quota over to the commercial during the year so that they don't overrun. In the recreational it doesn't look like in her presentation there were 10, 12 years and the recreational never caught 100 percent of theirs; so just give some of those to the commercial; and then when the new year rolls around, it all resets back to 55/45. It makes a lot of sense. I'm not 100 percent sure why we have to do that, but it would probably look better if the commercial won't overrun it. The point is if you move it over there, if you move it from the recreational to the commercial and you are not overrunning anyhow, does it really make a lot of difference? I'm not sure, but maybe you know why.

DR. DUVAL: Well, it really only makes a difference if there is a payback for that overage that is required. The council has – and that is called an accountability measure when you try to make sure that you are not overrunning your quota. The council has sort of a smorgasbord of accountability measures for its species where payback is only required if the total ACL, commercial and recreational combined, is exceeded and the stock is overfished. I think for black sea bass a payback is required no matter what the status of the stock. One of the things I think we're trying to do is sort of try to make all of our accountability measures consistent. But you are right, overall it really doesn't matter unless there is a payback required for that overage.

MR. McPHERSON: But if that will make the bean counters happy, then slide it around and keep the bean counters happy; because if they ain't happy, nobody is happy. I've also got some concerns – and this will be the last thing and I'll shut up – about the black bass pot fishermen and this right whale business. It seems so unfair to those pot fishermen that they can't get out and use their pots, because it is such an efficient, clean fishery. I mean it is like – Jack, is there any bycatch? Do you ever catch small bass in those pots?

MR. COX: Ron, we do, but we increased the size limit on the panels so a lot of those fish swim through the traps; but, no, it is a very clean fishery.

MR. McPHERSON: Yes, and it makes sense that you ought to be able to do that, to take fish, because it is not just about us. It is about the people that the commercial guys are feeding upstate and Kansas City or wherever. That is critical, and somehow we really need to come up with a better way to give those guys or gals – I don't know there may be some women in the fishery too. Sorry, but I think of it as a guy thing – a place to set their pots where they can catch black bass and not be worried about these whales. It is kind of amazing to me that all of the thousands and thousands of lobster pots that are in the water off of New England; I don't know that they are having to pull theirs out for this period of time when the right whales are coming through, do they?

MR. COX: No; and I'll say this Ronnie. I appreciate you being a recreational fisherman and understanding that we do need to catch those fish and provide those fish to the consumer. It is something that I didn't hear any comment on. But I would like to say it as you being a recreational guy; when I sea bass potted, I always liked that winter fishery, because we didn't interact with you guys that like to go out there on those pretty days and have to worry about our gear in things that you might be doing. Thank you.

MR. McPHERSON: It is a really good way to catch a fish and not have any bycatch, which keeps my buddy Chris back in the back there happy. You pull the pot up and there it is, and it is probably 95 percent of them are fine, they are the right size. I guess my comment is I don't know how we do this but maybe the mapping that showed coordinates on it that would say that the pot guys could go outside of that is the way to do it. I'm not sure how far that would push them out. It sounded like they would have to go out at least as far as Big 10, Little 10 or maybe further. I don't know where your best pot fishing is. It is important that we open it up so those guys can go out there and catch some fish. It is just so hard for a commercial guy to make a living in the wintertime, and that is one way he can do it. Thank you very much for listening to my comments.

Thank you for having it on Atlantic Beach instead of New Bern. This is Ron McPherson; and I am back for a second helping. Just one more thing that I thought of in the hall when I was out there talking to Chris; I think it is important – and this is sort of an overall comment – like on the black bass fishermen, the potters that didn't have enough poundage on their sales slips, they lost their license. I think as long as a person is willing to pay the fee to keep the license alive, you should never take it away from him. Because, if the guy has got six options of ways to catch fish and this year he uses Number 1 and Number 2 for whatever reason; the next year he uses Number 3 and 4, and then the next year he uses 5 and 6; well, he probably didn't make any poundage on 1 and 2 those last two years; but if he is willing to pay the license fee, then let him keep his license, because that leaves his options open so that he can go catch a fish and make a living. Don't take it away from him. That happens a lot. It has happened time after time after time. Sonny mentioned it next door. He had two boats that had a pot license and he started bluefin tuna fishing; and he didn't have any poundage and so he lost those licenses. It is not right.

MR. COX: I've got a question for you. That particular year that they started looking at reducing that, the sea bass fishery was caught in 45 days of fishing for that whole season, and they were trying to figure out a way to lengthen the season. There were somewhere around 50 sea bass potters that were catching about 85 percent of the ACL. How would you fairly distribute those bass tags to the folks? My question to you is what would you do? I am with you, because I am one of the guys that lost that fishery. How would you fairly keep people in the fishery, but at the same time extend the season?

MR. McPHERSON: The thing that comes to mind first that I don't like are catch shares; but I don't like catch shares. That doesn't work; at least it doesn't work for me.

DR. DUVAL: One of the options that some people have suggested is right now people who have that black sea bass pot endorsement can have a maximum of 35 pots. One suggestion has been, well, maybe you have a second type of endorsement to bring some of those folks back into the fishery that lost their ability to use pots, but you limit the number of pots that they can have to like 10 or 15 or something like that.

It is not as many, because like Jack said the concern from the council at the time as that the entire quota was being caught up in 45 days and then the next season it lasted like two months or something like that. Again, this was implemented before we had the new stock assessment and the quota doubled. That was just one of the examples of something that could be done, almost like a Level 2 endorsement or something like that for sea bass pots.

MR. McPHERSON: It sounds like a way to let people back in. That would make Sonny happy, because he was only running like 15 pots. I don't know if you can make enough money to make it worthwhile at that number.

MR. COX: There are guys that are making a living on it with 5 pots. But, anyway, yes, it makes you think on how hard the council's job is. When you've got those things and you've got to figure out a way to keep folks fishing and to limit participation; it is hard.

MR. McPHERSON: But I still think there ought to be a way to not take a license away from a guy if he's got it. I'm not sure; I'm not smart enough to know the answer.

MR. COX: Well, with the king mackerel the council decided not to do that; because they were looking at ways to limit participation in the king mackerel fishery, because there were so many permits; but they voted against that one. Everybody kept their permit that had it.

MR. McPHERSON: Then that is a good thing, because those are very expensive permits, if I remember right, $10,000.

MR. COX: King mackerel permits are about four to $6,000 is what they are selling for. Today a sea bass endorsement would cost you about $30,000.

(Whereupon, the public hearing was adjourned.)

Transcribed By:
Graham Transcriptions, Inc.
January 2014

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): John Hadley

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 125 Briar Patch Dr.

EMAIL ADDRESS: john.hadley@ncdenr.gov

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): NCDMF

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
- [ ] Mackerel Amendment 24 (allocations)
- [ ] Mackerel Amendment 26 (permits)

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Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): WELLS BARKER

TELEPHONE NUMBER (& AREA CODE): 252-728-5637

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 1857 Hwy 101 Beaufort, N.C. 28516

EMAIL ADDRESS: wbarker1@ec.rr.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): David Tucker

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 2010 Bridges Street. Morehead City, NC 28557

EMAIL ADDRESS: blueoceannc@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Blue Ocean market

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [x] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Dunnie Smith

TELEPHONE NUMBER (& AREA CODE): 252 838-1001

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4888 Merrimon Rd Beaufort NC

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Comm Fish

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): DON HESSELMAN

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): POB 769 MOREHEAD CITY 28557

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): NC DMF

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

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YOUR NAME (PLEASE PRINT): James Holden

TELEPHONE NUMBER (& AREA CODE): 252 646-4609

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 103 mandy lane moreheadcity N.C.

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Comm. fish

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Randy Gregory

TELEPHONE NUMBER (& AREA CODE): 252-808-8078

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): PO Box 769 Morehead City NC 28557

EMAIL ADDRESS: randy.gregory@ncdenr.gov

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): NCDMF

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Elbert C. Gaskill

TELEPHONE NUMBER (& AREA CODE): 252-728-2089

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 5169 Bayview Dr Harkers Island NC 28531

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Commercial Fishing

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Jessica Lewis

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 613 Pine St., Beaufort, NC 28516

EMAIL ADDRESS: j.olivia.lewis@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

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NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Jennell Gould

TELEPHONE NUMBER (& AREA CODE): 252-342-8322

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): P.O. Box 174 Morehead City NC 28557

EMAIL ADDRESS: jgould@ec.rr.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Carolina Headboats, Inc.

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [x] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [x] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [x] Snapper Grouper Reg Amendment 16 (bsb pots)
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- [x] Mackerel Amendment 26 (permits)

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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Krista Shipley

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 117A Circle Dr, Beaufort, NC 28516

EMAIL ADDRESS: kas92@duke.edu

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): —

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For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Joanna Marrufo

TELEPHONE NUMBER (& AREA CODE): 626-347-7757

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 919 Leorita St. Baldwin Park, CA 91706

EMAIL ADDRESS: JOANNAMARRUFO@gmail.com

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For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Miles Muller

TELEPHONE NUMBER (& AREA CODE): 757 513 1432

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 135 Duke Marine Lab Rd Beaufort NC

EMAIL ADDRESS: mmm69@duke.edu

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Jessica Bonamuso

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 200 west 58th st New York NY 10019

EMAIL ADDRESS: jmb122@duke.edu

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Jennifer Imm

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*):

EMAIL ADDRESS: jennifer.imm@duke.edu

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

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Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): DYLAN RAY

TELEPHONE NUMBER (& AREA CODE): 252 241 0148

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 110 SUNSHINE CT, BEAUFORT, NC, 28516

EMAIL ADDRESS: DYLAN@THENEWSTIMES.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Caitlin Hamer

TELEPHONE NUMBER (& AREA CODE): (252) 504-7631

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 135 Duke Marine Lab Rd, Beaufort NC 28516

EMAIL ADDRESS: caitlin.hamer@duke.edu

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Fisheries Leadership & Sustainability Forum

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): MIKE ORBACH

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): DUKE MARINE LAB, 135 DUKE MARINE LAB RD, BEAUFORT, NC 28516

EMAIL ADDRESS: MXOE@DUKE.EDU

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): DUKE UNIV.

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
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PUBLIC COMMENT ATTENDANCE RECORD

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): R.R. (Ron) McPherson

TELEPHONE NUMBER (& AREA CODE): 252 723 8616

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 221 Moonlight Dr Atlantic Beach NC 28512

EMAIL ADDRESS: MCP221 rdn@earthlink.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Highlander Charters LLC

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [x] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [x] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [x] Snapper Grouper Reg Amendment 16 (bsb pots)
- [x] Mackerel Amendment 24 (allocations)
- [ ] Mackerel Amendment 26 (permits)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

Atlantic Beach

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Jimmy Robertson

TELEPHONE NUMBER (& AREA CODE): 252-515-4632

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 111 Oyster Ct Beaufort N.C 28516

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

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YOUR NAME (PLEASE PRINT): Jess Hawkins

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 112 Hodges Street Morehead City NC 28557

EMAIL ADDRESS: jhawkins9@ec.rr.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): N/A

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

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- [X] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Clifford Trout

TELEPHONE NUMBER (& AREA CODE): 252 393-7253

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 311 Dolphin St Cape Carteret NC 28584

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Sea Trout II

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [X] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

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YOUR NAME (PLEASE PRINT): Andy Lawing

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE): 217 Moonlight Dr Atlantic Beach NC 28512

EMAIL ADDRESS: Lawingenterprises@ec.rr.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Fishing Vessel Sea Cat

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

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For Scoping:

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YOUR NAME (PLEASE PRINT): ROBERT FREEMAN

TELEPHONE NUMBER (& AREA CODE): 252 726 9814

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE): 221 SMITH ST. ATLANTIC BCH, N.C. 28512

EMAIL ADDRESS: SUNRISE@COASTALNET.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): SUNRISE CHARTERS

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For Public Hearing:

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Brian Moore	252 342-4383

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
104 Tudor Dr Newport NC 28570

EMAIL ADDRESS

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Crystal Coast Fishery

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Sandra Gaskill	252-728-2089

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
567 Bayview Dr

EMAIL ADDRESS Harker Island NC 28531

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Commercial Fisherman

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

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Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Chris McCarthy

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 110 Salem St Morehead NC 28557

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT): Tom Burgess

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*):

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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Atlantic Beach, NC	January 22, 2014

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Sonny Davis	726-4675

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
P.O Box 3013 Atlantic Beach N.C.

EMAIL ADDRESS

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Capt. Stacy II + III Inc.

CHECK IF YOU WISH TO MAKE A STATEMENT

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PUBLIC COMMENT SESSION
KEYWEST MARRIOTT BEACHSIDE HOTEL
KEY WEST, FLORIDA
JANUARY 27, 2014

MR. KELLY: Chairman Hartig, Mr. Jolley, my name is Bill Kelly. I represent the Florida Keys Commercial Fishermen's Association, the largest trade association in the Florida Keys representing commercial fishermen, fish houses, restaurants and other interested parties. I will take these in order, I suppose. We'll start with Amendment 24 to the joint fishery management plan. Just very briefly, with regard to allocation; we would like to see you examine the catch history over a long period of time in fairness to the fishermen. There have been a number of changes that are taking place lately with regard to no sale provisions by the for-hire sector. In that regard, probably some adjustments are likely to increase the commercial allocation that would fill that void. It is also my understanding that the recreational sector has consistently underfished their allocation; and so a periodic review of allocations is in order and needs to be addressed by the council. With regard to Amendment 26, joint fisheries management plan for coastal migratory pelagics; this has been a contentious issue here with regard to both hook-and-lines permits and gillnet permits.

Several years ago we introduced some accountability measures and actually requested that the councils consider eliminating latent permits in the gillnet fishery. There were five of them. Much to our surprise and our relief, the council said, no, we're not going to do that just because these guys haven't exercised their right to fish. We shouldn't be arbitrarily putting people out of business. We salute that effort. The main reason and our main concern was to bring some credibility and accountability to that gillnet fishery, which is one of the most successful that there is prosecuted in the state of Florida; minimal bycatch, highly efficient. We just wanted to increase our level of accountability to the councils. We don't favor two-for-one provisions or any adjustments there or any retirement of latent permits in the hook-and-line fishery. The reason is here in Munroe County we have a number of latent permits and it is directly related to our trip limits, which I have suggested to both councils are inappropriate at 1,250 pounds with a step-down to 500 pounds at 75 percent of quota.

With fuel costs and the distances that we run, it is simply inappropriate. If we're going to assess whether or not there are latent permits in the fishery and they are going to remain that way, then maybe a modest boost in the trip limits would address that issue. I will tell you that there are a lot of very surprised fishermen; in excess of 100 hook-and-line permit holders in Monroe County that are particularly annoyed and upset about the South Atlantic Council and their Mackerel Committee endorsing those increases and the Gulf Council's Mackerel Committee endorsing those increases; and then suddenly for the Gulf Council to take a reversal on this, keep it at 1,250, remand it to the South Atlantic Council, who in turn also did 180's by both their Mackerel Committee and the Full Council; they then sent it back to the Gulf Council and it will be addressed at the meeting next week in Houston.

Like I said, we've got in excess of 100 permit holders in Monroe County that are being severely restricted by that limit. The case is being made by approximately 25 permit holders in Collier County that this would financially drop the price of mackerel, but that has happened for years, anyway. But the bottom line is whether the price remains the same or it does drop is that 18 years ago, when these council's proposed the rebuilding programs for king mackerel, the

industry was promised that they would get those quotas back when the stocks were rebuilt. They are; they have been. It is one of the most underutilized species in the Gulf of Mexico, and we're continuing to be penalized. That small handful of fishermen in Collier County now enjoys the migration of those fish down to the south at the beginning of the season. Our hook-and-line permitted fishermen can't afford to travel those 80 miles each way to harvest those fish. Then the Collier County fishermen enjoy and reap the rewards when those fish make their trip back northward. I will make one final plea at the Gulf Council meeting next week to see if we can't get a modest increase to 2,000 pounds.

That would be I think an appropriate way to gauge whether or not there is going to be an increased renewed action in the fishery and also help us to address latent permits. The next item coastal migratory pelagics for Mackerel Framework Amendment 1, Action 1, modify the annual catch limit; we support the South Atlantic's preferred Alternative 2. On Action 2, modify the annual catch limit for Gulf migratory group Spanish mackerel; we support the Alternative 2. Something I skipped over; we are not in favor of separate permits for Gulf and South Atlantic or separate permits for Spanish in Spanish or king mackerel fisheries. The final item here for Snapper Grouper Amendment 29, Action 1, amend the South Atlantic Council's ABC Control Rule; we support your Preferred Alternative 2. On Action 2, apply the revised ABC Control Rule to select the unassessed snapper grouper species; we support your preferred Subalternative 3B. Action 3, modify the measurement method for gray triggerfish and establish a size limit; we support the Preferred Alternative 3. On Action 4, establish a commercial split season for gray triggerfish; we support Alternative 1, no action. Action 5, establish a commercial trip limit for gray triggerfish; we support Alternative 1, no action. That completes my testimony. I want to thank both of you for taking time to come down here and give us the opportunity to voice our opinions.

MR. HARTIG: Thank you, Bill, I appreciate that. One of the interesting things I saw come out of the Spanish mackerel assessment was the realization that there are a lot of mackerel in the Gulf coming out of that stock assessment. I think you will see the same thing in king mackerel from the preliminary. Now, I can never tell you how an assessment will come out, but to me it looks like the recruitment is up; and it has been pretty steady on the high end for a pretty good period of time. I would hope that translates into a higher TAC for the Gulf. If that happens, I have no problem coming n and entertaining a different trip limit for your guys. That is not in the distant future. That is not far away.

MR. KELLY: Right; but the thing that concerns us is if we got a good stock assessment and they were to increase quota and we're harvesting more fish, isn't that going to have the same economic impact that fishermen seem to be concerned about now both in northeastern Florida and in Collier County?

MR. HARTIG: Well, mainly northeastern Florida should be done. Their fishery will be over by the time your fishery starts. The only interaction we'll have is between what used to be the mixing zone on our side and then the Keys fish. We'll have to see. We'll have to see what kind of a trip limit. Your guys were willing to go from 3,000 to 2,000; which I thought was a pretty good compromise. I think if we get enough fish, that wouldn't be a problem. Yes, there may be some impacts on our fishermen; but if you have the fish, that is just going to have to be part of it. To me; we had talked about it before, the fairness issue, the guys who had been in lobster and stone crab versus the guys who were in king mackerel and grouper and then how things evolved

over the 18 years, we had the 1,250 pounds. As fuel prices rose and as prices for lobster and stone crab rose, there wasn't that interest as much in king mackerel as there was previously. People evolve – people from Collier County, which you say, evolve more into king mackerel and grouper; and then your guys primarily lobster and stone crab fishermen. But you do have still a pretty good contingent of trollers in Key West that still participate in the fishery. Based on that petition that I saw, that internet petition, and the interviews with each one of them who put their points to why they wanted to see the 1,250 pounds stay at that level; it was pretty compelling to me that you still had a lot of participation from Key West in that fishery.

It is not all the same people probably. But I know the stalwarts; I know Bobby Pillar has talked to me for years, and a number of the Cuban fishermen as well have wanted that trip limit increase. Hopefully, we'll be able to do that in this next go round if we get a substantial increase in quota. I just can't see if you are going to increase it and make it high enough for more people to participate in it now, you've already got the quota stretched out about as far as you can get it based on the number of fish you have. We stretch it out into March, you get some of that Lent interaction, and you get some of the highest prices. If we put that significant increase, you are going to add more people. You are going to catch the quotas quicker. You are not going to get the economics of Lent and it is going to create a problem in people's business plans. Now, yes, it disadvantages the guys in the Keys who have fished that fishery forever, and I understand that. But, they have evolved into other fisheries.

MR. KELLY: Well, we've traditionally been multispecies fishermen down here. When we say the fishery is evolved, the fishery has evolved the way it has because these guys were regulated out of business essentially in that fishery. We've got well over 100 permit holders here in Monroe County that had to adapt to that. Yes, it evolved to other areas where it was convenient and they were closer to shore. We've actually seen a growth in the fishery in permit holders in Collier County, because that is a much lesser run. We're being penalized because of the regulatory measures. The stocks are fully rebuilt. This is a fishery that was traditionally in the Florida Keys. It was anchored here. The thing is with the promises that were made; we're not seeing any benefits of the rebuilding program. We have a substantial number of fishermen who have had to make do. But it is like anything else, a multispecies fishery; if I take ten grand out of your pocket here on mackerel and maybe to get another five grand out of your pocket on yellowtail or something like that; it all adds up. They've still got the same mortgage payments and kids to put through school and things of that nature. We're asking for fairness in the allocation of the fish.

MR. HARTIG: I know that wasn't a topic on the agenda, but I wanted to get your views on record.

MR. KELLY: Right; and I certainly appreciate that. I want to thank you very much. As I recall on that last stock assessment, the SSC recommended – well, they set the quota at 13.2 million pounds. I believe the SSC had said that you could go to 17 million pounds without having any negative impacts on the fishery. We really need to take a look at these numbers here and we need more and frequent stock assessments on all species, so that we can adapt on a timely basis.

MR. HARTIG: You are absolutely right. The assessments have been behind on the Gulf stock based on what I have observed over the years. Hopefully this one will catch up and get us to where we need to be.

MR. KELLY: Right; and there are some meetings taking place in Washington here soon on the reauthorization of Magnuson and so forth. We are pressing for fisheries management based on science and not on the best available science. Let's set some minimum standards. Let's get assessments made on economically important species by region, so that we're on top of these things.

MR. HARTIG: You're preaching to the choir with that one.

MR. WARD: I'm Gerald M. Ward; Riviera Beach, Palm Beach County, Florida. I am also an owner down here in Monroe County, Florida. It got too cold in Palm Beach. I gather, Mr. Chair, you are a Jupiter man.

MR. HARTIG: Actually I grew up in Riviera Beach, so I grew up around the Morays, Hardens, and Darville's.

MR. WARD: Since I'm supposedly on the record now, I'm not going to tell you what I told your member earlier about Riviera Beach. He, like me, has had optimism that we have the best piece of real estate in southeast Florida; bit somehow we are walking backwards. I guess the first thing is I did try and drum up some people to come tonight, because I appreciate the two of you showing up all the way for five hours away. It is convenient to me, because I just go down Truman; and when it makes a 90 right the second time, it makes a 90 right here; and it makes a 90 right the second time, that is my house. I think you do need to overhaul the meeting process out the door. The ladies next door are as important as you guys are to making people understand; and when I first pulled down – and I did Snapper Grouper Amendment 29 first because that interested me both from the basic species as well as the triggerfish.

I would tell you the use of acronyms – and I do this to the Florida Legislature and to no end of bureaucrats at the state level, spell out what you're saying and quit using them. Now you do identify – like ACL shows up on Page 3, at the top of the page, explained. For those of us that don't deal in bureaucracy every day, acronyms get us confused. I have been very successful in some elements – Fish and Wildlife Conservation Commission, Office of Boating and Waterways – of changing their attitude. You spell out what you're saying, even if it is repetitive. It often makes the report shorter, because you really don't need as many pages as come forward.

(Remark made off the record)

MR. WARD: He has been very good for a half a century or so in Palm Beach County. He and I are getting old. The experience I've had was a week ago or two I went out on a small headboat and went bottom fishing in 70 feet on the reef, and then out to 120 feet on the reef. I got four hours or three hours worth of experience. And it was a rough day; probably six foot. The wind was 3/20 when we started. We went north of the inlet and had what I called great success, but more importantly the success was in diversity. We kept snapper, we kept triggerfish; we caught one small peanut dolphin with a flat line off the back. We sent back a number of other diverse species. I am not a fisherman as such. I can't tout being a West Palm Beach Fishing Club guy; but I would tell you that it impressed me to no end that we do have available for any Tom, Dick and Harry a large diversity of species in the Palm Beach County area. We were within three miles so we stayed within Riviera Beach shoreline. The state changed it in 1974, so the town goes three miles offshore.

That is just one more attribute that I tout about Riviera Beach. The proposed rule is to change a process which appears to be highly statistical, the ABC Control Rule. It is touted to be applied to unassessed species, meaning species that we don't seem to have a lot of data on harvesting or total quantities. That rule went into effect in 2012. I am not quite sure that you are ready to change it unless you have the staff prove to you that they didn't do good enough in something that is less than two years old. I am a great fan of the Florida Fish and Wildlife Conservation Commission Group out of St. Petersburg. Back in the sixties we used to go rifle their library; effectively their reports. I've done that in the seventies. It went downhill. A director ago was actually heading it up before he became the director of the commission. They do a lot of good work.

I'm not so sure that the feds should not start funding at a greater level Fish and Wildlife Florida as a means to stop what I see here as a – well, this may be better than what we've got, but is it really correct to proceed to it? I am very concerned about the risk factors. You have four being proposed; low, moderate, moderate low, and moderate high. The scale factors that come out of that get applied and then you have – I call it a safety factor – 10 percent for low. Moderate is 1.5 percent – I mean, 20 percent and moderate high is 30 percent. Almost everything in this whole new computation is nice round numbers of 10 percents or something of that nature. I know we have a lot of smart people that come out of the universities with PhDs.

I keep telling people the best thing they need to do is take statistics in their high school – physics, statistics, geometry – and forget all this higher math. That is a common sense way of doing business. I happen to be an engineer so higher math doesn't help me in most of our business. I would certainly like to see you query the staff as to whether they really are going to get something out of this. I am not a fan of splitting – although it has been touted that if you split north and south in evaluations, you can make changes quicker. If you can show that the bureaucratic process will feed you information back to make changes in allocations quicker, then, yes, maybe so. I think that when you get around to the reductions in landings, Page 13, which target the private, charter and headboat sectors, you need to start asking some economic questions.

If we target them, what is the difference when we have made things so complex that many people do not want to accommodate commercial fishermen in the state of Florida anymore? The businesses turn around and say it is simpler to buy fish out of a foreign country. That may be good to do what I just found in the last week or so, the diversity of what we landed off of Palm Beach; but I am not sure that is good for the health and welfare of the country. I am not sure I wanted to bring it up on this particular segment – but I think I had it under another one – that we have to look towards our younger folk. I guess I need to go to the public hearing for framework for Amendment 1, which is supposedly and truly three-tenths of a million pounds increase in catch. But if I were sitting in your shoes, I would start asking staff to give me not a ten year, which they did on the grouper snapper, but I would like to know for the mackerel 50 years worth of data.

The first thing they are going to tell you is, oh, we don't trust the data that is old. Yet I think that is illustrative to you, because I go back to 1964 when I was on a coast survey ship and every night at quitting hour we would anchor down over an old wreck. We either fished for bottom fish or fished for mackerel. The schools of mackerel would come down the coast. That was probably before we had aircraft to go put big nets around them and cause a significant problem.

I think you need presented the total picture of what we think landings were. Now, yes, they may be flawed, which is the reason that you've got the Amendment 29 to deal with the control rule, because you want something to deal with unassessed species. I really would like to think you need the full presentation, because I would take a silver spoon and flip it into a school of mackerel and the ship of 35 had dinner that night for three or four of us having fun, whether we put a whaler over or whether we just fished off the ship and the school came by. It was something that we fixed. We overfished the mackerel and it is no longer a problem. That sort of covers the Framework Amendment 1.

For Amendment 24, it is curious to me from the statistical standpoint when you look at the Tables S-1, S-2, which is roughly 10 years worth of tables, a decade; it is good information on landings yet we basically probably didn't have any stock data, because it is all the same. If you are dealing in 10 million pounds, it doesn't matter to me whether it is 10.2 or 10.8; we've got numbers that may not have had significance for years. That is why giving you a historical presence in terms of any species you're dealing in should be better. If you go to the Table S-4, and Table S-3, people said, well, let's just discount the times when tropicals occurred. We all know Francis and Jean. My wife just screams and hollers will it ever quit? She was moving 2 knots. The landings went down in the following fish year, because people had other things to do. They had to fix their house and they had to fix this up and the other.

It is needed to have that displayed; and our statistician is really the person who can tell you whether you should discard it. I sometimes wonder whether you should ever discard something, because it often finds that the following year or two years or whatever there is a bump that goes way up the other way. Using climatic events may not be the thing you need to do. I've taken your time. I really do think we need to go back at the NOAA elevation of our government to look at what the costs are when you develop dual permits, for instance. How many bureaucrats have to be hired? How many dollars have to come out of permittees' pockets? I'm very concerned that you don't get back what you hope. An academic or scientific type may think, oh, we're really trimming the data; but it is like me going through. Everything I did I rounded it to tenths of a million in terms of pounds.

There is no use dealing with these numbers that just go on forever. You can't get your mind wrapped around it. The system as structured by the Federal Fisheries Act is intended to function on data. The better thing would be to find a way to get our data better. I think Fish and Wildlife Conservation Commission, state of Florida – and your member here today raised a very good question; why there wasn't anybody there from FWC in the last couple days at the tournament we opened a brand new marina facility here, had a big tournament, and had to be supplied out of the north for bait fish, for instance. You turn around and nobody would do like we do at the KDW and have a Fish and Wildlife guy there censusing and checking on fish. I think more people would become better served by having less diversity of regulations and less options. It may be that you can have a Gulf and an Atlantic permit split, but I typically find that scofflaws are going to flaunt that; and all it will do is run a few younger people out of the business saying I want to go do something else. Thank you, gentlemen.

MR. HARTIG: Yes, Mr. Ward, it is interesting; you pointed to our tables and chose a very limited landings' years. That is correct; we only usually look back at that number to look at those allocations; but if you are really interested in where the science comes from in assessing our stocks, the SEDAR website; S-E-D-A-R –

MR. WARD: I saw that acronym.

MR. HARTIG: You can get on that website and you can go to all the assessments of the species you are interested in. If you go to that website like for king mackerel or Spanish mackerel, we usually go back into the fifties in historical and sometimes farther for most of our stocks. Like you say, there are uncertainties in your landings prior to a certain date; prior to when trip tickets were implemented, prior to when species were separated and things of that nature; so the model is weighted. That data is weighted differently going into the assessment than the other data. We do take those into account.

MR. WARD: By the scientific committee. What I'm always concerned about is the decision-makers get the bigger picture.

MR. HARTIG: That is a good point as well. When all of that is talked about at the data workshop for all those years, recreational and commercial fishermen are involved in that process or can be and usually are at least recently when they review that data. All the questions that the data providers have about the data try to get answered at that data workshop. It is week long when they look at the data. We do this periodically. We have different kinds of assessments; a benchmark, a standard and an update. The benchmark is the comprehensive where you look at everything. You have a week-long data workshop, you have a week-long assessment workshop and then you have an end review by independent scientists from other parts of the world that come in here to review our assessments. It is a very good process; and the data that goes into it is reviewed extensively by both people in the fishery that have the experience and the scientists to groundtruth that data to make sure it is up to our standards.

MR. WARD: But do you, as boots-in-the-water fishermen, believe that your associates can go to a meeting like that and tear apart a scientific, academic, statistician's desire to do something?

MR. HARTIG: The assessment process is supposed to be neutral, but human nature it is not.

MR. WARD: It is not.

MR. HARTIG: It is not and that is a very good observation. What we do is over the years we have developed a number of people who are credible witnesses or credible people on the water that will bring the truth to the table as they know it and not try and manipulate the system in a uninformed way or something different than how people have seen it. I think we get a pretty good analysis from the people who participate. We have what we call a SEDAR Pool. That is something you could get into.

MR. WARD: If I get into anymore things, I'll be worse off. You have a representative on our 12-county navigation authority for the east coast, Jerry Samson out of Brevard County. Jerry is absolutely the tempering force because he comes at things different. That board is a good board, because it has been fairly diverse over the past. You need to find a replacement for him, because he isn't going to find another appointment. He is term-limited. Regardless of his lobbying abilities in Tallahassee, I think the next governor won't reappoint him. You need people like him on a board. Our purpose is more or less to make you think about some things that maybe will –

MR. HARTIG: Your comments are very appropriate. We're just going into this visioning session that we're going to do. What you have told us today is really a lot of what we want to hear from the public in this visioning process that we're going to start here in April. We're trying to schedule one at the club, so I very much encourage you if you're available.

MR. WARD: You do a very good job of noticing meetings, at least the council does. I obviously got this and said, oh, I'm going to be in Key West and I can be there.

MR. HARTIG: We appreciate it. I don't know you personally and we have a parallel time in Palm Beach County. I moved there in '57. We have grown up seeing the same kinds of things and changes.

MR. WARD: From different perspectives; I'm an engineer you are boots in the water.

MR. HARTIG: Yes, but I mean you have a love of the water as well. You have seen the changes. I'm heartened to hear that your trip on the headboat was a good observation that we still have a diversity of fish to be able to be caught in that area, because there is a lot of pressure there. John knows the changes. For the largest animals; the largest animals have changed the most, there is no doubt about that. We don't see as many of the large animals, except for Goliath grouper and then gags when they come through in their migration. But other than that, you don't see many black grouper in that area anymore, which used to be pretty common back in the day, nice big fish, too.

MR. WARD: My last tour of duty was in Hawaii so I became a diver. In Hawaii you dive off the beach, just absolutely – it is great for your physique, because you get to swim out with your tank. You don't have a boat you have to deal with. You understand currents that go around the island, because you don't want to be walking back a quarter of a mile, a half a mile with your tank. You want to be able to come back in to the same spot. The same thing happened here diving in the seventies. We truly do need to watch what my real business is, water resources. As much as people scream, we've done very well in protecting you against a flood of your rear end since '76; but we have not understood that we keep discharging a bunch of crap, storm water, I mean. All you've got to do is drive over the Blue Heron Bridge and say; hey, I can't see the bottom because it rained a half an inch or two inches. That is because we're pushing it out the oven.

MR. HARTIG: As a fisherman over the years, I've noticed the changes and the algal blooms have increased tremendously and dramatically over the last 20 years in particular, so much to the degree that it actually settles on the reef in places on the back sides of current eddies in the reef and smothers portions of the reef. Those types of things, as we pumped some of this sewage into the ground; out of sight, out of mine; but that percolates through the aquifer and actually could come back up. I don't have to tell you; you are Mr. Water.

MR. WARD: C-1 Canal down in southern Dade County; that is where the other part of the Tiki Restaurant is at Black Point. I would go between here and Palm Beach. It is a short distance off of the turnpike. But the C-1 Canal; adjacent is the landfill; adjacent is the South Dade Waste Water Treatment Facility. The documentation is right there. Pump it down 3,000 feet, and by God it is showing up in the bay. You do have a lot of signature pollutants that you can track and yet nobody wants to talk about it. That is where we have a real problem. I did just give John a

copy of the Department of Interior Budget that was just passed. In it is a substantial increase, like four-tenths of a billion dollars over last year in terms of the grants' program for drinking water and waste water treatment. Somebody; they took three-tenths of a billion off of the Land and Water Fund, but they put four-tenths of a billion into these other issues. We have got to think about where we put stuff in the ground and otherwise treat it and reuse it.

MR. HARTIG: I've always been a proponent of reusing water. We haven't gone to the extent that I've always wanted to see it. One other thing, though – I'm going to change gears just a second. You had mentioned that only reliable catch or data-poor species; that you thought we probably should use a longer time series or maybe a more informed judgment on how we change it before – well, really review it. Well, that process actually had fishermen and scientists actually sat at the same table and arrived at these numbers. Now, were we happy with what we got as everything moderate? No.

MR. WARD: You better not be.

MR. HARTIG: We were not happy.

MR. WARD: Cut the baby.

MR. HARTIG: This is a first cut at that process. Hopefully, we want to improve that going into the future. The initial way we did it, that was pretty tough. We've got some closures in place for some of the species that I don't think are warranted, so we've got to work on that. This was a way to try in a stop gap. We're moving ahead with a new process of how to manage. It is going to take some time and some different ways of looking at things. In fact, they are having a big workshop at the Miami Lab about data-poor species with everybody from around the country, and even other places in the world are coming to talk about how do we manage these data-poor stocks better? We're making inroads into that and this is one way we're going to try it.

I don't think anybody from the fishing side of the equation was happy with everything coming out like it was. It needed to be more informed by more fishermen. We could only include a few people so we had a limited range of scope to develop all these different levels. I can't remember exactly the word to use for it. But all these different characteristics of each species were informed by not enough people in my opinion. I said we have to do this with our advisory panel through the entire range to get a better informed look. Frankly, I can come up with rock hind – rock hind was one, not the red hind, not the strawberry grouper, but rock hind is an animal that I've seen virtually disappear from the reefs that I fish. Where I am it is locally depleted, but up the coast it is not that way. How do you put all these in? A certain area is locally depleted and they are fairly abundant up here; so what does that come out to? We are going to tackled that.

MR. WARD: Well, I am very happy with the system we have in the state. The feds, no different than my lead income, it is about communication. Sometimes the further you get away, the less the communication is; that we didn't know these folks were next door until after we found out. It is important to be able to communicate. We need the data, because the data is where you solve the problems.

MR. HARTIG: I think a number of us on the council – and I know John is a proponent of this – is any increase in science funding I think we should funnel through the state system to do that.

We've talked about even at the congressional level that the states need to be more involved with the science, because I think they could do it more economically and, frankly, better.

MR. WARD: I am totally convinced. Well, do we have ten other people that want to speak? It is only 18:30.

MR. HARTIG: No, because based on the weather I saw coming down here, I knew what was going to transpire. And rightfully so; fishermen have to make a living, both recreational and commercial. Anybody with a boat is going to be on the water.

(Whereupon, the public hearing was adjourned)

Transcribed By:
Graham Transcriptions, Inc.
January 2014

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key West, FL	January 27, 2014

YOUR NAME (PLEASE PRINT): Bill Kelly

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): PO Box 501404 Marathon FL 33050

EMAIL ADDRESS: FKCFA1@Hotmail.Com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): FL Keys Commercial Fishermen's Assn.

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [x] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [x] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
- [ ] Mackerel Amendment 24 (allocations)
- [ ] Mackerel Amendment 26 (permits)

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YOUR NAME (PLEASE PRINT): Kasey Fly

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 214 Blackbeard Rd.

EMAIL ADDRESS: FKkeeper@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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YOUR NAME (PLEASE PRINT): Shelly Krueger

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 1100 Simonton St., 2-260

EMAIL ADDRESS: shellykrueger@ufl.edu

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Florida Sea Grant

CHECK IF YOU WISH TO MAKE A STATEMENT

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YOUR NAME (PLEASE PRINT): HAROLD ROBERT DETHAVEN

TELEPHONE NUMBER (& AREA CODE): 305 296.0501

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 407 CACTUS DRIVE, KEY HAVEN, FL 33040

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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For Scoping:

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Robert Lawson	706 219 3474

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
132 Wild Horse Cove Circle Cleveland Ga. 30528

EMAIL ADDRESS

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Alison Johnson	305-393-5599

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
1610 Trinidad Dr. Key West, FL 33040

EMAIL ADDRESS alison.johnson@unb.ca

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE) FWC

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

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LOCATION OF MEETING (CITY & STATE): Key West, FL	DATE OF MEETING: January 27, 2014
YOUR NAME (PLEASE PRINT): Kathleen Sparrow	TELEPHONE NUMBER (& AREA CODE): 252-305-6094
MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 156 Mother Vineyard Manteo, NC 27954	
EMAIL ADDRESS: KathSparrow@earthlink.net	
BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): North Carolina Watermen United	

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For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
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LOCATION OF MEETING (CITY & STATE): Key West, FL	DATE OF MEETING: January 27, 2014
YOUR NAME (PLEASE PRINT): Carolyn Woodhead	TELEPHONE NUMBER (& AREA CODE):
MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 33 Quay Rd. Key West FL 33040	
EMAIL ADDRESS: carolyn.woodhead@noaa.gov	
BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): NOAA Nat'l Marine Sanctuary Program	

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key West, FL	January 27, 2014

YOUR NAME (PLEASE PRINT): GERALD M. WARD

TELEPHONE NUMBER (& AREA CODE): 561\863-1215

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): P.O. Box 10441 Riviera Bch, FL 33419

EMAIL ADDRESS: wardgm@gatenet

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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PUBLIC HEARING
WYNDHAM JACKSONVILLE RIVERWALK
JACKSONVILLE, FLORIDA
JANUARY 29, 2014

MR. GRUBBS: David Grubbs; commercial fisherman; Capped Off is the name of my boat. On Amendment 16, I like Action 1, Alternative 4 where the closure only applies in the designated right whale critical habitat area. Then on Amendment 29, on Action 1 go with the Alternative 2. On Action 2, Alternative 2 and Subalternative 2B; on Action 3, I like Alternative 1. Then on Action 4 for the gray triggerfish, a split season would be okay, but either way that it works out. On Action 5, I would like to keep the trip limit around 1,000 pounds if we can make that work; and I could still live with 500 I think if the 1,000 didn't work out. I wanted to bring up one thing about the vermilion landings, too, and the counting of the fish. I've been hearing on an e-mail today that we're already at 25 percent of the vermilion quota.

It seems to me, unless I don't really know what is going on with it, there is a lot of rough weather we've been having; and it is hard to believe they are catching that much. I mean I've fished a few times this month. I have a smaller boat. It just seems like it is being caught up awful quick with the weather that we had. I just wondered about the accountability for the counting of that and how that could be addressed as to how it is being counted, if it is being estimated or it is really being counted. We had a good week of fishing this week with the weather. We were able to get out a few times; and they haven't even counted these fish. It sounds like the quota is going to be caught up pretty quick even with the reduction in the trip limit. It seems like it is happening awful fast. I would just like to address that. Thank you.

MR. HANCOCK: My name is Tony Hancock; I'm a commercial fisherman; captain of the fishing vessel Number One. My home port is Mayport, but we fish up and down the coast up into Georgia, South Carolina, and North Carolina. I am also a board member on the Council for Sustainable Fisheries. I would like to reiterate the positions taken in a letter that we have written to Chairman Hartig there. I would also like to suggest that I know there is an assessment currently underway for red grouper. I would like to suggest you guys maybe take a look at doing something preemptive on that. They seem to be in pretty short supply to me. I also would like to suggest that in the future when you guys are doing the presentations that you could possibly do the data sampling size on the MRIPS just to let us know how many people are being interviewed for these things. It would probably help to give us a little bit of confidence in your numbers when you are giving them out. That is pretty much all I've got. Thanks.

MR. HEVERIN: My name is Shawn Heverin; I am also a board member with the Council of Sustainable Fisheries along with Tony. I have a couple boats here in Jacksonville, a commercial fisherman. I want to talk about Amendment 29 with the triggerfish. I am in favor of – for Action 2, talking about the bar jacks, I am with Preferred Subalternative 2B. I've been looking at this data here and I have it all confused now. Also in Action 4, talking about that one, I like the two seasons; the one that starts in January and then the other one that starts in July. The co-occurring species with B-Liners; when we're B-Liner fishing we catch a lot of triggerfish, as you know. Last year, for instance, in July when the second B-liner season opened up, I think the triggerfish were only opened for like a week or two before they closed. We are constantly throwing back probably an estimated five to ten boxes a trip of triggerfish while we're B-liner fishing. That continued all the way through I think the fall when you guys opened up triggerfish

for I think it was like a week or two. I think it was you had some overage in the calculation. I like the two seasons there that you would have with that action.

Also, talking about – I think you've got a trip limit. I'm okay with the ten boxes. I think five boxes would help keep it open a lot longer, especially all the way through September, October, and November when we're out there actually catching a ton of triggerfish. I think in your data you said that the highest landings over the course of the 12 months occurred in those months. I think it was August, September, October and November were the highest catches of triggerfish. I'm in favor of trying to keep the season open as long as we can. If we have to do trip limits, that is fine. With Action 3 or is it 2 talking about the size limits on triggerfish; is that Action 2 with the size limits of triggerfish? Okay, anyway, I'm okay with having the size limit universal throughout the southeast at 12 inches for North Carolina, South Carolina, Georgia and Florida. If you guys did go up to 14 inches, I wouldn't prefer that, but I would be okay with that because the yield on the smaller triggerfish is pretty small. If you have a restaurant or retail dealer paying a pretty high price for triggerfish and getting a small yield, it doesn't really benefit them that much.

The other species that you guys have that you are talking about putting the ABCs on; I like the alternative with the – I think it is risk tolerance scalar of 0.8 that has the highest amount for commercial fishermen. If you see on there that is the biggest difference, so we'll have the most amount of ABC that we can keep each year. I don't even think we'll even hit a lot of these ABCs each year, but it will be nice to have that as a cushion in case we do target one species over the other in a given year. Talking about the black sea bass pots; I am for the fishery being opened in the wintertime. I don't have a sea bass pot endorsement, but I don't think that the interaction between right whales and sea bass pots would really occur, especially with no data to back that up; so I'm okay with the sea bass pots in the wintertime. That's all I've got.

MR. HARTIG: Shawn, do you actually ever make trips to target black sea bass commercially in a part of your reef fish plan?

MR. HEVERIN: This year we went out there to kind of double up on our B-liners, to go out there and try to target sea bass on the way in. If we went out there and got our B-liners in like two or three days, on the way in we would stop about 10 miles closer from where we were B-liner fishing and try to get like a box or two of sea bass to go along with the B-liners. But I think it was closed up until June 15th of this year; is that right?

MR. HARTIG: I can't remember when it reopened.

MR. HEVERIN: I thought it was closed up until June 15th of this year when they did open it. Usually the best sea bass fishing in this area occurs during the colder months; but we haven't made a trip specific just for sea bass in our area. The prices that we get in Mayport aren't high enough to really justify going out there and trying to target them.

MR. HARTIG: I appreciate that. The interesting thing is you mentioned trying to somehow balance a trip limit of triggers to coincide with how long the vermilion season is going to be opened, because that dynamic of triggers and vermilions. Like you say, you are discarding a number of triggers once the triggerfish ACL was met; so trying to balance a trip limit through the entire vermilion season would help cut down on discard mortality, and then it would help you by

increasing the profitability of your trips to some degree. You would get probably the profit anyway, because you would be allowed to catch X amount of triggerfish. But if you can spread it out through the vermilion season, it seems to me that we may be able to address some of that discard mortality.

MR. HEVERIN: Yes; what happened last July and August, a lot of times during the day the vermilions didn't really bite that well. We would be just burning through a flat of bait a day on just discarding triggerfish. Our bait cost is higher because we had to burn through all these triggerfish and flats of bait there trying to get the B's. Then all the B-liners want to do is bite at night. We are kind of just fishing for fun during the day and just wasting bait on triggerfish we can't even keep.

MR. HARTIG: Yes, then, of course, you are not catching any triggers at night, because they are not biting at night.

MR. HEVERIN: Yes, they don't bite at night.

MR. HOUGHTON: My name is Bob Houghton. On Amendment 16, I am for not changing a thing on the black sea bass pots; leaving them out of the water from the first of November through April 30th. I am a member of the Offshore Sport Fishing Club. We have had to take our marker flags out of the water; and we leave them out of the water because of the right whale population. Just counting the number; you have 32 permits, you have 35 pots; that is 1,120 pots that could be in the water. There is just no reason for it if it is going to kill a right whale. They are a very endangered species. There are very few this year, fewer than there have been in the past. They are probably going to go extinct in our lifetime. We need to do everything we can to prevent that. I know you can say, well, they are not going to get hung up on them. Well, why can't we leave our marker flags in there, which were strictly a weight, a line and a marker on top? We can't leave them in the water for the same reason. I guess it could possibly snag a whale. I'm in favor of leaving it alone.

It is not going to affect that many fishermen, anyway. They have ample time during the rest of the year to use their pots. One of the things that I've always addressed is the red snapper population is out of control and you don't do a thing about it, and you need to. You need to get on the stick and let people catch red snapper. We don't have a lot of grouper. Maybe you got it backwards; maybe we should close grouper and open red snapper, because the inshore grouper fishing is poor even when it is open; but the red snapper are out of control. You go out sheepshead fishing now on the Jacks Wreck, and you end up catching red snapper. You can't catch sheepshead; because when you drop bait down and you're talking about dropping a fiddler crab or a piece of crab down there, a red snapper eats it.

You need to address the fact that there are a load of red snapper out there that are good eating fish, and they would really help the economy if you would open red snapper fishing. I have no comments on your king mackerel or Spanish mackerel other than I think you ought to take the size limit off Spanish mackerel for a recreational fisherman. They make darned good bait for people that go out wahoo fishing. When you catch a Spanish mackerel recreationally, he is dead. You can't release him live. The chance of his survival is probably less than 10 percent, so why not let me keep that 11-inch Spanish mackerel and count it towards my limit of the day? Thank you.

MR. JOHNSON: I am Robert Johnson; I am a charterboat operator in St. Augustine, Florida. I support under Amendment 29, Action 1, the South Atlantic Council's ABC Control Rule; I support Subalternative 2D. I am also the Chairman of the Snapper Grouper Advisory Panel, and I would need to mention that they thought that there needed to be a 0.50 risk tolerance level for hog snapper; a lot of concern, especially from the guys in the Carolinas about hog snapper. They also would like me to mention that they would love to see a minimum size to at least 14 inches, preferably 16 inches for hog snapper. I support Action 2, which modifies a measurement method for gray triggerfish. Personally I would like to see 14 inches fork length. I support the split season for the commercial sector that allocates 50 percent of the ACL between the two openings. I also support a reduction in the recreational bag limit to five fish a person. That is my personal preference. My mate doesn't want to clean more than five.

I don't want to see a situation where the Florida recreational fishermen are faced with an in-season closure on gray triggerfish. My goal is to have access for as many species as possible on a year-round basis. I also support a 500 pound trip limit for the commercial sector. On Snapper Grouper Regulatory Amendment 16, I support Alternative 4, which is no change to current sea bass pot fishing season. But if the biological opinion does allow for a year-round pot fishery, then I would request that the council look at a separate hook-and-line allocation for the commercial sector for the vessels that did not receive a sea bass pot endorsement, much like what was done in the golden tilefish fishery. Other concerns that I have; I know the council has been talking about a recreational fish tag program. I don't really support that. I do see some benefits maybe for some species like wreckfish or even snowy grouper; but we know that snowy grouper are rebuilding nicely. The problem for the recreational angler there is a very low allocation; I think it is 3 percent. I do not support any kind of tag program for red snapper or shallow water grouper species. I think we need to give the management time to work.

I do support – I know you all have heard me mention this before – the establishment of a recreational reef fish stamp modeled after the federal duck stamp program. I had some discussion with Darby Forbes out in Seattle a couple weeks ago about this. It would definitely help MRIP be able to estimate recreational landings, if they could just narrow down that sampling universe. We've made this recommendation time and time again. It needs to happen; it would definitely help. On the issue of MPAs, I was happy to see at least they did do a summer cruise this year. I think that is the first one in a while. I think they need to do more of those. We need to find out what is going on inside these existing MPAs, and we need to have a more targeted approach when we're talking about identifying areas that focus on maybe critical areas of spawning aggregations versus these big large boxes that fishermen hate. That is all I have; thank you.

MR. NELSON: Paul Nelson; Ponce Inlet, Florida, commercial fisherman. When I first started bass pot fishing, there was a 200 pot limit, I think approximately, and there were 80 bass pot fishermen. We were allowed to leave our pots out unlimited for a week at a time; two weeks, however long you wanted to leave them. There was no documented interaction with right whales. Now we're down to 30 boats, roughly 35 pots per boat, and we have got to tend our traps, we have to bring them in every night. I support Action 1 to modify a November 1st to April 30th closure, and then Alternative 4 to which applies to the critical habitat closure for the right whales. As far as the ORCS, on Action 1, we prefer Alternative 2; and on Action 2, preferred alternative 0.90 tolerance on the bar jack. On Alternative 3, 0.80 on the Subalternative 3B of 0.80; and then Subalternative 4A, a 0.70. On the gray triggerfish I would like to leave it

alone the way it is right now, no action. We're trying to do away with discards. If we change the size limit, we're going to be throwing back a lot of triggerfish, especially pot fishing. As far as the split season goes, I can personally go with either/or; either leave it the way it is or have a split season, it doesn't matter to me; and 1,000 pound trip limit is what I prefer on that. That is all I've got. I'll have to write my king mackerel comments, because I didn't study enough on it.

MR. HULL: Jimmy Hull. Thanks for the opportunity to come, and I've submitted written comment on all of these amendments and actions. I wanted to touch base on the oral comment on a couple of things that are real important to me. As far as the black sea bass pot fishery, the council has done a great job in understanding how we pot fish and where we pot fish. The actions that have been taken already as far as with the endorsement program; I was not for reduction in pot fishermen, but as it happened and the way they have reduced the amount of pots that can be fished per vessel and they have to be brought back to shore at the end of your trip; you have eliminated any risk to the right whale. With the Action 1, Alternative 4 is what I support at this time. I know this is still being developed; but if you look at the map, the chart that Protected Resources has put forth in that; it shows an area that looks to be approximately 7 to 10 miles offshore of the southern end of the range. Then up off of North Florida into Georgia, it looks to be maybe 20 miles.

I have a lot of questions; I know this has to be developed about this particular option. First of all, what is the actual distance offshore represented here? You have to just judge by this graph that they have. For distance offshore, this critical area; it shouldn't be for depth contour. I have lived and fished out of Ponce Inlet my entire life. I am one of the first pot fishermen from Florida. As far as seeing right whales offshore further than two or three miles off the beach, we don't see that. The migration route is along the beach. That is where they are calving. You can go up from Ormond Beach and drive up A1A when the whales are here – and they are not always here. It has to do with water temperature. When they are calving around March and April, you will see some whales right there off the beach. It is a beautiful sight. I would never want to hurt a whale. Where we fish is not in the right whale migration area, so there is no reason for eliminating us from pot fishing in our traditional areas where we pot fish. It really should be taken to the Protected Resources. This pot fishery should be taken out of their perusal.

They shouldn't even be considering it. The way we fish now, it is almost like hook-and-line fishing. There is as much chance of catching a whale dropping a rod and a reel as there is dropping a sea bass pot, in my opinion, because we are tending our gear. We are moving our pots continuously. It is not like it was where you could lay pots out there and you could winter them out there. You could just let them stay, just like crab fishery. It is not that way. We're tending this gear. It is much like a hook-and-line fishery, if anything. It doesn't take long for those fish to pot up. I know there is a lot to be decided on this. I have a lot more questions. Hopefully, they will go with a distance off the beach instead of a depth contour.

As far as triggerfish, I fish out of Ponce Inlet; and if you go southeast of Ponce Inlet, you catch a lot of 12-inch triggerfish and smaller. We're going to have an awful lot of discards if you increase the size limit of triggerfish, much bigger than what it is now. I know that up the line north of Florida, they haven't had any size limits. They obviously catch a lot bigger triggerfish up that way. But if you put something like a 14-inch commercial size limit on triggerfish, it is really going to be detrimental to the industry off of my area. As far as a yield of a triggerfish, hey, I've cleaned a lot of triggerfish and they all yield about the same amount. It is about 30

percent. Small triggerfish eat just as good as big triggerfish. If you catch triggerfish, we should be for not discarding fish; we should be for retaining what we catch.

Commercial fishermen don't have time to resuscitate fish and make sure that they get back alive. We've got time to catch fish, re-bait our hook and catch some more. We need to catch our ACL. As far as the king mackerel, I want to keep my mackerel permit. I use my mackerel permit. No, I am not a full-time king mackerel fisherman with just that permit in my possession; and when it gets shut down, I have no other options. I feel for those guys; they should probably have some type of protection. But I should also have the chance to use my permit and catch some kingfish when I need to catch them. I would not want to lose my king mackerel permit, but I do agree that there could be some discussion to try to protect and help the full-time king mackerel fishermen that are trying to catch kingfish every day of the year.

As far as some of the allocation issues, when you look at some of the information that was provided, you have, for instance, on the mackerel, where you have the recreational sector allocation, I'm not exactly sure of the number, but they are catching maybe 50 percent average year round or less of their allocation. On the commercial side we've gone over it a couple times, but we're usually catching our ACL. We need optimum yield. When you have an ACL on mackerel or whatever species, and you divided it up into the sectors, and one sector is not obtaining optimal yield and the other sector is using up their portion of it; something needs to be done. We need to harvest these fish if they are available. It is hard enough to get the ACL to get fish given to the general public. We need to be able to use it. That could go the other way, too.

If the commercial side is not using their ACL up and the recreational side is using a lot of fish, then you should let them use them. These fish need to be harvested and used for the general public – that is who owns them – and for the economic value in these fish. I know that it gets very controversial when you start dealing with the different sectors; but everybody can hopefully get through with common sense. Maybe we can all go look – common sense says we have these fish allotted to us to catch. This sector is not catching them and hasn't caught them for the last however many years. We're going to shift the allocation over here and then in, say, three years, look at it again. Every three years or something, let's look at it again and adjust it. That way we should be able to obtain optimum yield.

Just quickly going over those, of course, the ORCS, I don't have any specific values to give you; but just overall I think it is a much better approach than what we've been doing. For instance, like the one example on bar jacks; bar jacks are shutting down our almaco fishery in that complex, so a lot of those fish in that complex, when they were being caught, it is shutting down the fish that are very valuable. You know the issue with the almaco and the amberjack. There are problems there in the mixture of how they have been reported. One other thing would be I am a seafood dealer. As far as the generic seafood dealer amendment that is moving along, just one comment; I was really not for the generic amendment, because I think that we have enough permitting already in place. All they really had to do was enforce the dealers to report on a timely fashion. I know that this generic amendment does that. Some of what I read looked pretty bad. It looked like that they were putting a boot on the dealers' throats, and if they missed reporting by one day, they were going to put their permit in limbo. They would have to go through some procedure to get back in business. I think that is rather harsh if that is true. They need to have some type of a phone call or some type of an e-mail, and maybe have a buffer of about a week, and say, look, you've gotten your warning to report and if you haven't reported

then, then you could sanction them. I agree that they should be forced to report; because there are too many dealers that are not reporting, which is causing us to get closed down early, because they are making assumptions for all these dealers that are not reporting. I guess that is about it.

MR. HARTIG: One of the things you brought up about allocation is you said maybe every three years you could relook at it. I think that is one thing that we need to start doing. We need to be more fluid in these allocations. We need to look at, as you say, both recreational and commercial on a more regular basis and see how the fisheries are changing and if we can move fish from one to the other in some of these circumstances. I think that would be a much better way to look at these allocations than having these things set in stone. Since 1985 we haven't even looked at the king mackerel stuff.

MR. HULL: Like I said, the ACL is set. These are the fish that we are allowed to catch every year. We need to figure out the way to use them and catch them and not let them just sit. The economy needs it. The people of the country deserve to be able to get these fish, whichever sector it is that needs to catch them.

MR. LLOYD: I'm Vic Lloyd; I'm a commercial fisherman; Fishing Vessel Reef Rider II and Charlotte Marie out of Mayport, Florida. I will make a couple quick comments about the triggerfish. I support no change in the size limit. I am kind of up in the air about the commercial split season. I am in favor of a commercial trip limit. I recommend 1,000 pounds with no step-downs. The reason for my action on no step-downs is because of the premature vermilion snapper closure on 12/03/13 and the failure of NMFS to adjust the projected landings of the 500 pound trip limit resulting in the loss of almost 38,000 pounds to commercial fishermen in the South Atlantic. For this reason I can no longer support any ACL quota with a trip limit step-down in it. Also, I would like to go on the record; there has been some talk about red snapper here tonight. You and I have had this discussion before. Red snapper should have never been closed. The council needs to see some way – I know you say your hands are tied – find some way to untie these hands and get this fishery opened up.

The red snapper went into rebuilding mode when it was closed down, and the council can take some pride in having some of those results; one being size limit. The most greatly was the recreational bag limit. That stopped all the recreational fishermen, myself included when I was a recreational fisherman, from going out and catching 100 red snapper a day. That one item has brought red snapper back. I appreciate your time and you coming here.

MR. HAGAN: My name is Dave Hagan and I used to commercial fish. I am in support of a universal size on the triggerfish, be it 12 or 14, but they need a universal size for the triggerfish. I support a trip limit on triggerfish, and I would suggest 7 boxes, 700 pounds. I would like to talk about the king mackerel permits. If there is a problem with the permits, I would suggest that you make them two-for-one, make all the original permits or the permits that are out there now designated as A permits; and anybody that buys two As and turns them into the government gets back a permit, it should be a B permit. The B permit should be able to be traded one-for-one since they've already been reduced once. The going rate for a king mackerel permit is about $5,000 right now. If you had to buy two of them, you would be at $10,000. It would still be the cheapest permit out there. It is by far the most traded permit there is. It is bought and sold more than any other permit. I heard this nice young lady over there talking about going up on the TAC on the sea bass, and that is why the right whales were getting involved.

The way I understand it, it is almost if we didn't go up on the TAC we could trap bass year round or leave the TAC where it was and let us trap bass all year. Another thing that I would like to recommend is that you make sea bass traps with an endorsement, a gear group, so that you could fish it from November 1st to whenever, April 30th or whenever you all decide; that you could bandit reel fish those things as long as you didn't have any pot wrap or high fliers on your boat, that you could fish them off your bandit reel. I have fished a number of years out there. I have seen right whales. I've seen them in five miles off the beach; I've seen them 40 miles off the beach. I've never seen one under my boat, so you could fish them like that and you wouldn't have any interaction. I imagine every bandit fisherman here has probably seen a whale, but they've never seen one go under his boat. I'm in favor of upping the size limit on the hogfish to 16 inches. I think that would help the fisheries. I spearfished for a number of years and that is how we harvested them, but I do have a vessel that fishes up in the Carolinas that catches them on a hook and line. I think that would help increase the amount of hogfish that are there to be taken. If you don't have any questions, I'm ready.

MR. HARTIG: No, you are pretty clear in your comments. You did a good job as always, and I appreciate you coming. Are there any other comments from the audience? Thank you all for coming. Jimmy, do you have something else to say or are you waving bye? I appreciate you all participating in our process.

(Whereupon, the public hearing was adjourned.)

Transcribed By:
Graham Transcriptions, Inc.
February 2014

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	January 29, 2014

YOUR NAME (PLEASE PRINT): CHUCK DARNER

TELEPHONE NUMBER (& AREA CODE): 904-268 6321

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 11448 SCOTT MILL RD JACKSONVILLE, FL 32223

EMAIL ADDRESS: CRDARNER@ATT.NET

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): JACKSONVILLE SPORT FISHING CLUB, GREATER JACKSONVILLE K.F.T

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For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
- [ ] Mackerel Amendment 24 (allocations)
- [ ] Mackerel Amendment 26 (permits)

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YOUR NAME (PLEASE PRINT): Ed Kalatauskis

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 1207 ARUBA CT JACKSONVILLE FL 32226

EMAIL ADDRESS: OSKalKis@aol.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Jacksonville Offshore Fishing Club

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YOUR NAME (PLEASE PRINT): Joe Kistel

TELEPHONE NUMBER (& AREA CODE): 904-463-2727

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 12374 Hagan Creek Dr 32218

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): TIGIRI

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NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

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YOUR NAME (PLEASE PRINT): Brian F. Lloyd

TELEPHONE NUMBER (& AREA CODE): (904) 334-5404

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 12714 Springmore Two Ct. Jax FL 32225

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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NORTH CHARLESTON, SOUTH CAROLINA 29405

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YOUR NAME (PLEASE PRINT): Vic Lloyd

TELEPHONE NUMBER (& AREA CODE): 904 241 5847

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 2153 Peachland Dr. W. Atlantic Beach FL 32233

EMAIL ADDRESS: vicnlloyd@bellsouth.net

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YOUR NAME (PLEASE PRINT): CHRISTOPHER R NICHOLS

TELEPHONE NUMBER (& AREA CODE): 904-626-2634

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 1331 MAGNOLIA CIR. E. JAX. FL. 32211

EMAIL ADDRESS: cnich56@yahoo.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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YOUR NAME (PLEASE PRINT): JOHN NOONEY

TELEPHONE NUMBER (& AREA CODE): 904-721-3321

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 8356 BASCOM RD. JACKSONVILLE FL. 32216

EMAIL ADDRESS: VEND05@YAHOO.COM

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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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YOUR NAME (PLEASE PRINT): Robert M. Parks

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 6854 Oakwood Dr., Jacksonville, FL 32211

EMAIL ADDRESS: v_parks@bellsouth.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Recreational fishing

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- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

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Jacksonville, FL	January 29, 2014

YOUR NAME (PLEASE PRINT): Susan Shipman

TELEPHONE NUMBER (& AREA CODE): 912-222-9206

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 920 ~~Park~~ Rose Cottage SSI 31522

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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(BILL) Jacksonville, FL	January 29, 2014

YOUR NAME (PLEASE PRINT): WILLIAM WILDEROTTER

TELEPHONE NUMBER (& AREA CODE): 904-703-6741

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): YOU HAVE ALL OF THIS INFO

EMAIL ADDRESS:

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YOUR NAME (PLEASE PRINT): Donald Whittall

TELEPHONE NUMBER (& AREA CODE): 904-612-7769

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4053 Greenwillow Lane West Jacksonville, FL 32277

EMAIL ADDRESS: SeaGood@HarbOr-Fresh, Inc.

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Harbor Fresh, Inc

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
- [ ] Mackerel Amendment 24 (allocations)
- [ ] Mackerel Amendment 26 (permits)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	January 29, 2014

YOUR NAME (PLEASE PRINT): LAURA Whittall

TELEPHONE NUMBER (& AREA CODE): 904-891-9684

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4053 Greenwillow Ln W - Jacksonville, FL 32277

EMAIL ADDRESS: info@aboutbuildingwinners.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Harbor Fresh

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Emily Helmick

TELEPHONE NUMBER (& AREA CODE): 561 (0)10 3391

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*):

EMAIL ADDRESS: ehelmick@pewtrusts.org

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	January 29, 2014

YOUR NAME (PLEASE PRINT): Anthony Bresnen

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): –

EMAIL ADDRESS: anthony.bresnen@myFWC.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): FWC

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	January 29, 2014

YOUR NAME (PLEASE PRINT): Jimmy Hull

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*):

EMAIL ADDRESS: HullsSeafood@Aol.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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For Public Hearing:

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	January 29, 2014

YOUR NAME (PLEASE PRINT): Paul Nelson

TELEPHONE NUMBER (& AREA CODE): 386-522-0732

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 736 Merrimac Dr. Port Orange, Fl 32127

EMAIL ADDRESS: CAPTPaul1966@Aol.Com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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For Public Hearing:

- [x] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
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Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	January 29, 2014

YOUR NAME (PLEASE PRINT): Robert Johnson

TELEPHONE NUMBER (& AREA CODE): 904-540-2628

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 804 Shore Dr St Augustin FL 32086

EMAIL ADDRESS: JLfishing@bellsouth.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Jodie Lynn Charters

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	January 29, 2014

YOUR NAME (PLEASE PRINT): Bob Houghton

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 2115 Ivylgate Drive East Jacksonville FL 32225

EMAIL ADDRESS: Bobhoughton@Bellsouth.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Jacksonville Offshore Sport Fishing Club

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Sean Heverin	302 562 1318

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
406 11th St N, Jacksonville Beach, FL 32250

EMAIL ADDRESS
Seanhev779@yahoo.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Fish Mafia Inc / Council for Sustainable Fisheries

CHECK IF YOU WISH TO MAKE A STATEMENT

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Tony HANCOCK	904 993 2705

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
13214 Companion Cir - 3 Jax FL 32224

EMAIL ADDRESS
TLHANCOCK@comcast.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

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Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	January 29, 2014

YOUR NAME (PLEASE PRINT): David Grubbs

TELEPHONE NUMBER (& AREA CODE): 386 527-5588

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 165 Country Cir. Dr. West

EMAIL ADDRESS: Heavyhitercharters@cfl.rr.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Deputy

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

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Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	January 29, 2014

YOUR NAME (PLEASE PRINT): DENNIS YOUNG

TELEPHONE NUMBER (& AREA CODE): 904 565-1767

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 10802 LUANA DR N JACKSONVILLE FL 32246

EMAIL ADDRESS: YOUNGS24@BELLSOUTH.NET

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): SEA DANCER CHARTERS

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

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Public Hearing and Scoping

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YOUR NAME (PLEASE PRINT): Rick Ryals

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 9020 Heckscher Dr.

EMAIL ADDRESS: Rick@Floridasportsman.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	January 29, 2014

YOUR NAME (PLEASE PRINT): RICHARD RASEY

TELEPHONE NUMBER (& AREA CODE): 904-759-1706

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 8222 BAYTREE LANE JAX FL 32256

EMAIL ADDRESS: RRASEY@ACICOM.NET

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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Jacksonville, FL	January 29, 2014

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
John Moscarillo	904-517-2768

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
1139 Blue Sky Way

EMAIL ADDRESS
johnmoscarillo@comcast.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

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- [x] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Donald May	(904) 722-1947

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
8090 Atlantic Blvd Apt H-016 JAX FL. 32211

EMAIL ADDRESS

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

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Jacksonville, FL	January 29, 2014

YOUR NAME (PLEASE PRINT): DAVID C. HAGAN

TELEPHONE NUMBER (& AREA CODE): 904-262-2869

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 2323 Orange Picker Rd

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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YOUR NAME (PLEASE PRINT): Rob Darner

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 334 Van Gogh Cir, Ponte Vedra, Fl 32081

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): JOSFC - Jacksonville Offshore Sportsfishing Club

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PUBLIC HEARING
COCOA BEACH, FLORIDA
DOUBLETREE BY HILTON
JANUARY 28, 2014

MR. HUDSON: Thank you, Mr. Chairman and Council Member John Jolley. Rusty Hudson; representing the East Coast Fisheries Section of the Southeastern Fisheries Association. Today I've have brought five written comments that East Coast Fisheries Section Board affirmed. If there are any further needs for changes, we'll do that with a February 3rd date. Right now consider these final unless some changes come up. As I also mentioned, several of the folks are going to be showing up in Jacksonville tomorrow, who are either fishing today or whatever; having to do other work so they couldn't make it here. The first thing I would like to comment on is Snapper Grouper Regulatory Amendment 16; the removal of the black sea bass pot fishery closure. In our desire for proposed action to modify the annual November 1st to April 30th prohibition, we choose Alternative 4; the black sea bass pot closure applies only in the designated right whale critical habitat in the South Atlantic Region. We feel that is preferable.

We have a very difficult time with revised Alternative 5 and the new Alternative 6 since they are using the idea of a 25 meter depth, which equals greater than 82 feet of depth. For the benefit of fishermen, any protected resources references to depth should be done also in feet and/or fathoms so that they can better understand it as opposed to meters. Even if they went to less than 20 meters, that would still be just under 66 foot. As you know, we have a lot of shelf area that extends far offshore of our region that is in the 60 to 80 something foot range. We like the idea of doing lat/long coordinates from the shore to the current eastern boundary of the right whale critical habitat. The last thing that we would like to emphasize about this is that we would like to see the council and National Marine Fisheries Service work as rapidly as possible, so that we do not lose two seasons; because right now we are going to completely lose this season for the black sea bass pots from November 1st through the April 30th. From some of what I have heard with the environmental impact statement, that could wind up dragging things along.

I know that they haven't reviewed Revised Alternative 5 and new Alternative 6 as thoroughly as they would like. You have copies of that in front of you. The other public hearing document is the Coastal Migratory Pelagics Fishery Management Plan Framework Amendment 1. We support the South Atlantic Preferred Alternative 2 to Action 1 with regards to the increased ABC and ACL and ACT in reference to the current levels. We appreciate that the Scientific and Statistical Committee wound up making some modifications that actually benefitted the fishermen. With regards to Action 2, the Gulf of Mexico will not even be meeting until next month in Texas. We felt like at this time we will reserve any further comment on that particular action until a future public hearing if that is part of the process for the secretary when we get those answers.

On scoping documents, the first one I'll start with is the Coastal Migratory Pelagics Amendment 24, which has to do with reviewing the allocations for the Atlantic migratory group Spanish mackerel and the Gulf migratory group king mackerel. As you know, I had participated with others at the data workshop for king mackerel recently in December. The fact that it looks like we're going to have a scientifically verified change to the mixing zones so that it will be 100 percent Atlantic king mackerel north of the Dade/Monroe County line; and that it will be a mixing zone from there south and west and all the way to the Tortugas, which will be a 50/50,

then anything else from north of Tortugas on west to Texas will from now on be 100 percent Gulf; and we support that potential change. I don't know how long it will take the council to pull it off, but we have made some suggestions for Atlantic Spanish mackerel migratory stock. It appears that a slight commercial percentage increase of between 5 and 10 percent could be done to change the 55/45 allocation due to the inability of the recreational to really focus on their fish for the last decade, plus.

Then with the king mackerel the same situation is going, although we don't have numbers broke out as per the current mixing zones, which could have been useful, too, since it is a scoping document, it is something that we might be able to see later; but the idea of increasing significantly the commercial percentage to 18 percent for that area, for what we term the Gulf migratory group that actually makes up a lot of our mixing zone currently; that 18 percent would make for a 50/50 split and still leave plenty of fish to land for the recreational sector. With the next scoping document, Coastal Migratory Pelagics 26, which deals with the idea of separating the commercial permits for both Spanish mackerel and king mackerel into a South Atlantic and a Gulf of Mexico Council permits; a lot of the king mackerel participants in particular on this side of the world have been very supportive of that change.

The scientific justification of the mixing zone changes I have included in this comment towards the end. I am not certain how it should work, but there should be the caveat that we've included here that any people that have commercial landings in both the Gulf and the South Atlantic Council regions should continue to be able to hold both permits. I am not certain what kind of control dates would be utilized, but usually the fresher the control dates the better. We want to keep as many fishermen fishing as we can simply because there are not many of us left supplying food for our consumers.

The last scoping document is the – and I hope I have this right – Snapper Grouper Amendment 29 with regards to the setting the new ACLs based on the ABCs using the new Level 4 approach; we are very supportive of all three or all of the council's preferred alternatives for the ORCS, because it definitely seems to benefit the fishermen. The only thing that was missing from this document, and I was told it could be included in a later document, was a breakdown of the commercial and recreational allocation percentages, which is actually currently found in the Comprehensive ACL Amendment. I didn't bother to go to that much trouble to try to determine who gets what. With that said, we are very supportive of all of the council's choices up through Preferred Subalternative 4A.

Then when we get into Action 3, modify the measurement method for gray triggerfish and establish a size limit; we have been fishing under a size limit offshore of the state waters of Florida's east coast for gray triggerfish for many years; no one else has. At the same time, we don't like regulatory discards and we would like to have seen an option that would have included the minimum size of 12-inch total length that is currently in place off of the east Florida EEZ; and then be able to also recognize that is equal to 10.46 or roughly 10.5 inch fork length. Then that alternative should have been made available for the entire council region. That way we would have been able to harmonize everybody, both in Florida state water east coast as well as from Florida's EEZ federal waters all the way up to North Carolina.

Action 4; establish a commercial split season; none of the East Coast Fishery Section Board seem to be satisfied with that idea. We would like to just stay with the calendar year. We do

recognize that under the increased quota that would come from the ORCS for gray triggerfish that there is a slight increase; but at the same time some folks at times have to focus on triggerfish, because of other closures like grouper, for example. Although I personally recognize that 40 percent of the gray triggerfish landings came in the first half of the year and 60 percent in the second half of the year; we went ahead and chose your Subalternative 2B, 1,000 pounds, as the preferred from East Coast Fishery Section for commercial trip limit with no step-downs. Until we can see that the Science Center can count their beans, we are just not trusting where we're at this moment with the electronic reporting. Furthermore, looking at the commercial and recreational landings updates, we feel like the Science Center appears to be running about a month behind. That is causing us some concerns, because we don't want to see massive overages especially in any kind of situation that could cause us to see some kind of takeaway as a result. With that said; that is pretty much my comments on behalf of the group. You will actually get to see some of their faces tomorrow. I was hoping somebody would show up today besides me, but thank you very much.

MR. HARTIG: Thank you Rusty. It has been several months now since the black sea bass pot fishery has closed. Have you looked at the landings of black sea bass recently so we can know how many?

MR. HUDSON: The last time was 52 percent or thereabouts, so we are going to wind up leaving quit a few unless, of course, somebody can really start banging them with a hook-and-line rack gear approach like you and I spoke about.

MR. HARTIG: That is really not going to happen to any large extent, at least based on my fishing of that species. It is just there is so much bycatch. The traps were good because they were able to selectively let the small animals out. The hook and line; the animals don't seem to segregate very well by size even going to the deepest water. I have a lot of discards. To me there is a cost of doing business with your discards. It is a fishery of last resort. It is the last thing I am going to be doing, because I just don't like to have that many discards. I don't know if it is the same up and down the coast. I would be interested to know the Carolina guys' perspective and what they're seeing. For us it is a mixed fishery all the way to 300 feet.

MR. HUDSON: With gray triggerfish?

MR. HARTIG: No; with black sea bass.

MR. HUDSON: With the gray triggerfish bycatch that went with some of the black sea bass pots, I have heard 100, 150 pounds on the 1,000 pound of black sea bass sometimes, and they make a great fish sandwich at that size. Jimmy will probably emphasize that because of his restaurant situation. One thing that we are concerned about and I don't know – having got away from the straight hooks; I know I hear a lot of folks talking about wanting circle hooks removed so they can go back to straight hooks, but I believe that gets you into another gray area with other fish. I just know that unless they are using the very smallest circle hook possible, because of the leathery skin they have some issues. You may have more harm be imparted on the gray triggerfish if they wind up having to discard under – like I have heard them wanting to push for like 14-inch fork lengths and stuff like that. You could wind up having some serious throwback, because based on the analysis I saw we're looking at 22 to 28 percent of our recreational guys off of the east coast of Florida that have normally been able to fish within that 12-inch total length.

If you went to 14- or 12-inch fork length, you are going to wind up having a whole lot more regulatory discards coming from that big user group. We would like to minimize those types of things.

If people are interested in releasing fish, they need to do it in the best method possible. Some of that may involve better equipment than using a pair of pliers to remove a hook or other types of things. There are solutions to it. And, of course, gray triggerfish are very hardy unlike some other fish that usually swim back. I was real happy to see the state of Florida just the other day announce the removal of the venting tool in the Gulf state waters. I had serious issues with the harm that was being caused not only to the fish, but also to people that would be accidently on the wrong end of one of those needle strikes. With that said, the state of Florida did step up in that same announcement and make a good comment about descenders and stuff. I think that there are a lot of good tools coming down the pike in the future.

MR. HARTIG: Yes; one of the interesting comments that Myra had mentioned yesterday from some of the fishermen up to the north is that when we switched to circle hooks for gray triggers, we pretty much took the smaller animals out of the equation, because their mouth morphology at that size is small enough where they are not going to be hooked readily and very often. There is no way to account for that in the assessment or anything, but it will be accounted for in the survival of the stock over time. What we've seen, at least recently in the last couple years with the closures, this year in particular must have had a big year class come in as well; but the fishery just took off when it was reopened. There were incredible numbers of nice big gray triggers again. There are some things working there with that circle hook that could give us dividends as well.

MR. HUDSON: Agreed; I've been a circle hook proponent since 1980. They work really great. In fact, sometimes I would be fishing for the grouper with a big circle hook. I would take the sanding line, instead of cutting it, I would feed it back through and put in the smallest tuna circle hook on there. It would actually hold sows and black bellies, too, which I thought was really cool. As far as the fact that the hook-and-line guys are using those circle hooks; I believe that it has, as you said, benefited in some fashion the smaller animals in those regions. I know that our guys have seen a lot of bigger triggerfish using hook and line, but once you get to that – I think it was like a 13 inch or something like maybe fork length, the maximum that you would see get in a black sea bass pot.

But you are going to have a couple of the local experts here, and I assume that some of the North Carolina guys weighed in already much to the same. The main thing is being able to just have a sustainable stock and the science, of course. As you and I both know, the triggerfish got kind of nixed because of aging issues from SEDAR 32 and is now going to be part of the package, at least tentatively, with Red Snapper SEDAR 41. I am hoping that Panama City Lab can help open our eyes a little bit as to what kind of animals, aging and depths and stuff that was causing this concern in the first place. At that point, we'll know what kind of maybe – we might even see another increase for triggerfish could happen a couple years from now. Thank you. Got any questions, John?

MR. JOLLEY: Thanks, Rusty, I don't have any. I was glad to hear your comment on the new descending devices, though. Do you know any of the boys that are starting to bring them on board and use them on the boats yet?

MR. HUDSON: Well, some of these FWC trips, I think that they wanted to do some testing with some of that. I know we got some CRPs in place, and it would be great to be able to do that with this deepwater CRP, if indeed we get picked for it. That is something that I think was going to be worked through Marcel and SEFIS and the cooperative boats and stuff. I don't know where that is at right now. But the Sequalizer, when you see that descender that Gary Graham gave to me last June; then I made that available on Jimmy's boat, The Sea Lover; yes, they like these better mousetraps. I encourage any of that kind of work that we can do with our state and federal people and be able to get people educated. You know like I know historically whether you find some new mousetrap through the commercial or the recreational components; when one sees the benefits of it, they go and they embrace it. That is one of the things I really like about the private and the for-hire recreational is the fact that they do believe in that stuff.

In fact the 2012 Fisheries of the United States Document that just came out late last year had on Page 1 at the bottom left that 63 percent of all of the recreational-caught fish are released. That is a pretty strong statement for wanting to leave the animal in the best condition possible. We'll see how that goes for the education in the future, because you're doing a lot of that, too, with that MREP; that educational program. I've seen a lot of enthusiasm about that. It sounds to me like your visioning port meetings that are going to be coming up soon – as soon as I can get those dates, I can get that into the Version 3 of the calendar of events for everybody and get some people to show up and express their views.

MR. HARTIG: It sounds good Rusty; thank you very much.

(Whereupon, the public hearing was adjourned.)

Transcribed By:
Graham Transcriptions, Inc.
January 2014

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE): Cocoa Beach, FL

DATE OF MEETING: January 28, 2014

YOUR NAME (PLEASE PRINT): Barrett Colby

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 1950 N Tropical Tr Merritt Island FL, 32953

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [ ] Mackerel Framework Amendment 1 (Spanish Mackerel)

For Scoping:

- [ ] Snapper Grouper Reg Amendment 16 (bsb pots)
- [ ] Mackerel Amendment 24 (allocations)
- [ ] Mackerel Amendment 26 (permits)

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Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE): Cocoa Beach, FL

DATE OF MEETING: January 28, 2014

YOUR NAME (PLEASE PRINT): Michael Merrifield

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*):

EMAIL ADDRESS: mikem@wildocean market.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Cape Canaveral Shrimp Co

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 28, 2014

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Ron Skelly	561-262-2766

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
107 Duval St. Melb Beach FL 32951

EMAIL ADDRESS

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Comm. Fisherman

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For Public Hearing:

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PUBLIC COMMENT ATTENDANCE RECORD

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 28, 2014

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
DON COHRON	1-321-729-6290

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
251 DEVLIN CT. S.E. PALM BAY FL. 32909

EMAIL ADDRESS

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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 28, 2014

YOUR NAME (PLEASE PRINT): James Turner

TELEPHONE NUMBER (& AREA CODE): 321-505-6311

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE): 9098 Centre/AV 32976 Sebastian FLA

EMAIL ADDRESS: None

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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PUBLIC COMMENT ATTENDANCE RECORD

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 28, 2014

YOUR NAME (PLEASE PRINT): Mason Bowen

TELEPHONE NUMBER (& AREA CODE): 772 410 0037

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE): 365 Orange Ave. Sebastian Fla. 32958

EMAIL ADDRESS:

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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For Public Hearing:

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PUBLIC COMMENT ATTENDANCE RECORD

Public Hearing and Scoping

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 28, 2014

YOUR NAME (PLEASE PRINT): Michael Sappe

TELEPHONE NUMBER (& AREA CODE): 561-310-5287

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 13598 158th PL N. Jupiter Fla 33478

EMAIL ADDRESS: Tony Sappe @ Ymail. Com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Michael A. Sappe INC, Unnamed INC.

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
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PUBLIC COMMENT ATTENDANCE RECORD

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YOUR NAME (PLEASE PRINT): Keith Bowen

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 365 Orange Ave Sebastian, FL 32958

EMAIL ADDRESS: FPFirelab @ AOL. Com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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PUBLIC COMMENT ATTENDANCE RECORD

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 28, 2014

YOUR NAME (PLEASE PRINT): Joshua McCoy

TELEPHONE NUMBER (& AREA CODE): 321 960-4825

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 807 Hampton Way Merritt Island Fl 32952

EMAIL ADDRESS: —

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Cape Canaveral Shrimp Co. / TOP Tuna

CHECK IF YOU WISH TO MAKE A STATEMENT

For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
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PUBLIC COMMENT ATTENDANCE RECORD

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Cocoa Beach, FL	January 28, 2014

YOUR NAME (PLEASE PRINT): Rusty Hudson

TELEPHONE NUMBER (& AREA CODE): 386-239-0948

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): PO Bx 9357 Daytona Bch, FL 32120-9357

EMAIL ADDRESS: DSF2009@aol.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): SFA East Coast Fisheries Section

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For Public Hearing:

- [x] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
- [x] Mackerel Framework Amendment 1 (Spanish Mackerel)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 28, 2014

YOUR NAME (PLEASE PRINT): Scott Chandler

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 976 Brevard Ave. Suite B. Rockledge, FL 32955

EMAIL ADDRESS: SOCHANDLER@FT.NewYorkLife.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Florida Sport Fishing Association

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For Public Hearing:

- [ ] Snapper Grouper Amendment 29 (ORCS & Triggerfish)
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 28, 2014

YOUR NAME (PLEASE PRINT): Emily Helmick

TELEPHONE NUMBER (& AREA CODE): 5016703397

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): ehelmick@ ~~[illegible]~~ pewtrusts.org

EMAIL ADDRESS:

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YOUR NAME (PLEASE PRINT): JACK Robinson

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 8140 134th Street Sebastian FL 32958

EMAIL ADDRESS:

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