

# Snapper Grouper Regulatory Amendment 25

## Summary of Public Comments

December 2015

A question and answer webinar was held on November 2, 2015 to give stakeholders the opportunity to familiarize themselves with the proposed actions and ask questions prior to submitting formal comments. Questions and comments offered during the Q&A webinar are included in this summary. Two public hearing webinars were subsequently held – on November 9 and 12 – to obtain formal comments. The webinar was also broadcast at four comment stations in Manteo, NC; Charleston, SC; Brunswick, GA; and St. Augustine, FL. All of the online meetings were well attended and participants submitted their comment verbally or via the Question Log function. Minutes for the public hearing webinars are also included. Written comments were received until November 16, 2015.

### Comments pertaining to blueline tilefish:

- Manage the blueline tilefish resource using state-by-state quotas to ensure equitable access
- Commercial ACL and trip limit should be as large as possible to accommodate traditional bandit boats on multi-day trips
- Support for either 1 fish/person/day year-round or 1 fish/person/day during May-August
- Support for 3 fish/person/day during a season
- Consider 100 pound trip limit per 100,000 pounds of seasonal quota and specify bycatch possession limits
- 300 lbs is too low for commercial trip limit
- Consider changing fishing year to start March 1 or March 15 to ensure more equitable access

### Comments pertaining to black sea bass:

- Some support for No Action
- Some support for 7 and 10 fish bag limit
- Consider size limit decrease

### Comments pertaining to yellowtail snapper:

- Strong support for allocation shift between sectors, either permanent or in-season
- Support for a commercial trip limit during the spawning months instead of a change in the fishing year (suggestion of 250 lbs and 1,000 lbs)
- Consider implementing trip limit when the ACL is close to being met
- Consider removing sector ACLs
- Most commenters supported an August 1 start date for the fishing year
- Manage yellowtail as a unit stock with Gulf Council
- Step-down trip limit would result in user conflict since multi-day boats would be forced to remain close to shore and compete with day fishermen

## **Questions Log from Regulatory Amendment 25 Question & Answer Webinar, November 2, 2015**

Comments below pertain to black sea bass management:

[Anthony Austin]: BSB are in trouble again, whether the council knows it or not. Increase the recreational bag limit so you can have more fish available for illegal sales? I don't think that's wise - furthermore because the fools that run such things have not mandated reducing trip limits of other S/G species, for at least a month and a half, BSB are the only thing the S/G boats can catch.

Comments below pertain to yellowtail snapper management:

[Richard Turner]: the market is flooded with imports in the summer, and the price is low. Also this closure only affects the full time yellowtail fishermen not the part timers that jump in after trap season is over.

[Kelli O'Donnell]: Is the GMFMC agreeable to combining quota for yellowtail from their management area and the SAFMC management area?

[Vincent Bonura]: If the recreational sector is only catching 1/3 of there yellowtail ACL can there ACL be reduced and given to the commercial sector?

[Kelli O'Donell]: Is there an option to provide an emergency opening by combining the recreational and commercial ACL before the end of the year?

[Kelli O'Donell]: Is the yellowtail stock assessed as GM and SA separate populations or is it assessed as one population over both areas?

[Robert Hidalgo]: Knowing that this decision is a life altering decision to many fisherman and related businesses and will cause a severe economic impact why did you not seek relief or advise from the Senate or from the department of commerce?

[Robert Hidalgo]: if the reporting has been inaccurate in the past, and stock assesments keep showing a growing stock, does it not make sense that the acl has been exceeded in the past because of faulty reporting methods, yet the stocks are strong. So it seems that the acl and tac are inaccurate.

[Vincent Bonura]: I think what he is saying is that possibly in the past fisherman were reporting as accurately. Selling fish under the table possibly but now they are reporting much more accurately to get the best possible catch history?

[Vincent Bonura]: ??? so the same amount of fish reported now we're caught historically?

[Robert Hildalgo]: Perhaps if you were not going to receive a paycheck for 2 months you might consider it an emergency

[Michael Schofield]: Why was a closure set in place before the amendment was actually

changed? The amendment should be changed and THEN it should be put in place, instead of the other way around.

[George Dulanski]: if the stocks of yellowtail are in good health why can't the acl be raised? also from what I know everyone is reporting catches now because of the scare of quota systems which should also justify a raise in the limit of the commercial yellowtail acl.

[Manuel Herrera]: I am confused, you stated that the Council does not have the authority to combine the Gulf and Atlantic ACL, but yet they have the authority to close the fishing without regards to the economic impact it is affecting ?

[Anthony Austin]: Why can't you restrict YTS discussions to a separate forum for Floridians alone....

[Anthony Austin]: If they ran other resources the way they run fisheries, there wouldn't be any resources left....

[Manuel Herrera]: Who has the authority to make emergency decisions now?

[James Paskiewicz]: Where does the mud stop sliding? is pushing pressure down the line and away from American fisherman onto other countries so that the same fish that are caught here can be bought and sold without a conscious concern for accountability?

[Wayne Mershon]: why is there not a step down on trip limit for YTail like vermilion?

[Kelli O'Donell]: Do you think a training on the Florida Trip Ticket program would be viable as I have seen dealers who have not been trained in how to use the system leave fish such as yellowtail in a whole graded condition instead of changing it to gutted if landed that way. This would be adding poundage to the ACL that is not correct.

[Manuel Herrera]: So the Council doesn't feel this is an emergency?

[Richard Turner]: has any thought been given to the fact that this is one of the only fisheries that feeds the stocks of fish with huge amounts of chum? What is going to happen to the stocks when you remove a food source that has been available to the fish for year after year?

[Englis Glover]: are catch shares off the table? and/or would there be a chance that they could pop back up in the SAFMC?

[George Dulanski]: how about we insist on an emergency stock assessment?

[Robert Hidalgo]: with all respect to you and the council I think many will concur that it sounds that you guys are treating this as an accounting problem and not taking into consideration that we not only fish the fish responsibly but we contribute to even

maintaining the ecology by our methods of fishing, i.e. chumming. Your scientific response to this effect please.

[George Dulanski]: I just want all fellow fishermen to understand this does not go on the official comment and please advise everyone on how to voice their concerns so it is official.

[George Dulanski]: can you explain what justifies an emergency again?

[Michelle Duval]: For the purpose of section 305(c) of the Magnuson-Stevens Act, the phrase “an emergency exists involving any fishery” is defined as a situation that:  
(1) Results from recent, unforeseen events or recently discovered circumstances; and  
(2) Presents serious conservation or management problems in the fishery; and  
(3) Can be addressed through emergency regulations for which the immediate benefits outweigh the value of advance notice, public comment, and deliberative consideration of the impacts on participants to the same extent as would be expected under the normal rulemaking process.

[Vincent Bonura]: how long do they think the commercial acl in the South Atlantic will be open this year?

[George Dulanski]: I agree with Kelly, we need a session in Monroe county.

[Vincent Bonura]: I agree with Bill there should be a public hearing in the keys.

## Questions Log from the November 9<sup>th</sup> public hearing for Regulatory Amendment 25

Comments below pertain to black sea bass management:

[Anthony Austin]: Like to know exactly how many folks have been cited for catching more than their limit of BSB. With no enforcement, this whole webinar is an exercise in futility...

[Anthony Austin]: What you have in commercial fishermen down here and in New England is the GIMME Generation - they have had it handed to them and want it to continue -- to hell with the resources so long as I get mine...

[Anthony Austin]: One comment on BSB - increase the effort and you'll triple or quadruple the discards, most of which die. Retain more than five and what are they going to do with them, sell them? Take what you eat - no more...

Comments below pertain to yellowtail snapper management:

[Maria Imoda]: My name is Julia, from South Florida, and my question is regarding the closure of this two months in the south Atlantic for yellowtail, do we have any news? Also if the change for the regulation will happen in summer 2016, would the fishing season start in January 1,2016, as is today without any change?

[Kelli O'Donell]: What happened to the option of combining the South Atlantic Recreational and Commercial quota for Yellowtail Snapper that was mentioned in the Am 25 question and answer session?

[Robert Hidalgo]: In California there is a worry regarding economic impact regarding their Dungeness crab fishery, with the problem being hi algae levels due to el Nino in other words Mother nature. Their Marine department is working around the clock to avoid an economic impact estimated at 60 million dollars.

[Robert Hidalgo]: my question is how did your dept discuss our economic impact? Do you even know this amount?

[Robert Hidalgo]: I can tell you the impact is 38 to 45 million dollars.

[Kelli O'Donell]: With the recreational sector having so much quota left over, I would recommend combining the recreational and commercial ACLs for yellowtail snapper totally or letting the commercial sector utilize the recreational sector's quota if theirs is filled.

[Kelli O'Donell]: For only the South Atlantic side I meant. I do not support combining the Gulf and South Atlantic quotas due to opinions I have heard from local fishermen that only hold one or the other permit and not both.

[Robert Hidalgo]: I would like to know did you explore alternatives, or did you simply drop the ball?

[Richard Turner]: I support moving the reporting period for yellowtail to August to July. Also I think there should be a reallocation of poundage of yellowtail from recreational to commercial. There are close to a million pounds of fish left on the table by the recreational sector.

[Richard Turner]: your web site said we were in good shape 3 weeks ago, then you shut us down and said you forgot to update the site. How is that fair to people?

[Michael Schofield]: I agree with Amy with her idea of trip limits during the yellowtail spawn. Moving around dates doesn't help anything. Or a trip limit to finish out the year because everything else is closed for south florida.

[Wayne Mershon]: If the council meets in dec. how long will it take to implement the final results that the council decides on with blueline, seabass, and y-tail....? If I remember correctly the AP members from south florida made a motion that passed to change calendar year for y-tail to july-june... is that correct? In my experience a fishery usually closes with in a couple weeks of the drop down trip limit, this is info for those in fisheries who do not have them. The acl for many fish (y-tail, Vermilion) recreational are not being met, I feel that a reallocation of the lbs should be done to commercial.

[Vincent Bonura]: for yellowtail snapper I would like to see some of the unused acl from the recreational given to the commercial sector or combined like the gulf of mexico.

[Richard Turner]: the report date change would help keep the fisheries from closing this time of year when only full time yellowtail fishermen are catching them. If there is a closure, it should be during the spawn when the price is lowest, and the most people are impacting the resource.

Comments below pertain to blueline tilefish management:

[Vincent Bonura]: as far as the blueline tile is concerned I would like to see the trip limit and acl as large as possible for this fishery to be sustainable. Especially for multi-day trip vessel (traditional bandit boats) who must travel long distances to catch this fish. The more fish available to the fisherman aboard these vessels the better to be profitable for these trips.

Other Comments:

[Wayne Mershon]: I know this does not pertain to this amendment but is the council considering recompression devices and venting tools to help with the dead discards that are being put on the ACL

## Questions Log from November 12, 2015 Public Hearing

Comments below pertain to yellowtail snapper management:

[Manuel Herrera]:

1. Change the fishing year to August 1st.
2. Manage both the South Atlantic and the Gulf as one fishery.
3. The best time period for any closure would be between the weekend of Memorial Day and the 4th of July, about a forty (40) day period to allow spawning and prevent an economic overfishing.
4. Strongly consider an emergency for re-allocation of part of the Gulf quota to prevent high pressure fishing, in the limited territory of the Gulf area in the Dry Tortugas. This South Atlantic closure is forcing vessels that normally do not fish in this small area to fish there due to the closure.

[Manuel Herrera]: It is very disappointing and frustrating that I personally attending the meeting in South Carolina back September of 2012 and addressed all these issues requesting what is now being considered. Had a proactive approach been made three years ago, the commercial fishermen would currently not be out of work due to the forced closure that has occurred without little warning and consideration for the social, economic and environmental impact that this closure is causing. This might not be considered an emergency situation to the Council, however it is detrimental to South Florida, its communities, businesses, consumers and tourists.

[Vincent Bonura]: I would agree with the same thing as I said for yellowtail snapper. If the recs are not catching their acl part of their acl should be transferred to the commercial acl.

Comments below pertain to blueline tilefish management:

[David Bush]: David Bush Fisheries Biologist, NC Fisheries Association. Our fishermen here have volunteered to assist with collecting data necessary to tailor management strategies. We do feel the fishery needs to be tailored geographically for both economic and ecological reasons. NCFA would like see the commercial ACL be increased to 10%. The historical values support this as a viable option and would eliminate the need for not only action by the council freeing them up for more important issues, but the additional enforcement and the inevitable discards and associated discard mortality.

I am contacting you regarding Regulatory Amendment 25 to the Fisheries Management Plan for the Snapper Grouper fishery of the South Atlantic region. As a resident of eastern North Carolina and regular participant in recreational fishing (~50 recreational fishing trips/year), I am commenting on proposed actions for recreational fishing/retention of blueline tilefish and black sea bass. I do not have any comments to proposed actions to yellowtail snapper, as their population does not naturally extend to the North Carolina area. I also have no comments concerning actions proposed to the commercial fishing sector.

I offer the following comment regarding blueline tilefish, Action 3 (adjust the bag limit for blueline tilefish for the recreational sector): **Please consider selecting either Alternative 2 (1 fish/person/day year round) or Alternative 4 (1 fish/person/day May through August). Maintaining the current limit of 1 fish/vessel/day has been a complete deterrent for targeting blueline tilefish. Since the change to 1 fish/vessel/day, I have not targeted blueline tilefish on a single fishing trip. Modifying the limit to 1 fish/person/day would generate enough opportunity that I would begin fishing for blueline tilefish again. I estimate that the current limit (1 fish/vessel/day) has reduced my offshore fishing trips by approximately 8 trips a year; thereby reducing my personal spending in the local economy by over \$2,500/year. Modifying the limit to 1 fish/person/day would increase spending throughout the South Atlantic region, bolstering the local economy. Again, please consider selecting Alternative 2 or Alternative 4.**

I offer the following comment regarding black sea bass, Action 4 (adjustment to recreational bag limit of black sea bass): **I support implementation of Alternative 4 (modifying the recreational bag limit to 7 fish/person/day). In line with my above comments regarding the blueline tilefish alternatives, I believe that an increase in the black sea bass bag limit will spur spending in the South Atlantic region, bolstering the local economy. The bag limit increase, while small, will also not impart a drastic change to the current bag limit, and it will be a good pilot program to see how recreational landings will shift with incremental bag limit adjustments.**

Thank you for your time. Please let me know if you have any questions.

Brandon C. Ashton, P.E.

Hampstead, North Carolina

[bcashton@gmail.com](mailto:bcashton@gmail.com)



Why can we not give the pot endorsements back to the people that participated in the pot fishery that lost there endorsement by being short on required weights that actually participated in this fishery with pots

Scott Buff

Chris Elkins PhD

Member, SAFMC Habitat and Env. Protection AP

Dear Dr. Mahood,

I am writing to comment on the SG amendment 25. I will comment only on BSB, option 4. These are my personal comments and do not represent those of any of the fishing, conservation or regulatory agencies I am a member of.

I would like to thank the SAFMC for the generally superb job that the Council does in management. I just wish NC was able to generate a rationale, transparent methodology to management that works as well.

First my comments BEFORE I listened to the webinar.

When I fish in the ocean in NC, most of the time I bottom fish in depths of 65 to 85 feet. I am fortunate in that I have some rocks within site of the Cape Lookout lighthouse and dont have to travel very far. Occasionally, I do fish deeper (120 feet), to get away from the Black Sea Bass that cover me up in the shallow areas (I really target triggers). I fish out of Bardens inlet and fish mostly on the "East side" (you probably know the saying, "what happens on the East side, stays on the East side"-its really the wild wild west)

Yes there are a lot of BSB, especially smaller ones. Much is being made about release mortality of them, but when I fish shallower, they seem to not have barotrauma upon release. I cannot speak for others, but I don't seem to have as much a problem with the smaller bass, as I use a large white Jig with a large white tail (similar to a cobia jig). It seems to select for keepers. If you use bait, well, you know what happens.

If the science says so, I am in favor of increasing the bag limit. I would leave it up to the scientists however.

Well, after the webinar, (Great job Myra) I support status quo (for the reasons stated). Maybe in a couple of years after the expansion of the age structure, perhaps an increased bag limit would be appropriate.

You might wonder why I bothered to leave in my comments before I heard the webinar. It is because I think you need to hear what I am seeing here on the water in NC, from a recreational fishing standpoint.

Chris Elkins

Here is a link to Living on Island Time Facebook page.

[https://www.google.com/url?sa=t&source=web&cd=20&ved=0CBIQFjATahUKEwig7Nmy5\\_vIAhUF4SYKHai\\_DwQ&url=https%3A%2F%2Fm.facebook.com%2Ffishingliving%2F&usg=AFQjCNGPlpBxwpCJMcxnWU6Lv4Vd12rlsA&sig2=CbKYi8Qs8AE95\\_Bq- I WA](https://www.google.com/url?sa=t&source=web&cd=20&ved=0CBIQFjATahUKEwig7Nmy5_vIAhUF4SYKHai_DwQ&url=https%3A%2F%2Fm.facebook.com%2Ffishingliving%2F&usg=AFQjCNGPlpBxwpCJMcxnWU6Lv4Vd12rlsA&sig2=CbKYi8Qs8AE95_Bq- I WA)

Go through the photos for this year. These pictures aren't a drop in a bucket. Most of the time we don't take pictures of yellowtail unless we had some other bigger fish mixed in.

There are three other headboats fishing out of our inlet also. Not including all the recreational boats. All these fish are caught within 4 miles of the inlet. You might not know our area but the reef is real close and is not vast like in other areas. One mile off the beach and you are past the main reef in 150 ft of water.

My point is that this area has been fished by 2-3 headboats and even more in the past and hundreds of recreational boats and is not very vast as far as yellowtail habitat is concerned. I have been fishing here for 25 years or more and can tell you straight to your face without hesitation that the yellowtail population is as good as ever here. Even before all your limits and regulations were around, they were doing just fine.

It's an issue of mismanagement that is going on. Instead of closing the fishery because the quota which I and many feel is too small by the way, is reached, put trip limits on us to ensure it stays open year round. I have an unlimited snapper grouper permit and I know others that do and wouldn't mind in this case doing that. My point is there has to be another way to handle this other than hurting the livelihood of all involved. Especially this time of year. We won't even get on the subject of dolphin. I'll save that one for another day. Lol

Sent from my iPhone

On Nov 6, 2015, at 7:16 AM, Eric Fraga <[captmolo68@gmail.com](mailto:captmolo68@gmail.com)> wrote:

Hello again Mike,

There is another point I want to add to this. I worked on head boats for years here in Boynton Beach. I have a pretty good idea of how many yellowtail are taken every day on head boats. I also see the number of boats fishing for them at night when I'm out fishing for them. And no these aren't commercial boats in my area. You mean to tell me that I have a bigger impact on the stock of these fish than the hundreds of charter boats and thousands of recreational boats that go out everyday? Why don't you look at my log records for Living on Island Time. That is the boat I use to run until last April. Ask Kim, she heads the recreational log book in Boynton. Compare the number of snappers caught by the boat I ran to the number I caught on my boat this year since May. I guarantee you I was out fished by me and a bunch of tourists working two days on and two days off. That is just one boat on half of its trips.

All I'm saying is if the stock is healthy enough to leave the recreational sector open then it should be healthy enough for everyone. I am not asking you to close the recreational sector down, but I bet if you did you would have an uproar on your hands which is probably why you haven't. Easier to control a few disgruntled commercial fishermen than an entire state isn't it.

Sent from my iPhone

On Nov 5, 2015, at 7:25 PM, Eric <[captmolo68@gmail.com](mailto:captmolo68@gmail.com)> wrote:

Hi Mike,

This is Eric Fraga once again. Well, the gag grouper quota will be met shortly and once again our fish haven't made it down here yet. I wouldn't mind to much since yellowtail fishing has been great. Unfortunately now I cant even fish for them. Guess the guys in Key West had a banner year. Good for them, bad for me. I am tired of being included in the same quota as people that live hundreds of miles away from me. If you want to put us all in the same quota, then set daily trip limits that will allow the fishery to remain open the entire year.

You have no idea the economical impact you are having just in my area. Everyone has been waiting for this time of year for business to pick and now that it has begun, they have no product to sell. I wish you guys would drop the closure for this year and set small daily limits until the end of the year. At least give us a fighting chance. I hope you take into consideration the human side of this whole thing when you hold your seminar on the 9<sup>th</sup>. I, as are many fishermen I know are all for sustainability in our industry. Yellowtail snappers are a great example of that.

Yours truly,  
Eric Fraga

## Snapper Grouper Regulatory Amendment 25 Public Comments

Commercial Blueline Tilefish quotas should be managed so seasons remain open while Snowy Grouper are legal to minimize regulatory discards. The quota is not high enough to justify a targeted fishery, so it should be managed as a by-catch fishery. The possession limit should be set at 100 pounds per 100,000 pounds of seasonal quota. Split seasons should be considered for all deepwater species.

Most commercial quotas should be managed with appropriate By-catch Possession Limits for the final 75% of seasonal quotas so co-occurring species remain legal most of the time. This simple solution would bring the SAFMC into compliance with Magnuson-Stevens Act mandates to limit waste, make efficient use of our resources, and promote the safety of fishermen at sea. It would also provide better stock assessment data.

The council should NOT create ANY endorsements or shares for Blueline Tilefish.

Descending devices should be required on vessels bottomfishing beyond 20 fathoms. There should be some official guidelines for how and when to use descending devices. Illegal fish that can swim on their own should not be released with a descending device.

Sincerely,

Chris McCaffity

[freefish7@hotmail.com](mailto:freefish7@hotmail.com)

It is my official position that the allocation of the TAC on yellowtail snapper as a single species has been set at a level that is much too low based on current stocks as well as historical landings. There has been a major shift in accountability which has made properly documenting each and every catch more pertinent to not only fishermen but to wholesale dealers as well. Non documented sales have plummeted dramatically.

Within the current guidelines I would like to see some of the TAC shifted from recreational side over to commercial (280,000 pounds). This would be an acceptable level to keep fishermen going for most of if not all of the year. I would also like to propose that in accordance with that shift in allocation that we go back and start the tally from August, 1 2015 and see where we land. If reaching the TAC (1.88 million pounds) at any time we would see another closure that would coincide with the species spawning cycle and at a time when the fish is worth considerably less per pound.

By carefully proceeding here we can accomplish several goals and continue to achieve sustainable levels of harvest until the next stock assessment.

Sincerely,

James Paskiewicz  
Island Skipper Fishing, Inc.

To who it may concern,

I am writing this letter because of the recent decision for the closure of yellowtail snapper. The proposal to change Amendment 25 states that a closure of yellowtail will take place November 1<sup>st</sup> to January 1<sup>st</sup>.

As current holder of a South Atlantic Snapper Grouper Permit, I have some concerns with this new Amendment and my source of income. Being located in Marathon, Florida, any other snapper species is hard to come by during the closure months that have been placed on yellowtail. I am proposing that the closure months be moved to their spawning time in the summer or that the closure be lifted all together. As a commercial fisherman I am always aware of the school numbers and yellowtail is one of the only species I haven't noticed a decline in population. So in my opinion I do not think that there should be such a closure.

If anything I propose that the commercial limit per day be changed during the said closure time. If there was maybe a 250lb limit per day during this closure, us commercial fisherman can have an income and not have to worry about searching for a separate species that is more difficult to come by. If the quota is met there should be a commercial bag limit made instead of a full closure.

As a fisherman in the Florida Keys I am highly familiar with the yellowtail's life behavior. They are very used to being fed in our waters here, if we stop chumming the waters for harvest purposes, I believe that the species will suffer more than if we don't have a closure for yellowtail. I believe a closure will weaken the yellowtail and hurt the species.

Please feel free to respond back to my concerns and thank you for your time.

Sincerely,

Michael Schofield

My name is Donald Steamer and I have been commercial fishing for yellowtail snapper in the Florida Keys for over 20 years.

I listened to the webinar on Monday 9 November 2015. I would like to compliment Myra on the professional way in which she conducted the webinar. I have the following comments on present yellowtail fisheries in the Keys.

**ECONOMIC IMPACT of yellowtail:** The human population in the keys is greatly increased in the winter month, therefore the demand and consequentially the price, is the highest in those months. By shutting the fishery at the end of the year, the fishermen and all of the local business people who deal with fish and fish products are impacted doubly by being deprived of PEAK PRICE and HIGHEST DEMAND.

**SUSTAINABLE FISHERY:** The curves that Myra showed document what is commonly know, i.e. the most fish are killed in the summer months and the fisherman are paid the least amount per pound. As a year round yellowtail fisherman, I feel that a catch limit during the summer spawning months would insure a more sustainable biomass and limit the need to shut the fishery down AND also have the least economical impact on the area.

**IN SUMMARY:** Changing the month that starts the year would do nothing for the high kill rate during spring and summer. In addition, for those of us who fish year round, we shall run the risk of loss of income at some time during the season. However if the traditional year was retained and catch limits were imposed during the spawning months, the ACL could be modified based on historical landings, this would prevent year end closing, reducing the economic impact and improve the sustainability of the biomass.

Thank you,  
Respectfully,

Donald Steamer

305.743.5966





## **SAFMC - Contact Form**

**NAME:** Capt. Frank Timmons

**PHONE:** 904-669-1475

**EMAIL ADDRESS:** [ftimmons572@yahoo.com](mailto:ftimmons572@yahoo.com)

**MESSAGE:**

I am not in favor of the increase in recreational Black Sea Bass bag limits. With the increased pressure on these fish due to the ever larger recreational boater population, by the late Spring in our area of Northeast Florida, most of the legal sized Black Sea bass have been caught out with the remainders being short and/or injured from the constant fishing pressure and multiple releases. Most are improperly vented and discarded to be Barracuda food, or not given any venting and drift away to die. Most are kept if they are even close to legal size with the fisherman knowing his chance of getting checked on the way in are slim due to all the boat traffic. The commercial fishermen however, have full knowledge that their livelihood can be taken away from them for the slightest infraction, possibly losing their permits and heavy fines. The Recreational fishermen will go back to their real jobs after they sell their illegal fish through some backdoor of a local restaurant buddy. Sheer numbers of boats pounding on the reefs daily give all the reason to keep the limit low. Thank you.

As a commercial south Atlantic yellowtail snapper permit holder, and year around yellowtail fishermen, my thoughts as to what would be in the best interest of the fish and the fishermen are these. The reporting year should be changed to August to July, as was formally requested in 2012. This would prevent a closure during the time of year when the demand for fresh local yellowtail is highest, and the price is at its peak. In the summer months, the , the fishing effort is substantially higher, due to the trap boats with a license that has been dormant for 8 to 10 months entering the fisheries for the spawn. This floods the market with fish, which also have to compete with an influx of imported yellowtail during this same time. The same fish that my buyers are begging for now at \$3.50- \$4.50 per pound, are sold as low as \$1.00 per pound. And that is with significant effort to find a buyer. Also, the closure in November hurts the fishermen who fish for yellowtail year around. The majority of other license holders do not rely on this fishery for their livelihood. It is a fill in until they resume trap fishing. If the yellowtail fishermen that this affects do pursue other fisheries, it puts more effort on those species, and causes conflict. This seems to be a better use of the resource. Selling the same fish for 300-400% more makes the most sense. On the reallocation subject, I feel that there should be a way for Mr. Crabtree to move poundage from one user group to another. The recreational sector has left well over 50% of their quota un caught for years. That is fish that your biologists say could be caught, and the stocks still remain healthy. Let Mr. Crabtree review the commercial and recreational catch data, and adjust accordingly to keep the fisheries open. If at some point the recreational sector starts to fill their quota at a higher rate, then he can make sure not to move enough quota that they would be shut down. But I find the chances of that to be unlikely. I am not for a step down trip limit when a certain amount of the quota is met, due to the fact that you would force the multi-day fishermen to stay close and compete with the day fishermen, causing conflict. Something that needs to be looked at is why have the stock assessments for yellowtail been showing a growing stock, in a time when so many other species are in decline. Could it be that we feed these fish generation after generation? In the wild, 2 main goals FOOD, and BREED. We kind of provide the food part, they do the rest. We see fish with roe in them 6-7 months out of the year now. As long as the water is warm enough, and they have enough food, they are going to spawn. Fish farms have proved that. So what is happening to all the fish that counted on our food source to be there? They may spread out, but if there was enough food in other places, why would they not have stayed there. We are kind of part of the ecosystem out there. 15 years of the same thing with generations of fish coming to our boats, and it was just shut down. What are the consequences ? It should be looked at.

Rick Turner

Island Skipper Fishing Inc.

**PUBLIC COMMENT  
WEBINAR AND COMMENT STATIONS**

**November 9, 2015**

**BRUNSWICK, GEORGIA  
NORTH CHARLESTON, SOUTH CAROLINA**

**MR. HARPER:** I'm Captain Wendell Harper; I live in Darien, Georgia. I am very interested in the black sea bass amendment. I feel very positive that our waters can sustain the ten-fish limit on our black sea bass. That is the main thing I am interested in; the other fishery is too far out of whack for me. Thank you.

**MR. EVANS:** I'm Mike Evans; I am a charter captain; also Tidewater Outfitters. I'm here representing the Two-Way Sport Fishing Club, which I'm the president of. Also on the amendment on black sea bass, we are in support of the 10-fish limit. Looking at the slide that was put up, it looks like from what we can see here that the ACL will sustain a 10-fish limit so we are supporting that. Thank you.

**MR. BELL:** The two individuals here with me, I think neither one of them want to say anything so we don't really have anything to contribute. One question might be what would it take to address like a change in size? That is not structured into this. That is not something that could be done simply now at this point, right?

**MS. BROUWER:** Correct. As I mentioned, the council would be – what they have indicated is that they are interested in submitting this amendment to National Marine Fisheries Service in December; and so that would not give us any time to analyze any actions pertaining to the size limit. The council could choose to give us guidance to prepare another amendment in 2016 to analyze an action that would look at changes in the size limit of black sea bass.

**MR. BELL:** Then that would be consistent, I think, with the recommendation from the AP, right, so you wouldn't have to be looking it up for change in size, I believe.

**MS. BROUWER:** Correct; the AP wanted to perhaps look at a decrease in the size limit for the recreational sector and then analyze an increase from 11 to 12 inches for the commercial sector so that you could have both sectors at the same size limit.

**MR. BELL:** I think what was a little surprising was the fact that people weren't – according to the data; and that is regionwide; people weren't even hitting the five fish. I think there was an assumption perhaps here amongst some of our fishermen that a number of people were hitting five and would like to be able to retain more than five. When you look at the data and look at it for the whole region, you don't see that. Then when you do the projections, even going to ten had very little increase in the actual percentage of the ACL. I think that was just a little surprising.

**MS. BROUWER:** Yes; it is an interesting analysis to see the level of discarding that is happening in that fishery. I am going to mute you now, Mel. We'll go to the folks that are signed on to the webinar.

**MR. BRAGA:** My name is Erick Braga; I've been to a couple of your meetings. I am here in South Florida. Just a couple quick points on the yellowtail fishery, a couple things that I was wondering that we could do; you guys have basically all but shut me out here locally. I would have to travel 300 miles or more to go to try to make a living any more. I have nothing left to catch for the rest of the year. You've closed snowies down, vermilion down, gags are at 89 percent or whatever it is, and golden tiles are at 90 percent of the ACL. Dolphin has been closed since July.

Basically just a simple fix as far as I can see that makes common sense is if the commercial ACL for the yellowtail snapper of 1.5 million pounds has been met and the recreational ACL of 1.440, whatever, 1,440,990 pounds has not been met and the recreational sector has only met 50 percent of this quota to date in 10.5 months, or whatever it has been, and there is only a month and a half months left in the year; why can't we transfer some of the pounds from the recreational quota to the commercial quota since the total number or aggregate of both quotas is what you guys consider a sustainable fishery?

That would be the simplest way to solve this whole issue. You won't have to close it or have any kind of closures, whether it was in July, August, May or whatever. If at the time of the commercial closure you guys can kind of get an estimate or even determine how many pounds the recreational sector will catch by the end of the year with pounds to date at that time of the closure for the commercial sector and transfer some of those pounds, a percentage of those pounds to the commercial sector, it would help us tremendously.

The recreational quota is at 36 percent right now. That is ten and a half months into the recreational fishing year, the calendar year for this quota. We would not be cutting into any sustainability; and I think that would really help us stay open this time of year when financially it is a very good time of year for us if we're allowed to fish. The other thing is as far as the gray tilefish, I just wanted to ask something about that real quick. If gray tiles are in the same group as the snapper grouper complex, why are they not on the unlimited snapper grouper permit?

I guess I don't know if that affects everybody up and down the coast, but there are a lot of people down here that don't have a snapper grouper permit and they're adding a lot of pounds to this quota; and a lot of them are doing it under the table. The same thing, jacks are closed. Basically that is my point. I wanted to keep it short and simple and I think that would be a pretty good solution that you might want to add to one of those different ideas that you guys have written down on the quota. Other than that, I don't have a whole lot more to say other than I hope everybody has a better holiday than I'm going to.

**MS. BROUWER:** Erick, those comments will definitely make their way to the council. There are some folks that have typed in comments; and I will go ahead and read them so everybody can give them. We have a comment from Tony Austin.

**MR. AUSTIN:** I'd like to know exactly how many folks have been cited for catching more than their limit of black sea bass. One comment on black sea bass; increase the effort and you will triple or quadruple the discards, most of which die. Give me, give me, give me; they're back in trouble or the quota would have been caught. Retain more than five and what are they going to do with them, sell them, take what you eat, no more? With no enforcement, this whole webinar is an exercise in futility.

**MS. IMODA:** My name is Julia from South Florida. My question was regarding the closure of those two months in the South Atlantic for yellowtail. Do we have any news? Also, if the change for the regulation will happen in the summer of 2016, would the fishing season start in January 1, 2016, as is today without any change?

**MS. BROUWER:** Julia, right now there is nothing that can be done about the current closure. I know there have been folks trying to figure out if there is anything that can be done to alleviate the situation for the folks in South Florida. We are working on this amendment; but as you pointed out, it is going to take a little bit of time for things to change. Your question regarding how it would affect the fishing year and how the ACL would be affected; that is something that we still have to figure out. That is going to be a question that we will pose to the Regional Administrator and NOAA General Counsel at the upcoming meeting of the council. The short answer is that I don't know the answer to your question; but we'll definitely sort that out come the council meeting. We have another comment from Kelli O'Donnell.

**MS. O'DONNELL:** What happened to the option of combining the South Atlantic recreational and commercial quota for yellowtail snapper that was mentioned in the Amendment 25 question-and-answer session?

**MS. BROUWER:** Well, that is something that the council can give us direction to do, but the council doesn't meet until the first week of December; and so at that time they will consider that recommendation or comments such as that and the one that Erick just provided. Then if they think it is a good idea, if they want to pursue including options to look at that in the amendment, then they would give us direction to do that. Then we would conduct the analyses and then they would review the results at their March meeting. That is how that would work. Another comment from Robert.

**MR. HIDALGO:** In California there is a worry regarding economic impact regarding their Dungeness crab fishery with the problem being high algae levels due to el Nino; in other words, Mother Nature. The marine department is working around the clock to avoid an economic impact estimated at 60 million dollars. Then there is a follow-up question that says my question is how did your department discuss our economic impact? Do you even know this amount?

**MS. BROUWER:** I am assuming, Robert, that you are talking about the impact to the economy from the current closure. Well, that is not something that gets analyzed by the council staff. This is an accountability measure that is put in place for all the commercial fisheries in the South Atlantic where when you meet the ACL, the fishery has an in-season closure. The economic analyses that go into these amendments are conducted prior to the council taking an action. What we do is we estimate what the possible impacts to the economy will be from the various proposed actions that the council is considering. Okay, so there isn't an analysis that is being done right now that I could point to you that will tell you what the impact of the current closure is going to have on the economy.

**MS. O'DONNELL:** With the recreational sector having so much quota left over, I would recommend combining the recreational and commercial ACLs for yellowtail snapper totally or letting the commercial sector utilize the recreational sector's quota if theirs is filled.

MS. BROUWER: Yes, we have acknowledged that is a recommendation that has come from several folks. I should mention that Gulf Council, as I said during my presentation, does not have sector allocations so their ACL is a total ACL for the commercial and the recreational sectors put together. That is certainly something that the South Atlantic Council could consider. Again, as I said, they would have to get together and discuss it when they meet in December. Go ahead, Amy.

MS. DENIUS: I've been following this and I've spoken to many of the council members. I have tried to get a hold of Roy Crabtree, because I was told that there is a provision within the Magnuson-Stevens Act that he could make some kind of emergency decision to allow us to continue fishing if there were certain criteria met. I was told that we meet two of the criteria but not the third one. I didn't understand the third one, because it had something to do with conservation. I was wondering if you could maybe tell me about that and why we don't meet it.

MS. BROUWER: Yes, Amy, we talked about this during the question-and-answer webinar that I did last week; and unfortunately I don't have those emergency criteria in front of me. I can tell you that Roy and his staff have discussed and several council members have discussed whether the current situation constitutes or meets the criteria for it to be considered a situation that warrants the Fisheries Service to take emergency action. As I mentioned earlier, we have closures of commercial fisheries for other species that happen, unfortunately, all the time. Vermilion closes and gag is getting ready to close and golden tilefish is closing; and they all are being managed the same way. My feeling is that we can't say it is an emergency when yellowtail closes but it is not an emergency when gag closes. What I'm saying is that it is going to be rather difficult to –

MS. DENIUS: This is kind of my feeling on this is that the gag, the vermilion, almost every other species that is closing, when you hit a 75 percent quota, you reduce trip limits to extend the fishing period.

MS. BROUWER: We have some of them but not all of them.

MS. DENIUS: Okay, yellowtail has never even been considered for that. If they would have done that at 75 percent, you wouldn't have put I don't know how many families out of business for two months. I feel in a sense that the council in the way they did it, because two years ago this almost happened; they almost closed it and then they gave us an emergency amendment or whatever to reopen it or they increased the quota. I feel like the council has done us wrong by not implementing something like that at that point to help protect us. If you look at the data, you can look at lobster; they go over – last year they met their quota, they went over it to 120 something percent and they were never even near even a rumor that they would be closed down. They have continuously gone over their quota. There are other fish, also, when you go on the website that every year they go over their quota. Technically we haven't even met our quota yet and we were closed. It is only 2 percent, but you guys closed it before we even met it.

MS. BROUWER: Well, the way it works, Amy, is the National Marine Fisheries Service has to project when landings are going to reach the ACL, because there is a lag of time between when the reports come in from the dealers. The reports are always a little bit behind, and so they need to project and sort of predict when the landings are going to reach the ACL. In order to not make the landings overshoot the ACL; that is when they announce that they expect the ACL to be met

on such a date; and then they issue the in-season closure. That is how that is done. As far as the step-down trip limit, that is something that the council has used and is currently using for some fisheries. They could certainly decide that they want to make an amendment that is going to look at putting in a trip limit for yellowtail snapper with a step-down. If that is something that you or any other of the fishermen that utilize the resource think would be a good idea and beneficial to you; then I would encourage you to make that your comment.

MS. DENIUS: I have written letters to all the council members and I have forwarded the letter to Roy Crabtree, too. I haven't had a response from him or anything yet. I just feel like we're kind of – since there are so few of us that actually yellowtail year round, we're kind of overlooked because most people who fish for yellowtail don't do it year round. It is a very small percentage. Most of the people in the Keys pull lobster or stone crab along with the yellowtail, and they yellowtail during the summer.

That is my other comment I guess is I don't necessarily believe that changing the fishing year is going to make a difference. I think that is just changing what time of year you are going to put us out of work next. I believe and I think most year-round 52 week a year commercial fishermen for yellowtail would agree that what needs to be done rather than that is a trip limit during the spawning season for yellowtail. It would guarantee beyond a shadow of a doubt that the quota would never be met, because that is when the most fishing landings are, and like you said that is when the price is paid the least.

If we're not overfishing it at that time of year and you put a trip limit of, let's say 1,000 pounds, you're not flooding the market. The price of fish is going to go up for that time of year, too, and you're going to basically make the same amount of money. To me it is just kind of common sense being in the fisheries over 20 years; it is supply and demand. The overfishing in the spawn season is what brings down the price, if that makes any sense.

MS. BROUWER: Yes, it does and I am taking notes. These webinars are recorded and everything that folks are saying on these webinars will be recorded and the council members will get your comments.

MS. DENIUS: I just want to totally stress and if anybody else is just doing e-mails or whatever, just typing on the webinar, to maybe see if they agree with that. Changing the date is just changing when we're getting out of work, because the same amount of fish are going to be caught in a year no matter how you add the numbers. You take a line of numbers and you move them around, it still totals the same amount of numbers. I believe that the only action that makes sense to preserve our fisheries is trip limits during spawning season. That will also keep the people that don't fish 52 weeks a year from basically putting us out of business by overfishing during the spawn season when they are so easy to catch. My husband and I have discussed this, and we are more than willing if any council member would like to come down during the spawn and actually see it for themselves what we're talking about. We would be happy for any of them to come contact us. My e-mail is up there and we would be happy to let them come for a day or two to actually see what we're talking about and why we need the trip limit more than we need a date change.

MS. BROUWER: I think that is very useful input for the council members.



MS. DENIUS: Okay, like I said, I'm done but if you could just pass on my invitation to let anyone that would like to come down and see what a spawn season truly looks like and why we need a trip limit; it is good forever.

**MR. BRAGA:** I wanted to add something. As far as what Amy was saying, I agree with her, because it was a point that I forgot. I was wondering about the same thing, doing trip limits during the spawn or even when 75 percent of the quota is met or whatever. On that note, why isn't it – since there is still 500,000 pounds up on the recreational quota, why is it that you guys can't give us like a 500 pound trip limit or even a 250 pound trip limit a day or something for the rest of the year right now? How adversely is that going to affect the stock population?

We're not even going to reach the total ACL for the recreational and commercial anyway; but just to help us get by. I mean you guys closed gray tilefish in an emergency closure. It took you a week to close that thing down; and, god darn, you guys got I don't know how many livelihoods here at stake. I would imagine this is grounds for some kind of emergency meeting and emergency something to do with the fishermen. You guys are more worried about closing the gray tilefish, you did that in a week, and now you're telling Amy that we've got to wait until March by the time this is all gone through.

I mean, come on, guys, where is the human aspect of all this? Where is the human aspect in this? The fish are not being overfished. The recreational quota has not been met, so we are not going to do any damage to the sustainable fishery, but you guys are doing a lot of damage to all these families that are in this predicament right now. That is just a point I wanted to add; so you guys have a good night, I'll keep on listening and I won't raise my hand any more.

MS. BROUWER: Since there are no more hands up that I can see, I am going to keep reading the comments that folks have sent in.

**MR. HIDALGO:** I would like to know did you explore alternatives or did you simply drop the ball?

MS. BROUWER: Well, the answer is we've explored the alternatives that the council asked us to in this amendment; and as I said earlier, the council needs to consider the analyses, consider the public comment; and that has to happen during a council meeting. Once they get together and talk about this, they will decide how they are going to proceed. I have a comment here from Richard Turner.

**MR. TURNER:** I support moving the reporting period for yellowtail to August – to July. Also I think there should be a reallocation of poundage of yellowtail from recreational to commercial. There are close to a million pounds of fish left on the table by the recreational sector.

MS. BROUWER: Richard, I guess I would tell you that the council has considered revising sector allocations; and that is something that they intend to discuss in the future. I can't speak for council members, so I couldn't tell you exactly when that will take place, but it is something that has been brought up for discussion. Robert says I can tell you the impact is 38 to 45 million dollars.

Then Kelli O'Donnell says for only the South Atlantic side I meant. I do not support combining the Gulf and South Atlantic quotas due to opinions I have heard from local fishermen that only hold one or the other permit and not both. That is an important point, Kelli, the permitting thing. Then we have Tony again, and this is on black sea bass.

**MR. AUSTIN:** Still over 1,500 commercial licenses in the southeast and there is no control of recreational fishing; this resource is going down the tube.

**MS. BROUWER:** Then Richard says your web site said we were in good shape three weeks ago, and then you shut us down and said you forgot to update the site. How is that fair to people? Well, first of all it is not our website; it is the National Marine Fisheries Service, because the council doesn't keep track of landings. The Southeast Regional Office in St. Petersburg is the one that keeps track of them.

As I was explaining earlier, the reporting is such that there is a lag time between the times that dealers are supposed to submit their reports and when the landings get updated on the website. There is always going to be a little bit of a lag even though back in August of 2014 the council approved an amendment that instituted weekly reporting for dealers. That has certainly improved things a great deal from where we were a couple of years ago; but still the landings can't get updated on the website immediately.

**MS. VON HARTEN:** The yellowtail ACL is met now, it actually went over. Landings' data were updated on November 6, and the ACL is up 103.55 percent.

**MS. BROUWER:** That illustrates the point I just made that every time that there is an updated reporting on the website, the percentage that has been landed changes because that just means that the Regional Office has received more information from the dealers and they can then update where the landings are. Even though harvest was closed on Halloween, it looks like there was an overage of the commercial ACL for yellowtail. Another comment from Tony.

**MR. AUSTIN:** More and more retirees with plenty of time on their hands and relatively unlimited financial resources; they all want to buy boats and go fishing; no end in sight.

**MS. BROUWER:** Then I have another comment from Michael.

**MR. SCHOFIELD:** I agree with Amy with her idea of trip limits during the yellowtail spawn. Moving around dates doesn't help anything, or a trip limit to finish out the year because everything else is closed for south Florida.

**MS. BROUWER:** That is exactly the kind of comment I think that is beneficial for the council; because the reason they are considering this fishing year change is because fishermen came and said you need to consider changing the fishing year to August 1st, and so that came directly from fishermen themselves. But if that is not something that you think is going to be beneficial; then we need to hear what you think will be beneficial. Here I have another comment from Wayne.

**MR. MERSHON:** If the council meets in December, how long will it take to implement the final results that the council decides on with blueline, sea bass, and yellowtail?

MS. BROUWER: Okay, the answer to that part of the question is however long it takes the National Marine Fisheries Service to implement regulations, which is typically around six months. If we submit the amendment in January, then we could see regulations becoming effective sometime in the summer.

MR. MERSHON: If I remember correctly, the AP members from south Florida made a motion that passed to change calendar year for yellowtail to July-June; is that correct?

MS. BROUWER: Actually the motion was to change it to an August 1st start date.

MR. MERSHON: In my experience, a fishery usually closes within a couple weeks of the drop-down trip limit. This is info for those in fisheries who do not have them. The recreational ACL for many fish, yellowtail, vermilion, are not being met. I feel that a reallocation of the pounds should be done to commercial.

MS. BROUWER: Okay; so that is along the same lines that other folks have suggested.

**MS. (Alicia):** What I have to say is I've lived here for 13 years; my husband is a commercial fisherman; he has been doing it over 25 years. I feel like the tourism bureau down here – people come down here to eat local. They want yellowtail on the menu; they want mahi on the menu. They don't want to come down here – when I travel places, I want to eat what is locally available. If you don't change the limits and you don't change the stuff, it is not going to be available. It is going to affect tourism, restaurants, and local businesses. We have many businesses around here that use our supply of yellowtail. If we can't supply it, it is all imported. I think that is supporting imported goods. It just needs to be changed for the future. I don't know what to propose, but a limit could probably help especially during spawning season. I completely agree.

MS. BROUWER: Are you talking about a trip limit, Alicia?

MS. (Alicia): A trip limit, yes, especially during spawning season.

MS. BROUWER: Okay, so similar to what other folks have suggested thus far tonight. Go ahead, Amy.

**MS. DENIUS:** I apologize, I forgot to make one point that I did want to make about our fisheries. We do have a council down here in the Keys that I know is very – they do a lot of work with you guys to make the laws and everything else. I just kind of want to put it out there that it is mostly made up of lobstermen and stone crabbers who also hold a snapper grouper license, which they utilize only during the spawn season because it is an easy \$200,000. Us who do fish the 52 weeks a year, we're not making the money they are.

We can't afford to have the lawyers and everything that this council does, this association has. They really don't like full-time yellowtail fishermen that only do that fishery. When you have gone to the meetings or when you have tried to join, you find out that they really don't want to help protect just you. We kind of all stand alone individually, because we don't have the resources to come together as a group like they have. I don't want like the council to believe that

this fishery association of the Keys is really very representative of the 52 week a year yellowtail fisherman. We are very separate from them.

**MS. BROUWER:** Yes, Amy, and I think that the council is aware. The variety of stakeholders that we have in the South Atlantic is wide and the council members are aware of that. Just as a point of interest, one of our Snapper Grouper AP members was talking the other day during the meeting and saying similar words to what you just said, Amy, and differentiating between those folks that fish – the part-timers, he calls them, and the full-timers. All this information is important and it does help us and the council members get a better appreciation of how the fisheries operate and how they are made up, so thank you for that.

**MS. DENIUS:** From what the lady said just before me, I kind of want to add to that about the Keys. It is a very unique place. I would hope everyone that is talking about us and making decisions for us has visited and understands the Keys. But nowadays in the Keys, the lobster fishermen, most of their fish are sent to China, because China is giving them a bigger dollar than the Florida Keys does. I would venture to guess – and I have no statistics on it, I just know fishermen – over 80 percent of our catch stays local and it supports the businesses. We sell to the fish houses, we sell to the restaurants. We're not just sustaining ourselves, but we're also sustaining many of the businesses out there locally much more than other fisheries tend to do. Most of their stuff gets exported and helps other countries; where I believe our fisheries, snapper grouper, mutton snapper, they stay more local than any of the other fisheries. That is just a little something. I'm done. I really do appreciate your time.

**MS. BROUWER:** Okay we've got a few more written comments that are coming in.

**MR. BONURA:** For yellowtail snapper, I would like to see some of the unused ACL from the recreational given to the commercial sector or combined like the Gulf of Mexico.

**MR. TURNER:** The report date change would help keep the fisheries from closing this time of year when only full-time yellowtail fishermen are catching them. If there is a closure, it should be during the spawn when the price is lowest and the most people are impacting the resource.

**MS. BROUWER:** That is exactly what the intent of changing the fishing year would be. Then I have another comment from Vincent.

**MR. BONURA:** As far as the blueline tile is concerned, I would like to see the trip limit and ACL as large as possible for this fishery to be sustainable; especially for multiday trip vessels, traditional bandit boats, that must travel long distances to catch this fish; the more fish available to the fisherman aboard these vessels the better to be profitable for these trips.

**MR. MERSHON:** I know this does not pertain to this amendment, but is the council considering recompression devices and venting tools to help with the dead discards that are being put on the ACL?

**MS. BROUWER:** Wayne, I think that is something that has come up during the visioning process. Right now the council does not have any amendments that are looking at making that a requirement. It has been brought up by stakeholders, so I would suspect that the council is going to discuss that at some point. Okay, are there any other folks who would like to ask a question or

submit a comment that is going to be pertinent to our amendment that we're talking about tonight? It doesn't look like there are any other folks who want to comment so we'll be signing off here shortly.

MR. TURNER: Amy is totally wrong; I happen to be a board member of FKCF, and the Vice President of the Marathon chapter of OFF.

(Whereupon the Public Comment period adjourned.)

## SGREGAMEND25 WEBINAR ATTENDANCE 9 NOV 2015

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**PUBLIC COMMENT  
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**November 12, 2015**

**MANTEO, NORTH CAROLINA  
ST. AUGUSTINE, FLORIDA**

**MR. HEMILRIGHT:** My name is Dewey Hemilright. It is always kind of a daunting task when you look over the proposals, actions and alternatives, and to get a clear picture of the fisheries and what is going on in the fisheries, let alone the stock assessments. The difficulties we have – a couple things in looking here – even though the South Atlantic Council covers from Florida to North Carolina, you have different regions of fisheries that the fish is available at different times of the year. You also have an MRIP survey that is woefully pathetic when it comes to getting the data from the recreational interest of what is being landed in full.

Something I didn't see on here, I was kind of wondering why they chose the years 2010 through '15. I know in the stock assessment, back in 2007 or '08, off of North Carolina through the MRFSS survey they had a number of 35,000 blue line tiles as discarded by the charter recreational industry. One, we don't believe that or I don't. Why would somebody discard 35,000 fish off North Carolina? That was in the stock assessment from the recreational industry. I also believe down in south Florida in the survey, one intercept with six fish produced about 100,000 pounds once it was guestimated out, so that is some difficulty there. We have to work with the data part. As far as splitting up the season, we have a 50-50 split, but I kind of wonder about the catch there.

I guess I would go with the one that gives both sides the most fish to catch. I am not sure of my exact alternatives there; but what you have to look at there is when the season is open, predominantly probably Florida would catch fish first. The ACLs will get caught. I mean it is past time that we need to go to state-by-state allocations, clearly. I mean we can see here looking at the mahi, looking at this. Something else I'm also for is to decrease the size limit for black sea bass for the recreational if we're discarding what is it 71 percent of the sea bass caught recreational; is that what I heard? That was 71 percent.

**MS. BROUWER:** Dewey, actually the percent it is quite high and it varies by sector, but, yes, there is about 30 percent of the bass.

**MR. HEMILRIGHT:** But 70 percent, right, would that be a good number?

**MS. BROUWER:** Yes.

**MR. HEMILRIGHT:** Okay, so if you're discarding 70 percent of what you catch, then you need to decrease the size limit and allow them to keep the fish instead of throwing them back. I don't ever do much sea bass fishing. I don't know how many make it or whatever like that, but you need to decrease it to give people opportunity to, because I don't see that as helping the stock. That is just kind of my two cents worth. I will have some comments on the dolphin wahoo.



**MR. RIVAL:** My name is Jamie Rival. I am a charter fisherman, recreational fisherman, I commercial fish a little bit, too. When they drew the state line 200 years ago; and it is crazy that the Virginia/North Carolina line is drawn not because of tilefish but because that is where they drew it 200 years ago. The folks in Connecticut don't tell the south it is better not to kill their prairie dogs. I'm not sure if that makes any sense or not. There is no reason why someone in Key West doesn't catch tilefish that we can't catch them here. Like Dewey says, I think it needs to be state by state and a better stock assessment. I'll get to the recreational discards, too. I guess I am a charterboat fisherman so that is recreational. We tried to catch sea bass twice this year; and I know we killed 50 or 60 tiles each time just trying to catch some sea bass. I think we caught four sea bass each time and let 50 or 60 tiles go or let the sharks eat them; whatever you want to all it. That is my comment. There are plenty of tiles here and I would hope that the alternative that would let the recreational – I don't even know if the commercial guys can make it on 300 pounds a trip, but it needs to be more than that. Thank you.

**MR. FOREMAN:** Allan Foreman; I run a charterboat/headboat out of Pirates Cove; I've been fishing for 44 years. I've caught many a tilefish. I could go out there tomorrow and catch a limit. I know there has been a study off of North Carolina. Right now there is a local boat been doing a study. We haven't heard anything about the study tonight, about the numbers of fish he's been catching. Northeast North Carolina is very different from other parts of the whole east coast. We catch our fish in mud.

Florida fishermen and the fishermen above us catch them on hard bottom. We have totally different fishing here. The black sea bass is limited. We can catch more black sea bass up north and we have a bigger limit. The black sea bass limit is from Diamond Shoals Light Tower to the Hatteras Light House. Why can't we have a limit on the tilefish the same thing? If they've cut off black sea bass south of Hatteras and north of Hatteras, two different size limits, two different sized fish; we ought to be having something on the tilefish. We normally run a bottom fishing trip 65 days in the summer. We're full every day, 27 people. This year we were not able to catch any tilefish. I can't run 40, 35 miles to go out there and catch one fish; who am I going to let have it? We need to go out there the month of July and let my men catch about three apiece, and that is all we need to do. Forget going out there in November, December, January and February. Nobody is going out there catching. You've got one man that is going to go out there and catch 356. I would rather have one man go 30 days the month of July and catch 90. We're really looking after the population if we do that. Thank you.

**MR. FOREMAN:** My name is Charles Foreman; I own the Country Girl out of Pirates Cove, charter headboat. I completely agree with what everybody else has said tonight. I think it should be state-by-state allocations. It would be a lot better. It really doesn't make sense that somebody in Florida and somebody in North Carolina; such a long distance apart, it just doesn't make sense. North of Cape Hatteras you don't have the species that you have south of Cape Hatteras. I really don't understand why we're in the South Atlantic Fishery Council. Below Hatteras they have the snappers, groupers, grunts, porgies and lots of other things to catch. Above Hatteras we have tilefish and we have sea bass and that's it. You take one of those away and we really don't have much. That is pretty much what I've got to say.

**MR. COPPERSMITH:** My name is Wally Coppersmith and I'm a commercial fisherman. I support the state-by-state trip limits for the tiles and the snowy groupers based on historical landings from years past. I also would like to see the charterboat guys get more than one fish. I

feel like they deserve a minimum of three fish per person, and I'm sure they can make it. They're not going to be able to make it on one fish per person. I've fished alongside Al for a long time and Jamie. They have good businesses, and I feel like they deserve a much fairer shake than what is proposed here tonight for the charter/headboat sector. We participated in a study in the time of year that we got to fish, which was October. I would say for the conditions that we got to fish under; that there was a very, very good sign of blueline tile out there. I'm hoping that in the years to come that the increase for the commercial man and the charter/headboat sector will be going up on a year-to-year basis. Thank you.

**MR. ODIN:** I've got one thing I would like to add to what's already been said. My name is Jeff Odin and I own the fishing vessel Sea Vine out of Hatteras. Anyway, there is one other thing that disadvantages those of us in the northeast; and it is the start of the year. I am sure everybody's idea in Florida to start it January 1. That may seem perfect for them, but it sure isn't for us, because the last few three or four winters up here have been anything but conducive to fish. I mean we've been lucky to get one day offshore a week at best. Anyways, it has just been bad weather.

It certainly disadvantages those of us in this area to have a start date on January 1. It is not like the snowy grouper and tilefish where I see lower ACLs that will be caught up quickly by the time we get on the water, and I would like to see a start date of March 1<sup>st</sup> or March the 15th or somewhere in that range. By then maybe we'll be able to manage a trip or two offshore and more equitably allocate the resource up and down the coast rather than Florida to disadvantage us.

For instance, we used to be on even keel with them on snowy grouper, and right now I think we were around 35 percent of 33 percent, the same as them. I believe now it is over 50 some percent, Florida's fishermen. I know it was the same for B-liners this past year. The guys in South Carolina were complaining then as well, because they weren't really getting offshore either; the same weather was getting them. Anyhow, that I think is very important to all of this, be it snowy grouper, blueline tilefish, what have you; either that or let's go to state-by-state quotas. I know there have also been other fishermen who had said well, our area like, for instance, Florida, well, you know we've got a winter tourist trade and you know we need to feed them.

Well, by the same token we've got a summer tourist trade and we want to feed them, too, without having our ACL caught up before they get here or we get the opportunity to go fishing. As far as managing that resource, each state should have the opportunity to do that reasonably. The year should start, as I stated, March the 1st on a given year and carry over until the end of February on the following year. That way everybody has the same opportunity; it just comes on how they choose to manage by state. I thank you.

**MR. HEMILRIGHT:** Dewey Hemilright here. Also when you look at your analysis that you've done on your Table 2.2.1 and your different analysis that you put together; trips, amount of poundage; it would be very helpful in the future if you would do it state by state, what is happening in that state. You can also lump Georgia in with South Carolina or with Florida since they have less than three dealers or something like that. The stuff you put together here, it is not very good. It doesn't give an accurate picture of what is happening in the fishery in different areas. It gives a great picture maybe if you can weed through it; but if you did state by state

putting your data together with your Southeast Fisheries Science Center Economic Query System, then it would be a lot better and people could get more understanding of what is happening in that state, because one size does not fit all. So many times we manage our fisheries where whatever happens here happens there. That would be very helpful if you would do that in the future. Thank you.

MS. BROUWER: Thanks, Dewey, and I think that that information is actually included in the amendment. I just can't put everything up in these tables, but I will pass that along to the folks that do the analyses and put all the descriptive stuff together.

**MR. FRAGA:** My name is Eric Fraga. I was in a couple meetings last year, one in Key West. This kind of pertains in a way to that. I hear all these gentlemen from North Carolina and stuff talking about they wished they would do the quotas state by state, and I am 100 percent in agreement with that. Our point, which is pretty funny because it is flip-flopped right now, they are complaining about the gray tile, well, we were at a couple of meetings complaining about the gag grouper situation.

I am sure a couple people that are sitting there were at that meeting in Key West. Our problem was that our gags don't get down here until January or February. Like the gentleman said a little while ago, from March or whatever, when their season starts all the way through September, October, November, while they can fish throughout the summer, they are catching all the gags and for the last three years the commercial quota has been shut down before our fish have even shown up here. Last year we had a bunch of fish down here in December and we had fish here in January, we had fish here in February and we couldn't fish for them.

A few of the recreational people got lucky and got to fish for a few of the fish there before the January closure. I agree 100 percent with these guys. Like the one guy said that here in Florida we get the whole winter fishing because they can't get out. Well, guess what, in the winter we're not catching the gags just like they're not catching the tilefish. There are a lot more gags being caught than there is tilefish. I agree with these guys 100 percent. I just wanted to throw that in. It should be a state-by-state situation; it shouldn't be the whole entire east coast of the United States of from North Carolina south to Key West or Tortugas or wherever it is. It is just not fair. It is not fair for them in the wintertime and it is not fair as far as the blueline tiles and it is not fair to us in the summertime when they are catching all the gags. That is just the two cents I wanted to put in on. Thank you very much for listening.

MS. BROUWER: We're not seeing anybody else who would like to speak that has signed on to the webinar. I did want to acknowledge that we did receive a comment from Manny.

**MR. HERERRA:** Change the fishing year to August 1<sup>st</sup>; manage both the South Atlantic and the Gulf as one fishery. The best time period for any closure would be between the weekend of Memorial Day and the 4th of July, about a forty-day period to allow spawning and prevent an economic overfishing. Strongly consider an emergency for re-allocation of part of the Gulf quota to prevent high pressure fishing, in the limited territory of the Gulf area in the Dry Tortugas. This South Atlantic closure is forcing vessels that normally do not fish in this small area to fish there due to the closure. It is very disappointing and frustrating that I personally attending the meeting in South Carolina back September of 2012 and addressed all these issues requesting what is now being considered. Had a proactive approach been made three years ago,

the commercial fishermen would currently not be out of work due to the forced closure that has occurred without little warning and consideration for the social, economic and environmental impact that this closure is causing. This might not be considered an emergency situation to the Council; however it is detrimental to South Florida, its communities, businesses, consumers and tourist.

**DR. DUVAL:** Is there anybody else who wants to offer any other comments on this regulatory amendment before we move on to the dolphin amendment? The question from Jamie is three per person for blueline was not an option in the paper for charter/headboat; and, no, it wasn't. Myra, the comments here from Charles and Allan and Jamie is that they would rather be able to catch three per person for like those four months June, July and August, than catch one per person throughout the year. They are offering that additional comment.

**MS. BROUWER:** All right, it looks like we're going to switch gears now and go onto the presentation on dolphin wahoo.

**DR. DUVAL:** I am sure there are plenty of comments here so I am just going to pass the microphone around and let folks see what they have to say.

**MR. ODIN:** Gregg, Jeff Odin here, Fishing Vessel Sea Vine. I used to bottom fish; I got regulated out of that by the council. My biggest problem is realizing the fact that even though we have a recreational ACL of almost 14 million pounds, which hasn't been half caught in the last three or four years and we find ourselves this year having been cut back in 2012 from one million and a half pounds, similar to what we're projected to get again next year – you know, we got relegated to a reallocated down to 1.1 whatever. Anyway, it is really hard to understand why we even find ourselves here quibbling over a few pounds of mahi and find ourselves having to throw them back as we have done for the last three or four months when we have a recreational ACL that is not even coming close to being caught. To me, I see the 4,000 pounds after the 75 percent would be my recommendation on this.

By the same token, I would also like to see the total ACL go to at least two million pounds commercially; and then we wouldn't be back at the table again like we are now fighting over a few pounds of mahi, which weren't even being utilized by the recreational sector. Anyway, that is my comments on it; at least 75 percent – phasing into a 4,000 pound trip limit when 75 percent of the ACL has been caught. I would prefer to see that at two million pounds and that would seem logical to most anybody out there when they realize that if we're going to be throwing them back like we've done this year, then Panama, Honduras, you name it; all these other countries would be more than happy to feed us; but it doesn't make a whole lot of sense to the rest of us in this room.

**MR. HEMILRIGHT:** Gregg, it is Dewey Hemilright. First of all, I don't believe that the second paragraph of the possibility for higher longline landings is because of a January amendment. I don't believe that to be the case. I don't believe that the other thing about the waters getting warmer be the case they are moving further offshore. Suppose there is just more dolphin. I don't see that a whole bunch in here in that realm. Something with the mahi; when you look back at the history of the mahi-mahi in the South Atlantic Council, from the commercial perspective it hasn't been very friendly. We can go with the Boyle's Law that reallocated fish that fit it so the years that favored the recreational that gave us about 7.5 percent.

You look at the other things that has happened in this and had this amendment been passed, I don't know why it's taken a year for it to get to the table and to get passed.

Had we had 1.5 million pounds, which is 10 percent of what the recreational catches, we wouldn't be sitting here tonight probably. That gives me some heartburn. Maybe the council will go back and look over that. Another scenario would be what happens if you borrow some fish from the recreational one year if you go over 3 or 400,000 pounds or something was to happen; they're not catching their quota. The fish that we're catching we have to use 16/0 circle hooks or 18/0 offsets; so it is a different class of fish that you're going to catch versus the smaller fish. Mahi are fast growing and mature quickly, so that is a good thing. Also, I would be in favor of the Alternative 4, which I am not in favor of; but I guess if you've got to choose one; Alternative 4, Subalternative 4D; that should be the one with the least pain. Mahi is a great eating fish. Pelagic longline prosecutes or fishes for it about two months a year, basically.

Something else that would have been good to show here is what gear is catching the percentages and during the months. You also could have looked at logbooks to see just how many had to be discarded by the commercial guys. That would have been something else that would have been a good asset to put in your paper here, which I don't see that. Also, just the fact of people fishing, it is not easy to pelagic longline. The regulations are taking a toll. I don't believe that's the reason why people took more mahi this year. Boats are making long day trips or making the trips up to two weeks catching mahi, and we need a little help.

Maybe the council will revisit this and also look at the last three years about who is catching fish and who is not. How about rolling over unused quota to the next year; what is the possibility of that and why isn't that an option or shouldn't it be? I don't think that it is going to hurt if the recreational gives the commercial a little bit if they needed some. Here we're at 90/10 percent. I don't think that is going to hurt anybody; but I wish these 1.5 million pounds would have already been in place. It's been a year now. I know it takes time, but a year is a little bit too long.

**MR. RIVAL:** Jamie Rival again; commercial and a charter fisherman in Manteo. In this day and age I really think we need to do the best we can to utilize the allowable catch, whether it is like Dewey said transferring when you guys know within a week or two what has been caught and what has been landed. If by June or July or August it looks like they're getting close, take some from the charter/headboat side if we haven't utilized our allowable catch in the last – how long, Jeff – 15 years. As a country we need to utilize the total allowable catch, whether it comes from the commercial side or the charter headboat and recreational side. Thank you.

**DR. DUVAL:** Does anybody else have any comments on dolphin? I don't have a landings' stream in front of me of commercial versus recreational; but I think the recreational sector achieved close to 13 million pounds. Yes, it was the late nineties and it hasn't been up that way since then. It has sort of run between 5 and I think 7 or 8 million pounds since then. We don't have any more comments here right now, Gregg, so I'm going to go ahead and mute us. You can go to the folks on the webinar.

**MR. WAUGH:** Okay, we've got a couple of comments/questions from the folks on the webinar. Wayne Mershon is asking could there not be a longline quota and a hook-and-line quota like with golden tile? This quota system has the hook-and-line fishermen still able to fish golden tile now. I believe the golden tile split the quota as a good example. That is something that the

council could consider, and we'll pass that comment along to them. NCFA would like to see the commercial ACL be increased to 10 percent, its historical value. This is from David Bush. The amendment that should be coming online soon gets it to about that level. We'll pass that comment along as well. Terri Beideman.

**MS. BEIDEMAN:** I wanted to make a few comments on this proposal; and it is nice to see it moving in a forward direction. It was kind of discouraging to see the actual presentation where there may not have been a closure had that actual amendment that was passed last December had actually move through the system quicker. I know that it cost a lot of fishermen out there, commercial, not only the longline guys but the hook-and-line guys also, a lot of money. It benefited countries that land fish in Trinidad and other places that got six bucks a pound while we were closed. We should really endeavor not to have that happen again.

In that way I am going to say as a stopgap measure, provided that the council doesn't stop at this level, at the 75 percent with a 4,000 pound trip limit seems to be reasonable given what you've estimated when we would reach that. Of course, it is an estimate, but I think that is a reasonable thing. I would like to see, as was discussed at the September meeting, the moving of another amendment that would allow potentially a flexible shift of allocation on an annual basis; not a permanent transfer but an as needed basis' particularly given the situation where we have a significant amount of at least currently one sector not landing 8 to 9 million pounds of fish available. That is not good.

Optimum yield is not achieved by shutting our fishermen down, making people throw them away and benefitting imports while we still have quite a bit of allocation available, technically. That was an interesting proposal at the time. I know you haven't had a lot of time and you've done a lot of work to do this presentation and get this moving so that they can make a decision in December. I appreciate that will be quick, and I truly am surprised that we haven't seen the reopening. I was rather expecting it before now. I don't know where the hang-up is, but I'm glad to hear that it will happen before the beginning of the year. There was discussion about having our quota available for our boats. I think that a second amendment; I know that is a slow process but we could use it. There is no reason to not harvest these fish. They are very well liked in the market.

It would benefit not just the fishermen but the restaurants and the seafood consumers and all down the trail. I had asked the question concerning the actual, not the HMS longline people, because those limits have been permitted since the year 2000. There are no increases coming as far as that particular permit sector, but there was no information about – there are other longline fisheries that fish that are not HMS permitted; and the council wasn't aware of how much fish was actually being caught by that sector. I wondered if you had any progress about that and if not, I hope that you do soon and check that out. That is really all I have to say. Thank you very much for allowing me to comment on this.

**MR. WAUGH:** Thanks, Terri, and thanks for mentioning that other amendment. Just so everybody is aware; the council is going to be talking about items to go into the next dolphin wahoo amendment at the December meeting. Our schedule is to approve that for scoping at the December meeting; and that would be scoped during the hearing process, the last week in January and the first week of February. What the council is looking at in this regulatory amendment is very specific to the commercial trip limit. All your other suggestions will be

provided to them at the December meeting, and they would have the opportunity to include those suggestions in this next amendment. You will have another opportunity in January and February to provide additional comments on what they should include in that next amendment. Terri, we haven't had the chance to look at the landings by different groups yet, but that will certainly be included as we develop that next amendment.

Vincent Bonura has a comment. He would agree with the same thing as he said for yellowtail snapper. If the recreational are not catching their annual catch limit, part of their annual catch limit should be transferred to the commercial. We don't have any more hands yet on the web. Those of you that are listening in; do we have any more comments?

Okay, not hearing any more comments, so thanks to everybody for taking the time out to attend; and as I said, all your comments will be transcribed and go to the council. Hope to see some of you at the North Carolina meeting. We've got something that just came in from Vincent. He is saying he doesn't really agree with the small trip limits, especially for larger, multiday trip vessels; but I guess if I had to choose between your alternatives, he would go with the 75 percent and 4,000 pounds. Again, written comments you can get those in to us. Please make sure and get those into us by 5:00 p.m. on November 16, and we'll include those as well.

(Whereupon the public comment period adjourned.)

SGREGAMEND25 & DOLPHI WAHOO REGAMEND1 WEBINAR ATTENDANCE

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