Mark Brown: Hello, my name is Captain Mark Brown. I'm from here in Charleston. I operate a charter/head boat business off of Shem Creek, and I commercial fish also.

I'm here today on behalf of not only myself as an individual business owner that fishes in the ocean and has raised his family, which I have six children and seven grandchildren; I'm here also as a representative for the Recreational Fishing Alliance as the vice chair. And as Mr. Clay Duffie said that we are submitting some written comments that will be more in detail about all the different issues and everything.

First, I'd like to address a few things just off the top of my mind 'cause, as you know, I've been to quite a few of the meetings and I've been involved for a long time, trying to understand what's going on. And I've been to Washington and talked to our representatives and our state senators, and the only resolve that I keep hearing for this is a change of the law. We have to change Magnuson-Stevens to extend the timeline, to be able to evaluate the science so it's not constrained into such a short timeline. And there's not enough funding and there's not enough data to be able to evaluate these fisheries and establish the management.

Well, the law was created to benefit the resource, and management is what the fishermen want. I mean, we want good management, but it has to be based off of good science. We can't have science that has no depth to it, and you using this science to create laws that don't make sense.

Now, I've been following Captain David Nelson down in Florida, who is – David Nelson, for the people that don't know him, is a – he comes from a long family – a long line of fishermen. His dad was working on boats in the '40s and '50s. He's got four, five brothers; they all fish. And David is – actually, he's a college graduate and is a high school math teacher. And he fishes on the weekends and runs a charter boat during the summer and stuff. But he started going through the science off of SEDAR 15 and SEDAR 24, which is managing the red snapper – which is the documents, excuse me, that are being used to create management for the red snapper, and the documents themselves are full of a lot of mistakes, a lot of flaws.

And we actually had a conference call last week with Bonnie Ponwith, and Dr. Roy Crabtree was on the conference call, and so was Jack McGovern and Erik Williams and Kyle Kercher and myself and David Nelson and Sid Prescott and Jimmy Hall. And

there was several of us on this conference call, and we kept bringing up the fact of certain parts of this data that's being used to manage the red snapper fishery that does not make sense. And we kept asking the same questions over and over and over again and not getting replies or responses. Nobody is answering the questions, okay? They keep kinda skirting the answers. They just kinda keep smoothing everything over, saying, "Well, this is the best available science. It's all we can – this is what we have to use to manage this fishery."

The fact of the matter is, is that there's errors here, and if the structure of the evaluation of this fishery was used the way that they use it in the Gulf, the way that they evaluate the same species of fish in the Gulf of Mexico, we would not be undergoing overfishing for red snapper in the South Atlantic. But unfortunately, we cannot seem to get the point across that this is the same species of fish, and when we come to some of the other parts of the data, there's no answers coming back to us, and it is frustrating. It's frustrating for the fishermen because we're trying to work with the regulators and understand where you're coming up with this information to govern us, but yet we look at it and it doesn't make sense.

And so we're thinking to ourselves, well, how are we supposed to respond to this when we know that there's something wrong with this data, when the information doesn't look right, and we can tell that it's not right. And then we try to bring the point up through advisory panels or through individuals that have poured their heart into it to investigate this stuff, and nobody seems to be listening, okay?

We don't understand why nobody's listening. We do know that the law keeps being brought up, that this is a pivot point, that everybody has to go by what the law says, but yet – but yet, there is a part of the law that says that, if you don't make a decision, then it can be thrown back into the lap of the Secretary of Commerce – which, at this point in time, I'm thinking we really don't have anything to lose.

So if you see that there's an issue here, that the regulations are being created off of false information, and you can't come up with a good, conscious effort to develop management based off of this science, then send it back to the Secretary of Commerce. We'll put it back in his lap.

And with the catch shares program, I've done some investigation into it myself, and the catch shares program has been used in New Zealand and Iceland and in Alaska, and in our own area, it's been with the rec fish fishery. Well, so far, in my opinion, the catch shares program is not a success in any of these areas. There has not been a success story in any of these areas. The fishermen all complain about it. The New England fishermen are going through the same situation right now, that they're being put outta business because they implemented a catch shares program in New England, and a lot of these boats are getting put outta business because they don't have enough of the piece of the pie to be able to survive.

And the thing that I don't truly understand is, is that there hasn't been – because there's not enough science to understand these fisheries and to create management, how are you gonna create a catch shares program for the different sectors when you don't have the science to create the regulations properly? I mean, if we don't understand the fishery, I don't understand how you can create a catch shares program. And most of the – I think most of the public would be open to suggestive ideas on how things are going to try to work, if you had the science to back it up, if you could show us that it's a good program. But nobody's done that. I don't know of anybody that's explained anything to me. We just keep hearing that it's gonna a catch shares program, and then, like I said, if we go on the Internet or research it, all we find is failures in that type of a program.

Mark Brown: So I don't support catch shares, and neither does the Recreational Fishing Alliance. Until we see something that we can understand, that really points in a direction to where it looks like it would benefit the industry as a whole and not hurt people and not take away jobs or be a hindrance on people that wanna use the resource, then I'm not for it at all.

As far as the ecosystem-based management goes, I'm – as far as the special management zones and all that, with the diving, I have no problem with people being able to dive and shoot fish in those areas. I mean, that's – talking about taking that away. Well, it takes less pressure off of the natural bottom too, so it doesn't make sense to me to take that away from the divers.

And then, also, with the turtle release gear, we were told last year with this 17A that we had to have all this turtle release gear for the for-hire sector. So I go out and I buy a giant dipnet, and I get a tire

for the side of the boat, and all this junk that we never use 'cause we never impact the turtles.

Now, I can understand a gear that actually impacts the sea turtles and seeing that happen, but if we ever have an incident, which we've only had four or five over the years, you can easily reach over the side and take one loose with either a dehooker or a line cutter, a pair of mono cutters or something, and it's no big deal. So I support Action 5 that says that it wants to change the turtle release gear to match the type of gear that we're using. And so that is a good point there, and I think that that would be a good alternative there.

The advisory panel actually proposed a lot of different things for the snapper-grouper fishery. One thing was a spawn enclosure, and I'm in favor of a spawn enclosure. I think that if these fish – if you can get the science to – if you can provide accurate science to determine the exact time when these fish are spawning, I have no problem with having a spawn enclosure and allowing the fish to spawn and then open it back up, okay? But to just close the fisheries arbitrarily just because you're saying the law says you have to, then that doesn't make sense to me.

But I think most fishermen, when you come up with ideas of good management, of things that will actually benefit the fishery, I think most of us in this room are for that. And when we talk about these advisory panels, too – I talked with David Harker today, who is the – I guess he's the head of the AP for the wahoo and dolphin. And he told me that all of the proposals that they made for the dolphin and wahoo at the AP were turned down. He said he was frustrated because they had some good ideas with that.

Well, if you're going to use these advisory panels that the South Atlantic Council is creating, whether it's for the red snapper or the dolphin/wahoo or whatever, then we should be considered like farmers. If I wanna know about the farm, I'm gonna talk to a farmer.

Well, you need to take into consideration that these guys that are using this resource actually know what they're talking about. And we need to take more of the input that comes from these fishermen and put it into these management proposals so that this way, that we can create regulation that doesn't destroy the industry.

And in my opinion, that's probably one of the biggest things right here that has frustrated me, because I've put in my paperwork to be

on the advisory panel for the snapper-grouper a couple of different times. I was appointed to the Marine Protected Area Advisory Panel, and it never met in four years that I was part of that panel, and then it was dissolved.

And it was frustrating to me that I wanted to participate. Man, I was like a horse coming out the gate. I was ready to participate, and then there was never an advisory panel ever called. And then all of a sudden it's dissolved. And I'm thinking, "Well, that's just great." Here I am wanting to participate, and I can't.

So now I wanna be part of this advisory panel, because I can put some input in there that's good. I can put stuff in there that I know about, things that David Nelson knows about. The boy's sharp. He knows his stuff. He comes from a long generation of fishermen. Rusty Hudson. Rusty is a sharp guy. He knows a lot about this stuff. Jimmy Hall. All of us have worked hard together. We grew up together in the fishing business. We understand the fisheries. And there's none of us that wanna see anything go downhill. We want it to continue on for our children and our grandchildren. And fishery management is necessary, but it needs to be done with good science. And that's it. I'm done.

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