

**Summary of the Public Hearing on
Spiny Lobster Amendment 11
Marathon, FL
January 23, 2012**

Council/Staff:

Carrie Simmons
Emily Muehlstein

15 members of the public in attendance

Bill Kelly - Florida Keys Commercial Fishermen's Association (FKCFA)

The association supports the proposed closed areas with exceptions of sites 2, 15, and 30, which should be amended into smaller units. For example, site 2 only protects two coral colonies and closes an area that is 1600' X 3500'; it should be made into 2 smaller closed areas. Similarly, site 15 should be broken into 3 new areas and site 30 should be split into two smaller areas. This would make a total of 60 closed areas.

He says trap line marking is an example of government overregulation. The line marking serves no biological purpose and causes unnecessary economic and labor burden to the spiny lobster fishery. He is willing to help protect species if measures are not labor intensive or economically intensive.

Chris Bergh - Nature Conservancy and recreational spiny lobster fisherman

He has worked to identify some of the good areas to limit spiny lobster fishing to protect corals. He commends fishermen for being proactive in identifying areas to protect throughout this process. The Nature Conservancy is behind the proposed closed areas with the exception of the lack of inclusion of closing areas to all spiny lobster fishing. It does not make sense to protect the corals from traps but not from lobster diving (anchoring, touching, etc). If this law passes, it will cause effort shift and divers will target the closed areas knowing that commercial fishing is restricted in those areas. The Sanctuary Advisory Council has taken the position that all spiny lobster fishing should be closed in these areas.

Edward Cordova- Organized Florida Fishermen

The proposed closed areas 2, 15, and 30 are way too big for the corals that are protected within them. He would like to see the sites split to protect the coral heads without limiting fishing in such large areas.

He supports the Council's preferred 'no action' alternative because trap line marking requirements would cost him thousands of dollars and lots of labor.

The meeting was adjourned at 7:30 p.m.

Members of the public who did not speak:

Doug Gregory - Florida Sea Grant agent

Russell Moore

Pedro Gonzalez - One Seafood

Orelia Gonzalez - One Seafood

Jose Olivera

Martin Moe

Alfredo Cresto Jr. - Organized Florida Fishermen

Scott Jones - F.V. Angus Inc.

Ronnie Boggess - F.V. Angus Inc

Edward Cordova - Organized Florida Fishermen

**Summary of the Public Hearing on
Spiny Lobster Amendment 11
Key West, FL
January 24, 2012**

Council/Staff:

Carrie Simmons
Emily Muehlstein

12 members of the public in attendance

George Niles - Commercial Fishermen and FKCFCA (past president)

Supports the proposed closed areas with the exception of areas 2, 15, and 30, which could be made into smaller area. He would like the proposed closed areas to be closed to all fishing because he believes divers would shift their efforts to the areas closed to commercial fishing. The divers certainly cause harm to the protected corals when anchoring and touching the coral while searching for lobster.

He believes that the trap line marking requirements are absurd. It would cost the industry 19 million dollars to replace those lines and that is unreasonable.

Billy Niles - FKCKA board of directors

He has been trap fishing for 60 years. He stated that, in his experience, gear lines with tracers are weaker and degrade quicker. He has seen one turtle entangled in all his years of fishing and it was released alive; he has never seen a smalltooth sawfish. If the government is willing to pay for the replacement ropes it may be a more reasonable request, otherwise, it will put many people out of business.

Doug Gregory - FL Sea Grant agent/member of the Gulf Council's SSC

He stated the data used in this amendment has not been reviewed by the Scientific and Statistical Committee in accordance with the Magnuson-Sevens Act and the Council SOPPs. The underlying information in Amendment 11 should be reviewed by the SSC for adequacy so the Council can make the most informed management decisions.

Peter Bacle - Owner, Stock Island Lobster Co.

Served on the Gulf Council's lobster Advisory Panel the first year the Council was formed. He also served with Florida Wildlife Conservation and after 35 years of participation in the process he has come to the conclusion that it is a waste of time. He believes there is a hidden agenda that fishermen don't know about.

He sees nothing wrong with the proposed closed areas in the preferred alternative since he has no interest in setting traps in on coral anyhow. He is concerned that these regulations will not stop here. In years of dealing with the fishing bureaucracy, he has watched the Florida Keys National Marine Sanctuary expand. In

themselves, the proposed closed areas don't harm the fishery and are good for the environment, but he believes this is just the tip of the iceberg.

Trap line marking requirements came out of nowhere and must be part of an agenda to eliminate lobster traps. He supports the Council's no action alternative because trap line markings serve no function beyond eliminating the fishery.

He stated that there were so few people here tonight for an issue that effects so many. In his fish house alone there are 100 people that are directly impacted by the proposed regulations. People are discouraged by the process because they don't believe that anything they say will make a difference. They are inundated with new regulations and new rules, and every day in his office he receives emails and faxes about hearings asking input and feedback. The bureaucracy is ridiculous and impossible to keep up with. There is a page and a half of acronyms in Amendment 11 that fishermen cannot understand. The Councils and NOAA Fisheries are supposed to promote healthy sustainable fisheries, but it seems like they are only promoting more bureaucracy. It is extremely frustrating to have to deal with this every day, and we can't be expected to be able to comment effectively and give input into the process. Until the bureaucracy is improved people will not participate in the process.

Daniel Padron - Board of directors, FKCF A

He wants the Council to separate sites 2, 30, and 15 so that corals can be protected without limiting fishing. He believes the areas should be closed to all fishing. The recreational fishery and commercial divers should be limited because they cause just as much damage to corals as the trap fishery.

Trap line markings are a terrible idea. Tracers compromise the integrity of the rope and are pointless. A line wrapped around a protected species is still a line wrapped around a protected species with or without a tracer. He does not want to take the time to mark the lines even if the government funds him to do so, it would still be an unnecessary labor intensive requirement.

Mitchell Gale- Vice President, FKCF A

He has been a full time fisherman for over 30 years. He supports the proposed closed areas to protect staghorn and elkhorn corals. He would like sites 2, 15, and 30 split into smaller spaces. Most trappers don't place traps on hardbottom, it is not their intent. For example, site 2 includes lots of sand bottom and the area should be separated to protect corals and allow for trapping on the surrounding sand bottom.

The trap line marking is an idea that has no use in his industry. He would be in favor of the proposed markings if he owned a rope industry, but as it stands it is not a good idea.

Viki Gale - FKCF A

Traps are not placed on coral intentionally and fishers today have good depth finders and can tell what the bottom looks like. The closed areas should be closed to all fishing, not just commercial trapping. She would like areas 2, 15, and 30 divided into smaller areas.

Trap line markers are not feasible and not even worth talking about.

Elizabeth Prieto - Commercial lobster fisher

In 1969 her grandparents moved her to Marathon to fish, and over the years regulations have increased to protect endangered species. She believes the next endangered species will be commercial fishermen.

The price of rope has increased and she believes that trap line requirements would increase the price even further as demand goes up and a monopoly is created. This would harm the industry and trickle down to deck hands and fish houses. Let the fishermen do what they do best and don't tell them how to fish their traps.

She agrees with the proposed closed areas. Areas 2, 15, and 30, need to be split to protect the corals without limiting fishing areas. Protecting the corals is great because the lobster need them. If areas are going to be closed to traps they should also be closed to divers. Otherwise, effort will shift and possibly increase in the closed areas causing damage to the corals by recreational fishermen and commercial divers.

The meeting was adjourned at 7:30 p.m.

Members of the public who did not speak:

Bill Kelly

Thomas Rossano

Joint Amendment 11 – Spiny Lobster Summary of Written Comments

No new comments received.

Previous correspondence is posted on the Council web site for public viewing.