SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
NORTH CHARLESTON, SOUTH CAROLINA

PUBLIC HEARING

JANUARY 12, 2012

MR. RUBY: My name is Matt Ruby. I am the President of the South Atlantic Fishermen's Association. I was here to comment tonight on the black sea bass endorsements and the possibility of future tilefish endorsements. Our association represents probably close to 50 members now. Their position and our position on that is we are not in favor of endorsements. We think that there is a better way through a voluntary IFQ program that we have been working on trying to get together of trying to reduce the number of people that might be eliminated from the fishery through endorsement programs. We just feel it is a better way and we are hoping that the council might have the possibility to move away from that before we go down that road; especially since just looking at some of the things in the other room this evening.

There is a possibility that there could be a pretty good increase in the quota on what we can catch with tilefish, which really seems like that there is no reason for an endorsement in the tilefish program at all. I just hate to see things that will put people out fairly quickly compared to other programs like a voluntary IFQ that might help out. It doesn't eliminate people in the way that an endorsement program or programs do. It has made it difficult in other fisheries. I am just hoping that we can try to move away from adding more things that you have to deal with as fishermen, with regulations, size limits, and endorsements; and try to make it a little bit simpler. Thank you.

MR. LELAND: I am Austin Leland. I just wanted to come by and let you know I thought it was a good idea for you all to be coordinating with the state, with DNR on the closures, all closures, when it gets cold and also when we close our season and in the spring before we open our roe shrimp season because it protects the resource for everybody. That is my statement.

MR. BOYLES: Can I ask a question, and you can answer on the record or off the record.

MR. LELAND: It's up to you.

MR. BOYLES: I will ask a question and I should leave it on the record, and I appreciate you coming up. We have talked about this one a lot. This was motivated – mercifully we have had a pretty mild winter this year, but the last two, as you know better than I, have been very, very challenging. The State DNR found ourselves in the situation where we really wish we had been able to close federal waters a lot earlier than we got closed last year. We kind of felt that the barn – the horse had been stolen, and we locked the barn about mid-March, by the time the process rolled around. I just appreciate you being a member of industry and coming and letting us know about that. Do you have a sense of what folks in your neck of the woods, McClellanville; do you think there is strong sentiment one way or another; do you think folks agree with you mainly?

MR. LELAND: Oh, yes, I do. You know, those guys don't want to – nobody wants to kill the golden goose. The only money anybody makes any money on anymore are the large shrimp.

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

PUBLIC COMMENT ATTENDANCE RECORD

Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
North Charleston, SC	January 24, 2012

YOUR NAME (PLEASE PRINT): Allston Lekand

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [ ] CE-BA 3
- [x] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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

PUBLIC COMMENT ATTENDANCE RECORD

Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
North Charleston, SC	January 24, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
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PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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

PUBLIC COMMENT ATTENDANCE RECORD

Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
North Charleston, SC	January 24, 2012

YOUR NAME (PLEASE PRINT): Matt Ruby

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PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☑ SG Amend 18B (golden tilfish)

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

PUBLIC COMMENT ATTENDANCE RECORD

Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
North Charleston, SC	January 24, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
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South Carolina Seafood Alliance

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

When the weather gets cold and the shrimp starts shrinking, up you don't make much on them, anyway. That is probably the only reason that we still had a fall crop. I would attribute that partially, at least, to in the good old days when we could sell the little shrimp and get money for them, we pounded them right on to the very end, but nowadays they could be three or four feet deep along the shore there, but if they are little tiny shrimp we don't mess with them because there is no money in it. It is not profitable, so that is probably a good thing. It is also encouraging to see the prices easing back up a little bit on them, which is very good. I just think all around I hadn't heard anybody say anything negative about it.

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
NEW BERN, NORTH CAROLINA

BRIDGEPOINTE HOTEL & MARINA
PUBLIC HEARING

JANUARY 26, 2012

MR. VAN SCIVER: Good afternoon. I am Bill Van Sciver. I have lived and fished out of Morehead City for twenty years. I own a boat that engages in sportfishing, commercial fishing, and recreational scuba diving. Today I want to comment on the CE-BA 3 issues concerning powerheads. I have been spearfishing with one for 25 years. It is a humane and effective way to harvest fish with a speargun. It is also an effective way to protect yourself from predator species like sharks and barracudas. That is a major concern obviously for us as a diver. I understand considering regulating this because of abuses that have been reported, but I think eliminating them totally is too extreme. I endorse size restrictions and bag limits, trip limits, which I think can effectively deal with the abuses that have been reported. There is no reason to take our powerheads away. Very small minorities of divers use them and it is our constitutional right to bear arms.

We are all here to protect the Southeast Atlantic Region and we enjoy many sustainable fisheries in our region. My concern is that if you take the powerheads away from us we won't be able to spearfish effectively in the waters off of North Carolina. I realize it is one of the very challenging things with not only this issue but of all of our Southeast Atlantic fishery issues.. It is hard to have one set of rules that will effectively serve all the vastly different areas that we are trying to regulate. Again, elimination of the powerhead I am strongly opposed to. That is my comment on that.

I appreciate you giving us the opportunity to make public comment. Admittedly, this is a really complex issue, managing these species that you have been charged with. Again, trying to cover such a large area is going to be tough to address all the specific issues all at the same time. Again, I am a sport fisherman, a commercial fisherman and recreational scuba diver. Basically, I feel that a lot of the regulations and financial and paperwork requirements are pretty extreme. I think we are overcorrecting. One observation that I would like to make – and I have kind of had my agenda moved around a little bit, but basically one major point I would like to share with you is that both the commercial and recreational fishing effort that we observe on the trips that we make – and my vessel was out to sea over 100 days a year between the charters that it runs and a limited amount of commercial fishing, and our recreational diving.

Basically, what I am trying to say is that the fishing effort that we observed between recreational and commercial is much less than half of what we saw just five or six years ago. It is amazing, it is an amazing difference. I feel as if this is the result of several things: much higher fuel costs, a depressed economy, and, of course, tougher and more regulations. That is what we are here talking about tonight. From someone who spends a fair amount of time and effort on the water – it is a considerable amount of fishing effort reduced from just five or six years ago off of North Carolina. I cannot comment about Florida and these other places that I don't fish. Another point that I would like to make, I am not up to date on all current events, but I did listen to the news

this week and I heard that a federal court ruled that individuals could not be monitored via GPS without a warrant being served on that individual. Otherwise, it was considered invasion of that individual's privacy. I am very concerned about the vessel monitoring system. To me that is the same thing. How is it that law-abiding, permit-holding individuals have to be subjected to this type of monitoring? I think it is an overcorrection and I think it is an invasion of privacy. I think that there is plenty suitable means to keep commercial and recreational fishermen in check without having to have these invasive things. That is how, again, it related back to my powerhead concerns, is that it was being over corrected, basically. I think most fishermen, whether they be commercial or recreational, would like to be able to consider ourselves the stewards of this environment and not criminals that need to be eliminated. Really, some of these regulations are very invasive; they are very taxing.

I can tell you I probably have a little bit more education than the average commercial fisherman. I graduated from NC State University with a civil engineering degree. It is very challenging for me to keep up with exactly what I am required to do, when I am required to do it, what regulations I am being scrutiny and subjected to and just to stay current to be law abiding. It is very challenging to stay current. Many of us have invested not only our life work, but all of our resources to participate in these fisheries. It feels as if you are trying to eliminate us with limited entry. Anyway, I wanted to let you know how it feels, if there is any measurement given to that concern. Again, none of us live in a perfect world, but we would like to think that we could work, whether you be a commercial or recreational fisherman, hand in hand with marine fisheries. It is everyone's resource. Only a few of us choose to make it a part of our life. I feel very threatened.

I made a comment last year concerning my tailing permit and the fact that we are having to adjust our trips to multi-day trips to be able to still participate in a fishery because of fuel costs and stuff. When I renewed my license this year, my tailing permit was revoked. Anyway, I want to continue to make public comment so that we can be heard, okay? I would like to conceptually know where we are on the endangered species list, on the priority of endangered species, because being a fisherman these days we feel like we are trying to be eliminated. Thank you for your time tonight. Thank you for the opportunity to comment; and if you have any questions, here I am.

MS. VAN SCIVER: My name is Catherine Van Sciver. I am a resident of Morehead City, North Carolina, and I have been an underwater hunter for over 20 years. I am here to discuss CE-BA 3 and specifically retaining the use of powerheads off the North Carolina and federal waters. I believe that the hunting with powerheads and spear tips should be governed by the same rules and regulations. There is very little difference. There is the difference of shooting with a rifle and a bow and arrow for the same species. There should be no differentiation with the recreation powerhead and spear tip. There are reasons that hunting with a powerhead is actually more – it is much safer. Specifically the most important reason is a bullet goes in and you kill your prey versus injuring it or maiming it. Not only is it more humane, but the injured fish, of course, produces the electrical distress signals that are picked up at a great distance by sharks. Your scuba divers who were fishing with powerheads are safer from that direction.

Also, as you know, we have got tigers, mako, giant hammerheads, bull sharks, white sharks; all of which are known to attack divers unprovoked. When you add the danger of dying and dead prey, that risk increases. It is important when you are doing underwater hunting to be able to

have that protection for yourself. It takes a while of reaction time to grab it if we are using it to the safety factor; to put it on the end of your gun, to unpackage it, and to be ready. It is a long five minutes when you are going up the anchor line. It is a guaranteed right that I should be able to defend myself from death by shark. My recommendation is that either powerheads or spear tips should remain open under regulations that are currently applied to sport fishermen. I noticed a couple of arguments in here for discussion purposes about the prohibition. I heard in the other room that specifically they were targeting the largest and the male fishes in this underwater, which you do tend to choose the larger of the two fish, that is true, but under recreational and sportfishing diving you are talking about two fish per day. With the minimal number of people that you have scuba diving recreationally and spearfishing or powerheading, this is targeting only powerheading. Really there is no difference.

Then the other concern was that people were shooting fish; they didn't know what they were. I mean, it is like asking a hunter who has just shot a polar bear why he is being fined since he had a permit for a grizzly bear. It is the responsibility of whoever is hunting to know exactly what they are hunting and what the rules and regulations are. If they don't know what they are shooting and they come up and it is not something they are supposed to have, they should be fined. That is really all I have to say. Thank you very much.

DR. DUVAL: Just to add a little bit of clarity, I just wanted to let you know that the discussion at the North Carolina Marine Fisheries Commission was not to disallow the use of powerheads for safety purposes. Everyone very clearly recognized that it is a safety issue with regard to sharks specifically. I just wanted to make sure that you knew that.

MS. VAN SCIVER: I do, but was also wanting to make the point that it is so much safer for the diver not to add that added shark attractant of an electrical dying fish.

MR. McCAFFERTY: My name is Chris McCafferty. These are my public comments. I am a commercial fisherman who has been offering common sense solutions that would mitigate many of the severe negative impacts associated with federal laws that violate NEPA and the Magnuson-Stevens Act. Please consider these comments with an open heart and mind. These are my comments on Amendment 18B. Amendment 18B is designed to take the vast majority of permit holder's freedom to participate in the fishery that is covered by our federal snapper grouper permits. The South Atlantic Fishery Management Council seems to be trying to create small groups of permit holders in specific fisheries that will be willing to embrace a catch share scheme that benefits them to the detriment of their fellow fishermen and our freedom. I oppose the endorsements in the golden tilefish fishery or any other fishery. I support modifying the trip limits. The quota should be split into six-month seasons. The trip limit should be set at 1,000 pounds until approximately 75 percent of the seasonal quota has been caught. The trip limit should then be adjusted to a level that fills the quota without any long closure.

These are my comments on Comprehensive Ecosystem Based-Amendment 3. Comprehensive Ecosystem-Based Amendment 3 has the potential to really help the fish, fishermen, and consumers. Unfortunately, the council has once again come up with a plan that will waste our resources, restrict our access to American seafood and take away a little more of our God-given freedom. Why would divers not be allowed to use powerhead gear to kill the fish quickly? Why would you force them to use less effective gear that allows some wounded fish to escape? I am opposed to the precautionary principal power grab associated with the expansion of the

Deepwater Coral Habitat Areas of Concern. I am equally opposed to the precautionary principal power grab associated with the establishment of Mid-shelf Marine Protected Areas. Any marine protected areas should be limited to small key areas and be offset with equal areas of new artificial reefs. I opposed the Florida Keys Marine Protected Area. I oppose a minimum size limit for hogfish and triggerfish and any fish, for that matter. I support modifications to commercial and for-hire reporting requirements. The landings data should be available to the public without identifying individual fishermen. The data should be used to manage possession limits so fisheries remain open. The permit holders should have final approval of any new amendments with the two-thirds majority vote. We should be looking at ways to enhance our resources rather than restricting access to them. We should be looking at ways to feed people rather than trying to create more waste.

We should be looking at ways to advance liberty rather than writing new laws to restrict it. We should be showing other fishery managers by example how they can manage their fisheries in ways that rebuild stocks without destroying jobs or the proud heritage that goes with them. We should be practicing the golden rule in fishery management in all that we do. I would like to use the rest of my time to explain why endorsements and catch shares will increase the amount of regulatory discards in our fisheries. Endorsements will allow a few permit holders who overfish the most to harvest the majority of our quotas and leave our fisheries shut down for long periods of time, which creates even more regulatory discards. Endorsements for specific gear types would not be so bad if a targeted fishery was shut down when approximately 75 percent of the quota has been harvested and the trip poundage limit was set at a level that would fill the quota without having to close the fishery early.

Having the fishery open all year would give consumers access to seafood that would have been discarded – dead or alive – if the fishery were shut down. Endorsements should never exclude any permit holder in the affected fishery from targeting an endorsement species with hook-and-line gear during the open season. Bycatch allowances for permit holders without endorsements would allow fishermen to keep any endorsement species we accidently catch while targeting other fish. Catch shares have many unintended and intended consequences that cause some severe negative impacts. They create targeted fisheries in multi-species fisheries and cause fishermen to have to throw away all the fish they do not have any shares for. Catch shares reward the permit holders who overfish the most. Catch shares have a well-documented history of consolidating fisheries down into the hands of a few big corporations. Catch shares are not so much a management tool as they are an allocation tool.

Catch shares will create many more regulatory discards then they might prevent. Catch shares waste fish and destroy jobs. You could achieve all the honorable goals of catch shares and endorsements by simply managing the quotas with split seasons and trip poundage limits that are adjusted to levels that build the quotas without any long closures at a pre-determined time or after a set amount of quota has been caught. Any overages should be deducted from the next seasonal quota and any leftover quota should carry over to the next season. Fishermen could target fish with high trip poundage limits while still keeping the fish with reduced trip poundage limits that we accidently catch. This would give consumers access to a dependable supply of local seafood and allow fishermen to work all year without having to discard tons of dead and dying fish. Why is it so hard for our fishery managers to manage the reduced quotas? Why do our fishery managers seem to feel absolved of any responsibilities when the laws they pass compromise our safety and even kill fishermen? Why are we discarding tons of perfectly edible

fish in the name of conservation even though the managers know that many of those discarded fish will slowly die and go to waste? The fishery managers allocate as much as 100 percent of a quota to dead discards. Why are we wasting all of this food when there are so many hungry people? We should be looking at ways to limit waste and enhance our resources rather than always looking at new ways to mandate waste and limit our freedom to access our public resources.

Artificial reefs are the perfect union of aquaculture and commercially or recreationally harvested fish. They greatly increase the total biomass an area can support by increasing the amount of food and shelter available. We could feed many more people than we do now and also help other things like turtles and corals at the same time. Artificial reefs can be very cheap and effective if they are made and used properly. This would benefit everyone with no negative impact on anything. I once again challenge Environmental Defense, Oceana, South Atlantic Fishermen's Association, all South Atlantic Fishery Management Councils and anyone interested to a public debate about how we should manage our fisheries for the benefit of everyone. Please contact me if anyone is willing to have an open and honest debate, freefish7@hotmail.com . Thank you.

MR. CURRIN: Tell me again your thoughts on the reporting issues that we are scoping in CE-BA 3.

MR. McCAFFERTY: Okay, I agree 100 percent that we need better reporting. I believe with the computers now we should have it where you can electronically file; either call it in or do it on the computer through e-mail or whatever, but have it within say three or seven days, whichever, one of those is good. But it should be for all recreational and commercial fishermen.

MR. CURRIN: I just missed it when you were doing it. I was writing something else and what I took from it was not what you just said now, and I am glad to hear what you just said.

MR. McCAFFERTY: Yes, we need better data and we need to manage the quotas properly.

DR. DUVAL: With regard to CE-BA 3, some of the expansion of the protected areas, I was trying to write down and I didn't quite get all the ones that you – so you didn't support expanding of any of the Habitat Areas of Particular Concern?

MR. McCAFFERTY: Well, not necessarily. I believe that any marine protected area, whether it be for the area of concern, but it should be offset with equal areas of artificial reef habitat in sandy barren bottom that holds very little, if any, life. I agree that we should set aside some of those critical areas, but you need to do it in small areas. Ten by ten is getting down there close enough that you can manage that if you have one off of each state and maybe have a couple of key areas and one in shallow water, one in offshore water, or mid-shelf and then one in offshore. You can work with that, and I believe the fishermen – nobody likes to have it off limits but you had to have some areas just like we have on land, where you have Yellowstone, Yosemite, wildlife parks like that. I am not opposed to having something like that in the water and preserve those pristine areas, but you can harvest fish and even increase – the optimum yield I guess is what the threshold is of the fish that we can harvest, and you can increase that optimum yield by increasing the amount of habitat available there for the fish to live on. It would help not only the ones you want to eat but everything else that lives around it.

DR. DUVAL: Thank you; it just wasn't clear to me if you were – so I understand that if there are any marine protected areas closed to fishing, you would like to see those areas offset with the use of artificial reefs to provide for more active bottom. Then in terms of the expansion of some of those Coral Habitat Areas of Particular Concern, you weren't necessarily opposed to the expansion of those? I thought I heard you say that you did not support expansion of the Florida HAPC. I just want to make sure I get it correctly.

MR. McCAFFERTY: I guess in that case that is just where they are shutting down the 24,000 square miles initially, right? Now they want to expand that and it is basically using the precautionary principle, right? Do the wreckfish live around those corals?

MR. CURRIN: I don't know whether wreckfish do or not. I am under the impression they are a little bit deeper, but I don't know. I don't know what exists out there on the Blake Plateau on the bottom, which is where most of those fish are caught.

MR. McCAFFERTY: Out there where your wreckfish live, you have the misty grouper, the queen snapper, other species that we could be targeting and taking some of the pressure off the inshore waters. If you want to have some of those areas that had the coral that you don't want anything – and if you enhance that bottom with the artificial reefs, those corals have more places to attach. We could go back to the 2 million pound quota on the wreckfish, open it up, remove that IFQ system that consolidated it down to two people that own the entire fishery and really have it opened up where we can target many other species and feed many more people, and allow the I think it is 693 permits left or something like that. That is down to the level now where if we properly managed our fisheries, we can all earn a living at it and feed the people in America the fish that are their public resources, too. They deserve to have it managed properly; we should not be wasting that fish that could be used to feed people.

That is where the size limits – increasing that hog snapper size limit and gray triggerfish limit, that just is not good. Triggerfish, when they come up beyond 100 foot of water their guts are blown out their butt a lot of times and their eyes are bugging out and you can't poke a hole in them enough to make them live. I object to that 100 percent. They want me to poke holes in fish when they have their eyes popped out of their head and think they are going to live. I never want to fish another day in my life if I am going to be forced to follow these regulations as they stand now. When this first started, I thought, well, yes, they reduced the quotas 10 or 20 percent, put some trip poundage limits, they would leave the season open all year, we would all make a decent living at it, responsibly harvesting some of each species, but now it is getting down to where it is going to be directed fisheries where you can fish for black sea bass and nothing else or you can fish for golden tilefish, nothing else, or B-liners and nothing else.

Then to be throwing back all this stuff that you accidently catch while fishing for the one you have an endorsement or an IFQ for, or a catch share or whatever you want to call it; the IFQs and the endorsements aren't too far apart from each other; especially when you get it down to 24 people in the black sea bass fishery and 50 total in the golden tilefish fishery. The next one will probably be where they want to do something with either grouper or vermilion snapper with an endorsement based on your catch history. There are two things you can do in solving most problems. You can look at it in a way that advances liberty or restricts it. We are a free country, we are a free people. God gave us our freedom, he gave us these resources. We should

be wise stewards of both. We should not just waste either one of them. In the case of our freedom, the brave men and women in America's military have defended that freedom with their blood in many cases and their lives. We should not just take that freedom and give it away. And that is what this is, our freedom to feed ourselves, our freedom to responsibly harvest our resources, our freedom to earn an honest living, our chosen profession, something that the ones that are left doing it now; we have done it for almost all our lives. I have done it since I was 11 years old. I care about the resource as much as any environmentalist that is pushing these agendas from Agenda 21 on the council. I believe all three of you all are good people; 99 percent of the people in fishery management are good honest people that want the best for the resource. But there are a few like Roy Crabtree and Gregg Waugh that are not so good, that want to do things that will harm our resources, and they do so. It has to be either maliciously to try to advance other agendas, or it is grossly incompetent and they should be fired for their gross incompetence and for wasting tons and tons of seafood the way that they are doing, denying the public access to our public resource. Thank you very much. These are my comments on Amendment 11. Any area closures in Amendment 11 should be offset with equal areas of new artificial reefs.

MR. AUSTIN: Tony Austin. I don't represent an organization; I represent me. All I would like to make a statement about is the enforcement of reporting both with dealers and fishermen. There has never been an effort in the South Atlantic to enforce compliance with the stated regulations that are in effect now. For instance, fishermen are supposed to file their catch reports, their logbooks within seven days of the trip. Many fishermen thumb their noses at that; thus you are facing a state where people turn in all their reports when they go to renew their license, and that is as useless as tits on a bore hog, and it is thrown out. If you don't fill out your report, if you don't fill out a logbook report when you have in front of you what was packed out, it is inaccurate. In other words, the stuff has got to go to the dealer and be packed out before you know exactly what you caught; are you with me? I know within 200 pounds what I have got on the boat, but I couldn't break it down in sizes. I have to pack out before I can fill out the report, but that is one day.

I think that you should – if somebody says I can't fill it out electronically, well, the dealer sure as hell should be able to fill it out electronically for you; follow me? As I said before, if you miss filing your report within a seven-day period, the first time you do that you get a call from Glechner's people, or from the logbook people. The second time you do it, your permit should be sanctioned for a month. The third time you don't file within seven days, you should lose your permit. I'll guarantee you the logbooks will come in on time. I get sick and tired of going to council meetings and listening to people, well, the data is no good. Well, it's their own damned fault the data is no good, or partially. You don't file – now, again, with the dealer reporting, it should be even more stringent. North Carolina, we are required to file every two weeks right now. With a small quota like the one in sea bass, where there is only 309,000 pounds, I think the federal mandate should be that dealers report weekly if you are going to keep up with it.

Again, the first time they do not report they lose the right to pack snapper grouper for two weeks. The second time, they lose their right to pack snapper grouper for a month; the third time they lose their right to pack snapper grouper forever. And don't listen to this BS they can't afford a computer. Again, you should allow reporting – I was just talking to somebody about this. If they put out an app that worked on an iPhone, you could file your reports by e-mail. You can do that from the other phones, too. If there were an app put out, you could file your reports by e-

mail. Nobody can tell you they don't have a cell phone anymore. I mean, they can tell you that, but liar, liar, pants on fire. Has anybody suggested that before that you know of?

DR. DUVAL: There was actually a recreational fishing license grant that looked at using cell phones for recreational fishermen to report their catch, and I know that there has been discussion of apps that would allow for a fisherman, if he or she is in a particular area, based on that GPS location ability of the phone, to have the regulations for that particular area in front of them. I don't know; I personally have not heard of any discussion of an app for actually filing your trip ticket reports electronically.

MR. AUSTIN: It would be easy as hell to do, wouldn't it?

DR. DUVAL: I can't speak to that.

MR. CURRIN: It would, Tony, if you had a Smart Phone, but I don't have one of those. I don't want one. I am not sure everybody has got the data package that allows you to access e-mail.

MR. AUSTIN: You have got a computer, though, you have got e-mail.

MR. CURRIN: Oh yes, I could file an e-mail when I got home, which is I think what we are trying to get to with the dealers to make sure that they all report electronically. I think that is where we are going.

MR. AUSTIN: I think the fishermen should be able to file with e-mail, too.

MR. CURRIN: Just to be clear then you would be fine with just requiring electronic reporting for the fishermen as well as the dealers?

MR. AUSTIN: I have both a fisherman and a dealer and I file everything electronically now, despite the fact that I am technologically challenged. Anyway, that has got to be done before you can handle this data. I am talking about the reporting. It has got to be enforced, and somebody has got to sit down and say this is the way it is, and they have got to enforce it. Again, all these regulations the council has, it is lip service. There is no enforcement in the South Atlantic to amount to a hill of beans. I just finished a book on the Coast Guard called "Rescue Warriors". It is a very comprehensive exegesis of the Coast Guard's mission and what they do. Do you know how to spell exegesis? If you don't know what it means, look it up. Anyway, the Coast Guard talks about marine protected areas it is supposed to – and it can monitor them in the daytime – but they sit outside a protected area and as soon as it goes dark they pick up all these targets in the protected area. Guess who it is? Once again, they have problems with it, too. Anyway, that is what I had to say.

MR. CURRIN: Let me ask you one question, then. You mentioned as far as sanctions, with a warning for the first time that you didn't comply and a permit sanction; what do you think about fines as opposed to sanctions or in addition to sanctions?

MR. AUSTIN: In addition to, that is fine, but –

MR. CURRIN: But the permit sanctions to you are more critical and more important?

MR. AUSTIN: Yes, they are; that is how you make your living and if you can't make your living you are screwed. Hoisted by your own petard is the way Shakespeare put it.

MR. AUSTIN: One small anecdote to go with that. A friend of mine at NOAA works at menhaden. He worked at a lot of things; he is retired. He went to an international fisheries meeting. He was talking to an Australian and he got around to enforcement. He asked the Australian, "What do you do to repeat offenders?" The Aussie looked at him and said, "Mate, repeat offenders, we don't have any repeat offenders. One offense and you lose your permit." You have got 500, roughly 575 licenses supposedly active in the South Atlantic. They keep updating the list, and it is on your computer. The snapper grouper fishery cannot support even half of that in the South Atlantic; it just can't, not commercially. They have got to figure a way to get rid of some of these licenses. I have said my piece.

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

PUBLIC COMMENT ATTENDANCE RECORD

Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
New Bern, NC	January 26, 2012

YOUR NAME (PLEASE PRINT): CLIFF TROUT

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

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

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- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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New Bern, NC	January 26, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
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New Bern, NC	January 26, 2012

YOUR NAME (PLEASE PRINT): Tony Austin

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YOUR NAME (PLEASE PRINT): Katherine Van Sauer

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
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YOUR NAME (PLEASE PRINT): Mike Burton

TELEPHONE NUMBER (& AREA CODE):

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
New Bern, NC	January 26, 2012

YOUR NAME (PLEASE PRINT): NANCY EDENS

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
New Bern, NC	January 26, 2012

YOUR NAME (PLEASE PRINT)
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
KEY LARGO, FLORIDA
HILTON KEY LARGO RESORT

PUBLIC HEARING

JANUARY 30, 2012

MR. BRAD WHIPPLE: In addition to speaking myself, I have a letter from my current skipper of the Lady Mary. He is out fishing right now, as it happens. I apologize, I don't have copies of this letter, but I am glad to give it to whoever. I would like to mention first, I was in attendance at the Golden Crab AP meeting yesterday, and I would like to just mention the very hard work that the AP has been doing with regard to Amendment 6. If I am not mistaken there is only one action that the AP couldn't achieve unanimous definition on and that was Action 8, vessel boat length limit rule. They came up with an alternative plan to pull it from Amendment 6 and, whatever the term is, I don't know, fast track it, I guess, in some new legislation so that it can be right behind Amendment 6. The majority of the effort yesterday went into, I believe, Action 13, the new entrants program. That discussion and that conversation took up the vast majority of the AP meeting, because the AP very much wants new entrants to be able to come into a viable situation with this fishery.

As current participants age or develop other interests or what have you, there needs to be room for the next generation and new people who want to get involved. The AP very much wants to see those people get involved. They also need to protect our resource in the meantime. I would like to just mention that the raw materials that I am currently working with are Golden Crab Permit Number 1 and the fishing vessel Lady Mary, which began with the Nielson family and the origins of the golden crab fishery. It was most recently owned by my father. He passed away a short time ago. Unfortunately, the two of us, despite our great efforts, were not ultimately able to work side by side. I worked with him for many years as a golden crab fisherman both in Key West and Fort Lauderdale. But I am here now; I have left a successful business in Massachusetts to come here and give my best effort to continue all the diligent work that both my Dad and the other current golden crab fisherman have done.

You know, this fishery can be very frustrating and difficult. The major reason that I am compelled to continue these efforts is because of Amendment 6 on the horizon. I have been through a lot of difficult years with these fisheries. I have seen big boats in Key West deliver less than desirable product. I have seen people who didn't exactly know what they were doing make a mess out of very fertile ground that we have out there, particularly in the southern zone. There are people who are currently participating in this industry who are ready and willing and want to make a more significant investment and really take our industry forward. History has given us pause in the willingness to do that. With Amendment 6 and some of the security and predictability that it would bring is what is needed to allow us to really take it where we want to go. If you have any questions about any actions in particular, I am ready to speak on any of those.

MR. HARTIG: No, you did a good job of covering it on the cuff and I am glad you did it tonight, because, like I say, tomorrow night we may be under time limits and stuff like that, so I wanted you to have that opportunity tonight to say what you wanted to say. Thank you for doing that

MR. WHIPPLE: I want to address the issue that was raised about the potential initial allocation of shares of the quota. There are two words at work here. One is equal and one is fair. In this case I would like to say that they are most definitely not the same thing. A 2 million pound ACL divided by 11 permits equal allocation would result in just over 180,000 pounds per permit, which would drastically reduce what people who are currently fishing are producing on a yearly basis. It could conceivably put you out of business. The AP has unanimously approved a subalternative that they believe represents what would be a fair distribution given the current efforts that are being made as well as historical efforts that have been made and would most effectively maintain the status quo of the fishery. With the use-it or lose-it provision and the ability to lease permits, we don't think that the things have been designed so that a person would rather – people want to see the resource utilized. The provisions are in the amendment to make sure that the shares are utilized, and we would like to see the initial allocation go to the people who have historically and currently utilized this resource. That is all I've got, thanks.

MR. JOLLEY: Any problem with the caps that you have seen so far on shares?

MR. WHIPPLE: No, no problem with the caps on shares.

MR. POPHAM: Bruce Popham. I am Chair of the Florida Keys National Marine Sanctuary Advisory Council. I have a motion that we passed at the council. This is an excerpt from the minutes of the August 16, 2011, meeting of the Florida Keys National Marine Sanctuary Advisory Council; a resolution supporting the designation of part of the Sanctuary known as Snapper Ledge, and the area supporting Ken Nedimeyer's coral nursery which is adjacent to that: Whereas Snapper Ridge is well known as an area supporting large quantities of diverse marine creatures of sea life; and whereas we believe that although spearfishing, lobstering, hook-and-line fishing may be small at this point, there is the potential for the taking of sea life in these areas to grow; and whereas, Ken Nedimeyer's coral nursery plays a vital role in the restoration of our reefs; now therefore, the Florida Keys National Marine Sanctuary Advisory Council resolves to support the below recommendation. Designate the area of Snapper Ledge and Ken Nedimeyer's Coral Nursery as a sanctuary preservation area. This was passed unanimously on August 16, of 2011. I think we started all this, a part of it, anyway.

MR. HARTIG: I appreciate that, and I was wondering – we had some comments earlier about it, and I was wondering how it worked. Now this went through the Sanctuary Advisory Process and it is approved through that process now?

MR. POPHAM: Well, not completely. This was brought to us by multiple people in the community; and being an Advisory Council made up of many constituencies, it was brought to the council primarily from a photographer, Stephen Frink, pretty well-known photographer, who started an online petition that got over 2,000 signatures. I believe he is going to be submitting that to you in writing.

MR. HARTIG: He did.

MR. POPHAM: Then he came to the council and has actually been to the council on several occasions. At the August meeting he pleaded for some action on this issue, so the council passed a resolution in support of that. We are in the process now of starting to review our regulatory and zoning regulations. That will be ongoing probably in the next two or three years. Obviously this will be included in some of the things that we want to take a look at. I think it got your attention through that resolution at our August meeting. It has not been through our entire process yet in any way, shape or form.

MR. HARTIG: Do you intend on doing that or do you want us to do this? I mean that is the quandary I am in.

MR. POPHAM: You know, Ben, I think we are going to take it on, and I think that is going to be a part of it. What we need is your blessing from the fishery side, would be my perspective on it. Whether it is the cart before the horse or the horse before the cart here, I am not quite sure how we've done –

MR. HARTIG: We are usually after you.

MR. POPHAM: Usually that is the case, and in this case you guys got it a little up front a little quicker, which we appreciate that fast action. That was one of the complaints that Mr. Frink had and other divers in the Key Largo area about this, that this had been dragging on and this had been an issue that had been going on for a couple of years.

MR. HARTIG: Now there is another man we know.

MR. POPHAM: Speaking of Ken.

MR. HARTIG: Ken, we were just saying how this was evolving. We usually approve it after it comes through the Sanctuary Advisory Process, and now I didn't know where we were in this process. We are hearing – we want to do this, but then how do we do it through the Sanctuary process and then it comes to the council. I mean there is a process to do this.

MR. NEDIMEYER: Ken Nedimeyer. What am I, coral farmer, Vice-Chair of the Sanctuary Advisory Council, resident of Key Largo?

MR. POPHAM: I said exactly the same thing, the cart before the horse. I mean verbatim.

MR. NEDIMEYER: I think there is a lot of support in the community to make a SPA at Snapper Ledge. We actually have an Elkhorn Coral Nursery right at Snapper Ledge, so we want to have a designation within the SPA, a research-only area or an aquaculture for that particular nursery activity. The dive site itself, it is just an aggregation of fish, and fish are just totally drawn to it. To see people spearfishing and fishing there it is just kind of, I don't know, it is counter to – the value is in seeing these fish, I think. Most of them are just little grunts and snappers, and it is worthy of being protected. I have suggested, too, not only a SPA but a buffer zone around the SPA where you possibly limit hook-and-line fishing. One thing I see in these SPAs is at night it is like a wall of hooks around the SPA, and the fish go out at night to feed, and these guys are chumming into the SPA and doing all that.

MR. POPHAM: There is a reason why they fish around the SPAs.

MR. NEDIMEYER: Yes, and I think in this case some sort of buffer zone to allow the fish to go out and forage. It doesn't necessarily have to exclude lobstering or tropical fish collecting, some things like that, but I think hook-and-line fishing should be excluded.

MR. POPHAM: Spearfishing?

MR. NEDIMEYER: Oh, yes; that goes without saying.

MR. JOLLEY: Ken, I was talking to John Hollis, and as this was drawn up and shown to me today, would that include a buffer zone as well?

MR. NEDIMEYER: No, I don't have a buffer zone. I was suggesting a buffer zone kind of around the outside. You have to be careful; you don't want to get into pickles where you put these right there. Because the fish are going to go out, and a lot of them are going to go out into the grass right in here. They are going to move around at night to fish, to eat. There are a lot of fish there, all kind of grunts and toadfish and things like that. Maybe we are not ready for that, but some sort of a transition from fully protected to fully wide open. I think we need to have that. Our nursery is inside that box, too. We are happy with that. We don't want people fishing on it or anchoring on it or anything. We have talked to a lot of the fishermen, I have, and I don't think there is a lot, I don't think there is any – I mean the people that hook-and-line fish there, they are not the local people. I don't think so.

MR. HARTIG: We heard a little bit of testimony about some commercial mangrove snapper fishing in that area in the summertime, but that was the only kind of effort that we heard today.

MR. POPHAM: I think it has become more of a little bit of a dive site for some of the dive operators that are coming out there and bringing people to that location, and that, of course, attracts other people and it is kind of a cascading process from there.

MR. HARTIG: All I can tell you is take it through your process. I know it is a long process but that process does work. It works very well. When we started talking about this lobster trap areas, I told Roy take it through the Sanctuary Process. Well, he didn't agree with me; he wanted to do it on a faster track and then we got into problems because of it, in my opinion. But it has worked out. There have been a lot of interactions with the scientists and the fishermen and we have got some areas that we are going to put aside now. It did work. I think when you have a vehicle like yours to use, I think that we should use it.

MR. POPHAM: That is the perfect example because the commercial fishermen came to us. In fact, when you guys were at Harp Cay, was it last year, with some scoping on that issue, we kind of found out at the last minute what was going on because nobody said anything to us and we were like, wait a minute. But the commercial fishing industry actually came to us and said help us with this process. We got involved and staged multiple meetings with the fishermen, brought them some more current science, some of Ken's information, some of the information the commercial fishermen had, some information that came from Fish and Wildlife, from John Hunt's department there, and we were able to aggregate that and then make a better

recommendation to go back to you guys, and we are all in agreement on that. You are right; it was part of the process that we are pretty good at putting together, which is pretty public. I think you guys have got it right now with what you are trying to do with coral there.

MR. HARTIG: I am glad you followed up on that because we had got the feeling from everyone that it had worked and was working. It could have been done easier, but it did work. I thank you very much for getting involved in that process, because like I say, we say, well, we talked to everybody and now I hear from you that you weren't involved at the outset, and that was the critical people to involve in this process. We got there, but it could have been a little better.

MR. NEDIMEYER: We are not necessarily involved in it. We are not in the fishery management business, but we are in the loop.

MR. HARTIG: Right, but the coral identification business, the areas where they live, you guys do know that, and that is what we needed to know on this issue. We finally did get there.

MR. POPHAM: To Ken's point, in our zoning process we are going to be looking at trying to find another term of what Ken is doing when he is putting coral back into the environment. Maybe those are ecological restoration areas; maybe it is outside of a SPA. Maybe it is not a SPA, maybe it is something else, but it is going to be areas that will be dedicated to that restoration process. We think there is an opportunity to grow what he is doing down here and putting that coral back out there and getting it back in a much better, much healthier condition, which goes back to the issue that you guys were facing with the fishery is having to protect that. It is threatened.

MR. HARTIG: I look back, working with you initially on the Live Rock Plan back in the nineties and then seeing what has happened since then, and the corals that you guys have been able to deal with, and then to bring back an environment, it has been very interesting to see that evolution.

MR. POPHAM: I was talking to Roger out there and he was talking to someone else. The first time I met Roger he was on the other side of the table, but we worked through that; and, yes, I never anticipated being in the position I am in right now, totally running a nonprofit. I am not anti-fishing but I do have a completely different life and agenda now and it did come from the live rock thing and what an unusual offshoot from that. It's funny how things turn out.

MR. HARTIG: Well thank you; we will stay tuned.

MR. POPHAM: Is that map, is that just a real hypothetical? I know John Hollis and I had looked at that.

MR. JOLLEY: I think John did that today when I stopped by the office. I don't know any more detail then that, but I wanted to see just exactly where it was on the chart. Ken, I also wanted to say I was glad to meet you. I have heard a lot of good things from Martin Moe about you. Martin Moe was my boss back in 1969.

MR. NEDIMEYER: Yes, we have done a lot of stuff together. I am surprised he's not here.

MR. JOLLEY: I will be talking to Martin as I progress in my tenure here.

MR. BETHELL: My name is Chip Bethell. I have been a golden crab fisherman for the past 12 years. I am a member of the Golden Crab Advisory Panel. I have also been involved in the development of the Deepwater HAPC. I want to go on record as being in support of Amendment 6 to the golden crab fishery along with the recommendations of the Golden Crab Advisory Panel, which were unanimously approved at the last AP meeting. I agree with the council that the level of experience needed to fish near, but not among, the deepwater coral reefs is quite high. I feel that the catch share program will be an effective way to maintain the high degree of skill and experience required to insure the safety of the nearby fragile coral environment. Thank you.

MR. HARTIG: Thank you, Chip, I appreciate that. We have got the same kind of – not as bad as the golden crab – because the trawl lines are significantly heavier than a longline is. The learning curve for tilefish in our area is the same thing; you still fish in four to five knots of tide. It takes most people at least a couple of years to be able to figure out how to deal with that and be able to set your line along with other people and not run over them and not have lost gear. No, we are well aware of that, and I am glad you brought that point up. That is an important part of this, so thanks.

MR. NIELSON: Good evening, council members, staff, ladies and gentlemen in the audience. My name is David Nielson. I am a retired fourth generation professional commercial fisherman. My family pioneered the golden crab fishery about 25 years ago. I am also a member on the Golden Crab Advisory Panel, which consists of a group of guys that are very unique and they are very specialized in what they do. They have always been quite the gentlemen, and I am very proud of them and the hard work that they have put into the golden crab fisheries management plan over the years. As the panel looked at Amendment 6 and its 15 actions, sometimes the wording was hard to decipher and confusing at times. Sometimes the actions even contradicted each other. We got it all straightened out. We went along with some of the council's recommendations on these actions and the AP also made some of its own recommendations on these actions.

Hopefully, the Golden Crab Committee and the council will approve these actions and send these actions to the Secretary of Commerce for approval to go into the Golden Crab Fishery Management Plan. I would like to thank the council and its staff for all of its hard work on Amendment 6 and for all of the support that it has given the golden crabbers over the years. John, in case you are wondering, the freezer life on a golden crab is about a month unless you dip it a couple times and glaze it, and then you are going to get maybe another month. The other way to go about freezing a crab for a long time is to cryogenically freeze it and stop the molecular action of the crab. Once again, Ben, thank you.

MR. GREGORY: My name is Douglas Gregory. I have been involved in fisheries management and stock assessments for many years as a recreational diver in the Key West area. At least anecdotally there always seems to be plenty of hogfish. My memory of the literature is they mature as females from 8 to 10 inches. At 12 inches we are not fishing on juveniles, but I think the important thing is that in this day and age management actions should not be a knee-jerk reaction to anything. To even bring to a scoping an increase from 12 to 18 inches is kind of an insult to the public. I would strongly urge the council to not do anything until they can get an acceptable stock assessment and population assessment of hogfish, and to take into account how

the fisheries differ between the northern part of your range and the Florida Keys, which is the center of abundance for most of the tropical type, semi-tropical species that you deal with. If you look at any species, whether it is white grunt, hogfish, spiny lobster that occurs off the Carolinas as well as the Keys, they are always bigger up there. Since the council office is in South Carolina, you could be unduly influenced by what you see up there and forget what occurs down here in the center of abundance. I just urge that caution. The important thing is there should be a population assessment by the SEDAR process and your SSC before drastic management actions are taken. Thank you very much.

MR. HARTIG: Doug, one thing we talked about, I think at the last public hearing, was separating out the Keys somehow in their own management zone. It may include parts of South Florida, it may not. The RA committed to looking into that and we need some pressure from you to put on the council to say; hey listen, we need this, this is something we have supported for a long time. I mean I am only one guy from Florida; I can only speak so much. I have told Bill Kelly to try and get some letters in. Any letters from individuals or groups or anything would be very welcome, so we can get that in the amendment process to start taking it to scoping and to look and see how we might accomplish this in the future. This would take care of this hogfish issue. We could manage you differently than we do the rest of the area.

MR. GREGORY: It could take care of a lot of issues. I think if the council would take it to scoping, and that is what the purpose of scoping is, is to judge public input and ideas, to accumulate ideas, I think you will find overwhelming support in the Florida Keys for probably what I have been pushing to both council staff over the years is joint management plans. I know how difficult they are, and I know how the two councils have different cultures. But, if we had a fishery management plan for the species of abundance that occur in South Florida, whether we fish on the Gulf side or the Atlantic side, we have consistent regulations; that would be helpful. It probably does lead into regional management in that sense, but that is another issue that is probably worth considering. Things are radically different between North Carolina and South Florida, but at least for things like black grouper, yellowtail, mutton, spiny lobster, we should have joint management plans. If they could be put into one like this Comprehensive Ecosystem-Based, then life may be a little simpler instead of having five joint management plans. Clearly, we need that. For instance, the next good weather we get I am going to the Gulf. Ten miles out in the Gulf you catch mud grouper. That 20 pounder I let go Saturday kills me.

MR. HARTIG: Let me ask you what kind of – and people asked me this at our seafood festival last week and I wasn't up on the Gulf regulations – what regulations do they have as far as spawning season closures for the wintertime spawning? Do they have any for gag? Okay, they have some for gag.

MR. GREGORY: For all groupers; at one time it was February 15 to March 15. I think they have expanded it to April. It is not a four-month closure but it could be a two-month closure, but it is not the same time period. For a long time it was February 15 to March 15, but I think they have changed it.

MR. HARTIG: From my perspective, the gag, black, that whole shallow water grouper species complex is probably one month to long. I mean three months – I have caught gags for 40 years where I fish, and I always pay attention to the gonads and look for hydrated eggs. After March I have never seen any hydrated gag grouper where I am. In the future, once the rebuilding plan

starts to catch up with the stock – and it is starting to catch up. This year is the first year that the gag quota was met. That is a good indication that we are starting to get some rebuilding. We see that quota caught. That means that we have got some more fish in the system and so it is working. We see anecdotal information that we see more gags then we have in a number of years in our area. Somehow we need to allow at least South Florida to participate in this fishery for at least one month, because that is the only time they are here is when they move here to spawn.

MR. GREGORY: The irony is the major grouper species we have is black grouper and the stock assessment said they were healthy and not undergoing overfishing. I know for those of us fishing in the inshore waters that might be hard to believe, but the thing we have got to remember is the population expands beyond the inshore reef areas around the islands. It expands to Tortugas, north of Tortugas, deeper water. The stock assessment took into account all that and said that population was healthy, and that was a joint South Atlantic/Gulf of Mexico stock assessment. Our major grouper species is closed to us for what we think is little reason. We have reds, we have a few gags, but the historical landings show that we don't catch gag grouper that much at all in the Florida Keys. If you do want to catch gag, you go north of the Keys in the Gulf of Mexico, and not very far north, just ten miles or so. Reds, we do catch. I know the stock assessment on red grouper in the Atlantic said they were overfished. The stock assessment on red grouper in the Gulf said they are not overfished. Well, luckily that is not one of the species we would call a South Florida species, so that wouldn't be something we would put into a joint plan, but it shows the disparity that can occur.

MR. PITON: Good evening. Ernie Piton, President of Florida Keys Commercial Fishermen's Association. I would like to say just the same as Walt said, I do support and I worked with Andy Herndon on the Upper Keys areas to work on those areas and make them change the angle on them so they contour with the reef, and we worked together. There is a lot of guys who didn't show up here, I think, but everybody did support it up here that I talked to in Key Largo on the areas from I would say like Davis Reef north. I would like to say we support that. We would like to see some changes to Site 30. It is a really long piece of bottom there and there are two marks on there for coral, and I think you just split that in half. Key Largo, we have the Pennekamp area where it is closed and there are a lot of closed areas in Pennekamp and we are really squeezed up here on where we can fish. We don't have any bay fishing; you can't fish the bay because you have got the Everglades National Park right there. You've got Biscayne Bay; we can't lobster fish in there. We are squeezed. I was on the Biscayne National Park Management Plan for the commercial side; I worked with them on that issue and we are still working on some things there. I would like to say we support the no action on the trap rope marking. There are a lot of turtles out there that we do see, and I haven't had a turtle entangled. I think it would be a cost put on our industry that doesn't need to be. If it was happening, it would be one thing. We had a meeting the other night in Marathon, Thursday night, with Tom Matthews, and they are going to do a study on some of this so we are working with them, FKCFA is. That is about it. If you guys have got any questions, I would be glad to take them.

MR. HARTIG: I appreciate it, Ernie, and I appreciate you all working so closely with NMFS to try and get these areas done, and, of course, the Sanctuary got involved. I said from the beginning that it should have been a Sanctuary process, Sanctuary Advisory process. You guys have the process in place, in the Keys, to deal with these issues and that is the way it should have been done. But you guys have done it in spite of that and you have come to successful –

MR. PITON: I would like to say a couple more things as far as it goes with like what Walt said about the anchors and stuff getting thrown on the coral and stuff, that is happening. You know, you hate to point the finger at the other guy, but there is a lot of damage getting done. I used to work on the dive boats out of Pennekamp when I was a young man, and Grecian Rocks, for one thing, was a beautiful reef. They haul them people out there and you can go out there and it is a pile of rubble now, because you can see them standing up on it. People are uneducated. I think education is more the key then just knocking people out of it. I think you can use it; and if you educate the people right, it can be good for everybody. Like when these storms come, I know there is a lot of concern about traps moving. I know in the Upper Keys we can move our traps in into Hawks Channel; and when we get a chance to move them, we will move as many as we can because you can move them into Hawks Channel. We have that shallow bank and we don't have the surge. If we can get as many traps as we can moved, a lot of that stuff doesn't go into the coral, and we do try to move as many as we can before a storm does come.

On the Snapper Ledge thing, I just heard about this the past two weeks. Is it just like, what is it, a proposal on that, Ben? I don't know much about it. I know we do catch a few mangroves there. I take my friends out fishing there in the summertime. I do have a South Atlantic snapper grouper permit. There are some guys that fish that at night. I think if you work with industry and the user groups, something can be done there if it needs to be. I don't think it needs to be, because we do have a lot of closed areas. If you look at the chart, again, of Key Largo between Pennekamp and the Sanctuary, there are a lot of closed areas up here. I should have brought you guys a chart but if you see – like Pennekamp, if you take all of that and see how much we fish around – for one thing, I don't want my traps to impact that coral at all, because I will not catch nothing there. I fish as far out in that sand and grass as I can, because you are not going to catch nothing sitting on that rock. That is all I have to say today.

MR. JOLLEY: My question was, was there some preference of the lobster for the corals versus the traps when you are on the hard bottom? I know up in Palm Beach they set a lot of the traps – in the past they set then on top of the reefs there, but we don't have the kind of coral structure that you have, at least the extent of it.

MR. PITON: They have got a little more hard, softer stuff you can fish up there. I don't fish up there, so what I'm told. I don't fish up that far.

MR. JOLLEY: Why do you think you are catching them better on the softer, flatter bottom?

MR. PITON: The lobsters do go out into the sand. For one thing, when we first set our traps we set inside the reef in the sand and the lobsters go out in that sand at night to feed. When they go out to feed and when it starts getting daylight they are looking for cover and they take the traps. Then come October or November, when the lobsters migrate offshore, you want your traps as far out in the sand as you can, because when they are migrating through there they see another lobster in the trap and they are going to get in the trap. When we fish around here – and I invite anybody on your council or anybody can go on my boat and see how we fish. I fish as far off the edge as I can. The traps fish better. It is just the way we do it.

MS. FEDDERN: My name is Gail Feddern. I am principally concerned about the hogfish, changing the size limit from 12 inches to 18 inches. Eighteen inches is a huge jump. I would

maybe go 13 inches, but I am very hard pressed even for finding 12-inch ones. I spearfish out on the reef, because three miles from shore, the Upper Keys, that is the only place where we can go. I see lots of 10-inch hogfish, which I understand is the minimum spawning size. There is probably lots of big spawning fish out in deeper water that I can't go to. There is certainly large ones in the Patch Reefs inshore, but I am not allowed to spearfish there, which brings up another thing, the Snapper Ledge Proposal. That is just one more place where we can't spearfish. We are very limited as it is. In the wintertime we can't get grouper, and hogfish is my favorite fish. Even so, I only get one, two, three at the most. I would be pretty hard pressed so I am hoping, please, don't jack up the size to 18 inches, because I wouldn't be able to get any at all. The other thing is gray triggerfish. Gary Sands was absolutely right when he called them piranha. I have caught them off my dock, and mostly I would like to get rid of them because they nibble at toes if you are just dangling your feet off the dock or swimming or anything. They are a real pest. They are delicious eating though, I like them. But it is a real pain in the neck getting that skin off, because it is like a shark's skin. One other thing I wanted to touch about is the powerheads. I haven't used a powerhead for years, but I think that some spear fishermen might want to have a powerhead device for protection against shark. That is a consideration, anyway. The old days they used to use powerheads to get the Jewfish, politically changed name to Goliath grouper. We are not allowed to get those anymore, so about the only reason I could see for a powerhead would be to protect yourself against sharks. That is about all I have to say.

MR. HARTIG: Let me ask you a question, Gail. I dove a lot in the Keys and from around the Palm Beaches, and then I spent a lot of time in the Bahamas spearfishing commercially for a number of years. We never used powerheads and in fact we had to shoot a number of sharks, and we lost the shafts that we shot them with, but that was an effective deterrent. Sometimes I feel to say we have to have this for protection is kind of overrated, because every shark I ever shot left the vicinity and went with my shaft in him. These were sharks that you could push away with your hand, they got that close. It was a tough situation at the time. That is one thing; and I know we hear the protection argument, but the shaft does deter the shark, also.

MS. FEDDERN: Well we used to use what Henry calls a bangstick, a pole with a powerhead on the end of it. Also, I guess you can get shafts for your speargun maybe as a backup mounted underneath your speargun for protection against a shark. I don't know if that is a bangstick or if that is one that you fire. You are liable to lose the shaft; I really don't know. Like I said, I haven't used one in many years. I don't see many dangerous sharks out there, thank God. The only sharks I see are nurse sharks, and I love nurse sharks, they are really nice. It would be a real hardship if you go to 18-inch hogfish, come on, I wouldn't be getting any at all. Thank you. I meant to ask you is this proposal for increasing the hogfish to 18 inches; is that based on science?

MR. HARTIG: That is a good question. The basis of it actually comes to us from the Carolinas where they do catch a lot of great big hogfish and they are trying to get a size limit for them. That just speaks back to the regionalization aspect that we need to look at overall in all our management strategies, and look at the Keys in respect to the size limit, look at the size limit for their area, and very well you could come up with differential size limits for both areas. But the science, no; the last assessment that was done on hog snapper was not accepted by the peer review group. We need a new assessment on hog snapper. Doug Gregory made that point earlier, that we need to have an assessment before we make any management recommendations for hogfish, and I agree with him 100 percent.

MR. NICHOLS: Let's get off golden crab and go to some lobster, since lobster is our mainstay. I am really glad to hear from – I knew Bill real well, and his father, real nice fellow. My name is Gary Nichols. I am from Conch Key, Florida. I am mainly a lobster and stone crab fisherman, fishing down here for 38 years or more. Mainly speaking on, it is kind of part of a beaten up subject, but the rope markings; I spoke on it down in Key West; the hardship that it would bring upon us to mark the ropes. After the meeting in Key West we came back and we really delved into trying to figure ways to mark the ropes to accomplish the thought of rope marking. We keep coming back to pretty much the same conclusion that with the main fisheries in our area, or in the South Atlantic in particular, being a lobster fishery, we really don't have blue crab traps in the Keys, so it is a real shallow water fishery. If we have a contact with a marine mammal, it is not really – our industry believes that you can just blame it all on the lobster fishery, the spiny lobster fishery.

If you find a rope entanglement, it is not going to be a golden crab rope, obviously from 1,500 foot. It is going to probably be a lobster trap rope, so it is just going to be spending a lot of money and a lot of hardship on somebody to mark something. The only thing that we found that probably would be doable, if anything, would be to entwine a piece of rope in your main line possibly 15 foot down. You don't need to go all the way down the rope, because if something is cut off it is usually in the first 15 feet, if a rope is cut off of one of our traps or whatnot. Possibly, one thing about it, when we clean our ropes, like with a stone crab trap we use a rope cleaner and we use it on our lobster ropes, also. In reality I think it is going to have to be in like the first two feet, because we push down on that rope cleaner and whatever is on that rope, even if it is a paint or if it's a tagline that we are going to thread into the rope, or we thought about maybe a tie wrap even, a colored tie wrap, it would have to be in the very top where we could grab that rope and it would be close enough to the buoy end of the rope.

Again, if something we found entangled, usually it is because the buoy is coming up to the top and that is what is going to wrap around, but it is going to let that thing be buoyant, if not our ropes have leads on them, anyway, most of the lobster trap ropes are going to sink down so whatever is entangled is probably going to have the buoy in it. If we had to do something probably really close to the buoy with like a tie wrap or lace it in there, that way it wouldn't get in the rope cleaner. Off the subject, it sounds like – I saw the South Atlantic is going towards doing nothing, but I know there are some driving forces behind doing something. Whatever the something is, it will have to be really simplistic towards the top of the rope, something as easy as a tie wrap laced into the rope, just zip it on or something; something that wouldn't go through a rope cleaner. If not, it is going to be futile. The cost, my God, we always talked about that. We sat down and did some preliminary data and not counting labor was over $100,000 in rope. You know, I am fishing 6,800 traps with two boats and we fish a lot of deepwater traps on trawls and whatnot.

Anyway, it is going to be a lot of money and a lot of labor, and then the labor you are probably looking at a quarter million dollars for just my one boat, and I can't really afford it. I mean, we were lucky enough to have two good seasons, but one hurricane and we are back to where we were. The next thing is the hogfish. That is unusual. Oh, my God, are we going to go up to 18 inches from 12 inches? In the Keys the hogfish that are marketable – I mean going from the perspective of owning a fish house and what people like to eat, and what people like to buy, the pound and a quarter of hogfish that we have that is legal now, 12 inch fork length; if you were

going to do anything at all, maybe increase it incrementally possibly two inches like they did with the triggerfish. They went from a 12-inch fork length triggerfish in the state waters, which on the next subject, which possibly two inches I could see, but going to 18 inches, we don't see that fish. Even when I was a kid spearfishing when I was 15 years old, 14 years old – and my Dad and I spearfished for a living. My wife and my Dad and I, we speared a lot of fish. That is what we did in the summertime to supplement our income from lobstering was to spearfish. Even in those days probably a 14 inch – we have seen a smaller hogfish, but it isn't that big. I think a 14-inch fish you are looking at a pound and a half size fish. That is a nice size filletable fish, a nice marketable fish. Don't go up to 18 inches. That is a fish we hardly see. You are having a really good day if you can spear a couple of 18-inch hogfish.

The general public love to eat hogfish. The regular hook-and-line fishermen, my Dad, for instance, has little hogfish spots, and it is really hard to get a 12-inch hogfish in all honesty. Yes, I am sure when you increase the size you will see a few more of them, but I think if you do go up to maybe 14 inches – I think 12 inches possibly is a little bit on the low side; maybe go up 13 and up to 14. That is just my own opinion and that is not coming from any organizational point, because we haven't really sat down on hogfish to discuss this. This just came up. On the triggerfish, surprisingly enough, I was just in the other room, and unless I have not been selling the little bit of triggerfish that I get, in the state waters they are 14-inches fork length, and they are talking about going up to 14 inches total length. It is kind of crazy, we should track Florida's state regulations at least commercially, and at least make it 14 inches fork length to match the state regulations. I really was taken aback a little bit over there. I wasn't prepared for triggerfish when I came here. I don't really have a problem with 14 inch because that is the size that we sell, anyway.

I heard comment over in the other room that triggerfish is going to become the fish that we concentrate on. No, nobody wants to concentrate on triggerfish, but if we catch them, same as before, it has become a fish that the public is consuming more. The restaurants will serve them more, but it is not making us go after that fish. They are a hard fish to catch. I mean their mouths are tough, they bite, and they are ugly. They are still not going to have the reputation a snapper is going to have. The every-day recreational guy does not like to fillet those fish; they are probably going to let them go. Commercially, yes, I am going to catch them like I have. Usually it is an incidental catch with our lobster fishery, if anything. We have been selling them for 30 years. I don't see any great increase in triggerfish, size wise or otherwise. The only thing is I let all the ones now go below 14 inches where I used to let them go below 12 inches.

They are seemingly like little piranhas. There seems to be plenty of them around to eat up our lobster, because they are one of the worst things that we could have in the water. Personally, I don't really have a lot of love for triggerfish, but the size, raising it to 14 inch; probably it has helped the population, if nothing why are you not tracking state regulations, anyway? On a more important note, I know that you might realize but Organized Fishermen of Florida and Florida Keys Commercial Fishermen were instrumental in sitting down and spending many, many hours coming up with the areas for closure for the coral. Obviously, without coral and the habitat for our spiny lobster and our fish, we wouldn't have the industry we have. It is one thing that both organizations strive ourselves in doing is to be habitat and conservation minded, because if we fish everything out, if we take away our habitat – it is already bad enough with the water quality problems that we have – that is the last thing we want to do. We sat down with Ken Nedimeyer, who seems to be the most knowledgeable person that we know on habitat and whatnot, and we

tried to come up with the SPA areas. Like anything else, we are putting little dots on maps or on charts. Sometimes it is easy – it looks like a little square on a piece of paper, but that little square encompasses maybe four miles by two miles wide sometimes, is where we started out. We have got these areas down to maybe two or three being still not quite fine tuned. We just spoke with Andy Herndon over there and Area Number 14 and Area Number 15 still need a little fine tuning; 14 is just west of Alligator and just east of Marker 18. In that area, I think if they would just set a depth line of 45 foot inshore to maybe 30 foot in that parameter that you see there, you are going to protect the coral. Over 45 there is a big sand lake there, so you are really not doing anything. They need to really physically go out and address the actual drop-off and where the ledge is there.

It would be easy to identify on a chart, and then obviously we wouldn't put our traps on that bottom, anyway. But there is a lot of trapping activity. As you get in the middle part of the Keys there, we only have about four miles until you are into the deep water and then you only have two miles in the bay. The guys traps are really concentrated, so the more area you take away – it is the same thing in Key Largo, and there are not a lot of places to go. Some of that productive area for those guys, it would be really important that we fine tune this. We don't want to put the traps on the reef or on the rocks, but we do need to get these areas designated properly. Area 15, just talking to Andy, I think there are three spots in particular that are the core areas that we can identify pretty easily. Hopefully, down the road just for public comment, these areas that we are identifying not to put lobster traps; obviously, we shouldn't be anchoring on – I mean, we should be having the Sanctuary come in here. We should make them into SPA areas.

I didn't say no fishing zones or anything, but we should at least put an anchor buoy down there so that when boats come in, they can tie up to these buoys and we don't mess up our habitat. I don't see why maybe some of them could be fishing zones; some might not be good for fishing zones. I don't even think hook and line and a bunch of egg sinkers hitting this beautiful coral that we are trying to grow is a good idea either. We have been working as an industry with Billy Causey and Mary Tagliareni, and we will go forward with that as time goes on. Obviously, we had to come up with this. I just want to let everybody know that is where we are going to be going as an industry. We are going to work with the Sanctuary process to not let the anchors hit the rocks, because we certainly don't want to put the trap – I mean, if we put a trap on this coral, obviously, we are going to have a torn-up trap, we are not going to catch lobster; and it gives us even a more black eye. Our industry, it has been tough to dig our way out as the years have gone on. We have reduced the traps in half so our impact is lessened. That is about it guys; I can give you a break now.

MR. HARTIG: Thank you, Gary. One thing it would be interesting to look at is to go into the Tortugas Reserve and look at the size of hogfish since that closure has taken place and see what kind of gains that might be gotten. I am like you; I have dove here for a long, long time; not to the degree you have, but on a yearly basis for a number of years. Back in the sixties when I started diving here, and then through the eighties, we saw a change like you mentioned. They did get a little smaller, but it wasn't a wholesale really large change that I witnessed, but there was a change.

MR. NICHOLS: There is obviously – where you don't have the impact – like diving in Pennekamp is a real enlightening experience. There are a tremendous amount of hogfish, and there are all sizes of those hogfish, but there is just not the public in there. Unfortunately, with

any fish, when you have the masses hook and line, spearfishing, whatever; it is going to be hard underwater to – you know, most of the hogfish are caught spearing. You are going to try to pick out the size of that hogfish. You get up to an 18-inch hogfish, it is going to be a lot of hogfish. They are going to get speared and they are going to be dead one way or the other. If I get one in a trap or something, I am going to let it go easily. I'll measure it and it is going to go back, swim down and be happy and all that. Hook and line, the same thing; you know you have the impact – not as much impact on the hogfish, but I agree with what you said. I think you can go incremental and see what an inch or two does. I don't think a 14-inch hogfish or a 13-inch hogfish, I don't see that – another thing is the hogfish, being as they are mostly speared and with the water quality problems that we have, it is really hard to get enough really great days that you can even find these hogfish.

Where most of the hogfish seem to abound is out in the Gulf and we don't even mess with those hogfish, because you can't see them. We don't catch them, but they are there. Once in a while you have just the perfect day and you are out there, and there is a lot of habitat and nobody is bothering those fish. They have a natural area that they are anywhere. We would have – if it was just a little patch reef and stuff, we would have fished them out, the 12-inch hogfish, whatever, but the recruitment, it is surprising the amount of fish that I see. They are coming from somewhere else, coming from the deep water. I mean, we are limited dive-wise, except for what I hear about from South Carolina – or North Carolina where they are seeing these monstrous hogfish, and an abundance of them, it is kind of like being out at New Grounds, and you hear the guys – you see on that diving show with Sherry Day and those big hogfish, but the normal person doesn't go jump in that 100 foot of water out in the Gulf too much and spear the fish.

There are a lot of fish. I just think from – also, I know the consuming public really love that fish, and I don't think – if you went to 18 inch, you are pretty much going to be taking it off the menu local, at least freshly caught. You are not going to see them. We are not fish trapping so you are not going to see that caught, and the divers are only going to get so many. I don't figure you are going to get a lot of them at 18 inches, anyway.

MR. JOLLEY: Gary, what's the biggest hogfish you get in your traps?

MR. NICHOLS: I might have got possibly a 10 pounder, and that is really rare. They can't get in the funnel entrance. You know, we have a funnel entrance about eight inches. But I have got one about 10 pounds. I have got two this year in a trap, in one single trap. I had the researchers with me, because we are doing lionfish studies right now in the deepwater. Just ironically enough, I have probably only caught three of those fish all year, but in one trap I got two of those seven or eight pounders. I could show them to you on my phone.

MR. JOLLEY: It's a coral area. Would you care to comment at all about the experience with lionfish over say the last five years, and what it looks like in terms of your incidental catch over that period of time?

MR. NICHOLS: Okay, I really deserve this. My wife calls me the Lion King. If I ever deserved anything – I have been in this business all my life, but I have to say as far as catching lionfish; I might have that market cornered. Our family actually, the lionfish – three years ago I had never seen a lionfish. During the beginning of three seasons ago, we caught like 42 of them.

It was a big deal. We had the little card placard on the boat, and my daughter actually caught the first two on my other lobster boat. My daughter runs a 40 footer, and she called me, she was all excited. Well, within 15 minutes I caught one out in 120 foot of water. She got that one in about 40 foot of water. My goodness, I can't believe it. We are all excited; it is probably two and a half inches long, each one of them that we brought in. The researchers did their study on it, Ladd from Reef Relief. Well, anyway, no big deal, we got a couple of lionfish. Well, last season we were getting probably 30 or 40 a day in a deepwater fishery. By the wintertime of last year, by last January, I was giving Ladd all these lionfish, and I was giving him 30 pounds – a bucket frozen of 30 pounds at a time, then an ice chest with 70 pounds at a time. Then about January, I was pulling my deepwater traps in 150 to 250 foot of water, which I fish in the wintertime, and I am coming in with 200 pounds of lionfish.

Now, I go wait a minute now, this is really ironic. Ladd now, he is going up and he is taking these lionfish, studying them, and he is taking them out to restaurants and selling them, and he told me, yes, I am getting three dollars from Encore. I go, okay, he is giving me three dollars a pound. I go, well, if he is three dollars he must be getting something somewhere, so I go, okay, I want five dollars. I haven't sold a lionfish under six dollars a pound, but this year literally every single day that I fished – and I pulled trawls the day before yesterday, on Saturday, and I had about 100 pounds. That is about 200 lionfish out of 300 traps that we pulled. The tide was really running, so it was really tough. The day before I had a little over 100 pounds, and I am getting six dollars a pound for that lionfish. So it has become a very interesting fish because these fish are extremely prolific. They are growing at an incredible rate. The every-day public does not see what we are seeing.

If you asked 100 lobster fishermen to come in this room right now, probably 95 of them wouldn't have seen more than one or two in their traps yet; because still in all of my other traps, if you are not over 100 foot of water we are not getting the lionfish in the traps. Why, I don't know? Diving, I am diving on the patch reefs with my family, and we spear them in the summertime to eat. They are so doggone good eating, it is unbelievable. It is one of the best eating fish there is. I took these lionfish three at a time to each restaurant up the Keys and market them. Lupe at Lazy Days is buying them from Marathon and in Key Largo – I mean Marathon and Islamorada, and he is basically taking 200 and 300 pounds a week and he can't get enough. Conch House Restaurant up here is taking all they get. Encore is taking all they can get. I can't get enough. I sell them in South Carolina, they will pay me ten dollars a pound if I get them to South Carolina, and they love them.

They do the spear fishermen up there get them. But this lionfish, for whatever reason, in a less rubble bottom with that deepwater, I don't know if it is our traps – the same exact trap in 50 foot of water doesn't catch any lionfish, 60 foot of water doesn't catch lionfish, and 80 foot of water doesn't catch lionfish, 30 foot. We had the researchers going in my boat, I might get one. But you get out to 120 foot of water and deeper, I am going to get a lionfish per trap. That is about what it comes out to. They are getting bigger and bigger. The size frequency went from this big to literally – I can show you a picture on my phone right now for up to a good pound size, and a very nice eating size. We just took them up – my wife and my daughters, we just took lionfish filleted them and that is my daughter, Katy, who moved up to Miami Beach, and that is her favorite fish, so we took them to Lazy Days and everyone had lionfish and hogfish for dinner. That's where we're going with lionfish. It's not a real good deal though, I don't think.

MR. RAU: My name is Howard Rau. I am a golden crab fisherman and an AP member. I would like to comment on the Golden Crab Amendment. I want to go through each action. Action Number 1; establish eligibility criteria for golden crab catch share program. I agree with the council's preferred and the APs preferred, because we want as many participants as possible that are golden crab fishermen. Action Number 2; initial apportionment of catch shares, I agree with the council's and the AP's preferred because it combines equal allocation with the catch share history, Subalternative 5B. Action Number 3; establish criteria and structure of an appeals process, I agree with the AP's preferred, Subalternative 2D, which allows 2 percent or 20,000 pounds to be set aside for the appeals process. I believe the council's preferred alternative choice of 3 percent is too high. Action Number 4; establish criteria for transferability, I agree with the AP's preferred, which is Alternative 2, shares for annual pounds can only be transferred to golden crab permit holders. This would avoid speculation from outside the fishery.

Action 5; define quota share ownership caps, I agree with the council's preferred and the AP's preferred, Alternative Number 5. Action Number 6; I agree with the AP's preferred, which is Subalternative 2A, landed crabs only. Landed crabs only will keep shares working. It will be difficult if you employ the other one to trace transferred shares or track transferred shares. Action Number 7; cost recovery plan, I agree with the council's preferred and the AP's preferred, Subalternative 2B, NMFS would calculate X-vessel price. Subalternative 3B; dealer would do fee collection and submission. Subalternative 4A; fee submitted on a quarterly basis. Action Number 8; establish boat length limit rule. I agree with the AP's recommendation to move this to a new amendment and consider size increase from 20 to 35 percent. This would allow permit holders to see what they could get before changes in vessel size occur. This should be fast tracked. Action 9; restrictions on where permitted vessels can fish for golden crabs, I agree with the AP's preferred, Alternative 2. This will help reduce gear conflicts which would be costly and dangerous.

Action Number 10; modify the small vessel sub-zone restriction. I agree with the AP's preferred Alternative 2, eliminate small vessel sub-zone. It is not needed anymore since we want to keep the boat length limit rule. It has become antiquated and ignored. Action 11; criteria for permit stacking, I agree with the AP's preferred, including their language change on Alternative 3, allow an unlimited number of golden crab permits on a single vessel so that any zones for which the vessel has a permit can be fished in one trip to ease administrative burden. That would be the add-on, ease administrative burden. It is common in the fishery to have multiple permits, but only on one vessel. The regulations today, extra permits must be placed on a different vessel, which creates an administrative nightmare. Also, a vessel would be allowed to fish different zones in one trip and not have to lose a day or two to transfer a permit. This would allow fishermen to place more than one permit on a vessel at one time.

Action 12; I agree with the AP's preferred, Alternative 1, no action. VMS does not track where gear is located. What needs to be known is where the traps are located on the bottom; however, VMS could be used to enforce landing sites. Pingers on traps would be a more appropriate tool for monitoring trap location. The amendment states that NMFS Office of Law Enforcement can implement monitoring tools as needed, and we rely on them to do so. Action 13; establish criteria for new entrant program, I agree with the AP's preferred with the language change; Alternative 3, set aside 1 percent for new entrants. This provides 20,000 pounds for new entrants each year. Action 14; annual pounds overage, I agree with the AP's preferred, Alternative Number 3. This would allow a 20 percent overage. The reason for a 20 percent overage and not

a 10 percent overage would result in less discards given a trawl line is 50 traps, and that could be a 3,500 pound line. To give you an example, you are in your last trip of the season and your annual pounds, you are left with 5,000 pounds. If you go out to fish two trap lines, your first line you would, say, get 3,000 pounds. That leaves you another 2,000 pounds for the next trap line. For the second trap line, however, this could easily be 3,000, which would work under a 20 percent allowable but not 10 percent. Therefore, if it was on a 10 percent, you would be discarding 500 pounds. Action 15; approved landing sites, I agree with the council and the AP's preferred, Subalternative 2A, because it provides maximum flexibility to fishermen. I would like to note that all of the AP's motions were approved unanimously. This is the right program for this fishery, and we ask the council to approve Amendment 6 in March.

MR. HARTIG: Thank you, Howard, that was a very detailed comment and I appreciate that. I hope the AP meeting went well yesterday.

MR. RAU: Very good, unanimous.

MR. HARTIG: Hopefully, we can do exactly that and approve it in March.

MR. PETERS: My name is Jason Peters. I am a golden crab fisherman on the Joyce Lynn II; have been for the approximate last four months. This is my first commercial fishing job. I have been a recreational angler for the past 30 years, local to South Florida, inshore, back water, offshore, you name it; fly fishing, heavy gear, whatever. I am definitely in support of Amendment 6 from what I have learned so far of the fishery. I was kind of amazed to see the great ethics used on the boat in this fishery as far as anything with bycatch or anything like that. I was concerned about that getting into this industry. I was very impressed, and I think that comes from local experience in the area and would like to see it remain that way. Thank you.

MR. HARTIG: Thank you, Jason, and you are going to be a golden crabber from here on out; is that my understanding? Good luck. Well, it is an exciting time. I mean the raw water seawater systems that they have now that is able to keep the animal alive opens up a whole new market system for it. There will be room for a few more people, but it is a tough fishery, I understand.

MR. WELLS: Hello, Mr. Hartig, Mr. Jolley. I am Jason Wells. I have been a commercial fisherman since 1986. I own a couple boats in Alaska, sockeye salmon permits and boats. I am here to speak on Amendment 6. My reason for speaking on it is I am also manager of a restaurant bar called the Stone Crab in Key West. It is fairly new, and I would like to use golden crab as a fresh crab in the times when our stone crab will be frozen. I think it is a great product. I have also fished Dungeness crab out of Astoria, Oregon. Comparing golden crab and Dungeness, I was pretty amazed the first time I ever saw it. I never heard of it on the west coast. The first time I seen it, I couldn't believe that I had never heard of it. That was probably about 1997, I think, when I met Brad here and went on a few trips with him and his Dad. I fished it out of Fort Lauderdale and Key West a little bit, just kind of as a fill-in crew member. My reason I would like Amendment 6 to pass, or one of the reasons, is I do have a relationship with Brad and people who are already established in this industry, and I plan on using this product as hopefully building it up in Key West. It has been there a little bit but nobody really sells it at all anymore, and I would like to be able to advertise that I have fresh golden crab year round. That is basically my input on that. I also have seen this type of thing happen before as I fished Cook Inlet where halibut became quota. I witnessed Derby Days and then it became a quota. At the

beginning there was a little bit of turmoil, but I think as far as I can tell it really helped straighten out the industry, stopped a lot of fighting between the commercial and the sport halibut fishermen. Overall in my opinion it has made a big difference up there. It also got a lot of guys who weren't serious about it out of it, And from talking with Brad, and I did witness back in Key West a lot of guys who were going to come make a fortune golden crabbing show up for one or two years and all their gear is sitting on the bottom of the ocean out there and they are gone, nowhere to be seen. I think that is kind of a tragic thing for the ocean, If you guys have any questions for me.

MR. HARTIG: Yes, Jason, the question I had is in your marketing strategy, are you going to start trying to use live crabs like they are going to be able to produce with the raw –

MR. WELLS: Yes, we are building a fish market and we do have a monger's license. Right now we have basically met with Brad and it is in the works of everything going on. We are heavy into stone crab right now. We also need to build a bigger freezer space and also bigger cookers. We are going to do those in clusters, Hopefully, if we could do an all-you-can-eat type deal with them, that would be great. With our fish market being built, I would like to do live crab type deal. I mean, really, there is nobody in Key West that – people know of it, but nobody deals with it anymore. The Conch Farm used to and I don't think you can get it there anymore either.

MR. HARTIG: We had a seafood festival on Saturday in Martin County and there were about 40,000 people there and there were a number of people – my booth is the dock authority booth, which puts on the seafood festival, but what we do is we put out a number of recipes that the state provides to promote Florida seafood. One of ours is a golden crab and a bunch of recipes. I can't tell you; I bet there were at least 40 people who said, "Where can I get golden crab, where can I get golden crab," because the market chain is relatively specific to where that animal goes. I told them I didn't know. I said I know the people who catch it but I don't know exactly how and where it goes from there. We are going from a niche market to now we are going to broaden the distribution channel, so hopefully in time we will be able to do that. Your promoting it in the Keys is a great way to go, and then hopefully there will be other places it can –

MR. WELLS: We have people from all over the world that stop in the restaurant, being such a destination in Key West there. We have changed the name to put crab in the name since I would say November. I don't know the exact number, but the increase of traffic that drives right off the street – we are right on U.S. 1, right there in New Town and Key West. The street traffic from just putting crab in the name is at least 20 percent up. That is what I would guess. I mean, being in the restaurant every night, it is amazing. We would have all those people from all over the world learning about golden crab. We are also going to be putting Q&R codes on the menus, That is my boss; he has got a million ideas and that is one of his ideas. It will show where and how the golden crab was caught. You could have Brad on there or other people speaking about golden crab, where it's from. His son catches our stone crab and we are going to have his Q&R code with his son speaking about it, video of him catching it. To my knowledge, I don't know anybody who has a menu like that. I have got a vodka company that is local that is going to be on there. That is pretty exciting stuff. That would promote it pretty well, I would think, all over the world.

MR. HARTIG: Yes, and in Charleston, where the council is based, certainly that concept of food and where it comes from is a very important part of the restaurant business in Charleston. You can get down to just the basic ingredients and find out where every ingredient – and I can't remember; The Husk is the name of the restaurant, I think. They will tell you where every ingredient comes from and –

MR. WELLS: Do they have a Q&R code on the menu; is that how you do it there?

MR. HARTIG: I don't know if they use the code or not, I am not exactly sure. More and more people are getting in tune to exactly what you are trying to accomplish. I think we will see more and more of that as we go along. The local part of it, not having the carbon footprint of shipping your animals all over the world is another – some people are attuned to that. It is an interesting time.

MR. WELLS: That is kind of what we are trying to base everything on. I am trying to find all local stuff that will be on the menu for that. Definitely golden crab would be a huge, huge thing for us if we – we are definitely going to do it, but to have it on that level, have his Q&R code and all that on there I think would be really good for us and really good for advertising it, also.

MR. JOLLEY: Yes, Jason, have you done some test marketing down in Key West yet?

MR. WELLS: No, not really. I have just seen it; I have seen it sold. How long ago do you think the Conch Farm stopped selling it? I mean, it did sell when it was down there. It is just all the boats have moved so nobody has it trucked down, shipped down.

MR. JOLLEY: I have got a comment; how does it freeze? Do we get the same problems we get with stone crabs when we freeze them?

MR. WHIPPLE: I am Brad Whipple. I am a golden crab fisherman, Fort Lauderdale. It freezes fine if the person freezing it knows what they are doing. The Rustic Inn in Ft. Lauderdale has the system down. They do at least 3,000 pounds a week there at the Rustic Inn. Obviously, they can't cook what they need on a day-to-day basis, so they will buy what they think they need for the week, three or four thousand pounds. They have got the process down with cooking them and freezing them and keeping them fresh and good through the week. It definitely can be done and be done well.

Could I make a little addendum? Kind of responding to your question, Mr. Jolley, about the test marketing, Two Bill's Seafood is one of our principal buyers right there in Ft. Lauderdale and they do about 3,000 pounds a week as well, maybe a little more, and they would like to do a little more. We haven't given them quite as much on a regular basis as they would want, but the clientele that they attract there is very similar to the demographic that exists in Key West. I can say that from having lived in Key West for eight years and from having lived in Ft. Lauderdale for three years. Despite not doing any formal test marketing, just my experience leads me to believe that Key West is a ripe opportunity to market this product. Thank you.

MR. METZ: My name is Joseph Metz. I am a commercial crabber; I am fourth generation from Florida. I have been crabbing n Alaska, Washington, and Oregon. I have been commercial fishing for 15 years now, and I have come home to start a fishery, get into a fishery here, and the

golden crab fishery is very young. It is a very good fishery but there is a moratorium on how many permits are going to be given, and right now I believe it is 11. There is a two million pound quota, and I don't think it has even been touched at one million pounds. I don't think there has ever been a one million pound landing in a year. I have seen what moratoriums can do to other fisheries on the west coast, and it makes it impossible to have a chance at the fishery at all. The size limits and everything that is concerning this fishery right now seems like really iffy, looking at it from my perspective to enter the fishery. But the moratorium, 11 permits and that's all, correct?

MR. HARTIG: I am not sure what the final distribution of the permits is going to be. There is a way for new fishermen to get into the fishery. That is what the AP has wrestled with over time, how to try and allow new entrants in. To be honest with you, I am not exactly sure what that vehicle is right now. To be honest with you, I'm not sure.

MR. METZ: What do you see projected as when the committee will come to an agreement when that can be done?

MR. HARTIG: Well, at the next meeting we will pretty much firm up this amendment, and hopefully by then we will have that vehicle to allow new fishermen in; we will have it firmed up. Brad, do we have a concrete way to get new fishermen into this fishery or not?

MR. METZ: I have been learning all about the business as much as I can for the last five or six months.

MR. HARTIG: Okay, well, let Brad answer that question and that should help you.

MR. WHIPPLE: As I commented earlier, the AP meeting yesterday where I was in attendance; the AP really took a lot of time and diligence trying to grind out a new entrants program that will provide access with the least amount of obstacles for people who genuinely want to be in the golden crab industry. It will give them the vehicle for entry that allows them to come into a viable situation. At the same time I believe the proposed plan that they developed will prevent random speculation like we had in the nineties that I saw particularly in the southern zone, where I still have a permit and would like to expand. I can't remember exactly the detail of the wording of the proposal that they developed, so I am not going to risk saying something wrong right now. But if you had access to the notes or whatever from yesterday's AP meeting, I think you would see that it really looks pretty good, and it took them a lot of hard work to get there.

MR. HARTIG: I appreciate that, Like I say, we don't know the details; the council members don't know it yet, but that is something we are dedicated to doing.

MR. METZ: I know, but like the zones, are you going to be restricted – are they going to open up for all the zones?

MR. HARTIG: Well, like I say, we don't know the details of what the AP came up with and we will see what they came up with, and then we will match it with what our goals are and we will come up with a plan.

MR. STARLING: Gentlemen, thank you for the opportunity to put my comments out there. I am here to talk about the hogfish proposal. My name is Lee Starling. I am a commercial fisherman, but I consider myself to be a conservationist. I mainly commercial spearfish, so the hogfish issue is very dear to my heart. Unfortunately, I feel like this is a regional problem and not something that is overwhelming. It simply exemplifies the fact that we need to have our own zone down here. While I do agree that a slight increase in hogfish size is needed for the health of the general population, 18 inches is way too big. Also, one would ask the question – if I can only take an 18-fish hogfish with all those imported boxes coming in from South America and Mexico, they need to be 18 inches, too, so it is fair, so we have a fair market trade across the board there. I think that will create a problem. Most of our hogfish are killed during a short period of time, called mini-season down here in the Florida Keys.

The week beforehand and for approximately three weeks afterwards, during the opening of season, what happens is people come from all over the country and they bring their kids with them. They get in the water and every one of those kids has got a pole spear. If their boats have got ten kids on them, it looks like a porcupine on the water. They get in, and what happens is a large amount of hogfish are taken as what I would call incidental bycatch, also red grouper. The mortality rate of small, undersized hogfish is extremely high during this period. But, again, this is more of a regional problem. It is not a federal problem; it is more of a state problem. What that comes down to is law enforcement. We have a lack of law enforcement. When you have got a commercial fisherman that looks at you and says, "I want more federal officers, I want more FWC, I want more patrols on the water," that is really indicative of a problem that is overwhelming. In a few years you guys aren't going to be governing anything except for lionfish. You are going to be called the Bureau of Lionfish.

I am going to get elected king of lionfish, and we are going to basically have an open thing. The lionfish problem now is such a problem that these size limits and everything are all going to be moot. It has gotten to where that now I am not seeing 6 inchers, I am not seeing 12 inchers, I am seeing 18-inch lionfish. When you find those big lionfish in shallow water, they have eaten everything. We are going to have to do something about either farm raising fish to put them back in the water to spawn, and we need to do that quick, because that lionfish is like a sea bass, his belly is big. He can eat and eat and eat. I have seen them work together. They are a cooperative fish. They will get into a group and coral other fish and eat them all. I have got areas that don't have any small fish anymore. Grunts are going to be worth ten dollars a pound in ten years; it's crazy.

I have got a few notes here. The mini-season thing is big, law enforcement. A lot of these hogfish, too, are caught by trap. A surprising amount of hogfish are brought up by the lobster trap industry. Also, they are getting pretty successful, too, capturing lionfish in their traps. Those hogfish are basically incidental bycatch. Now, the past couple of studies that have been done, the Jerry Ault Study, I don't find it to be credible at all. I have done a lot of reading over the past four days, and that one I won't even touch with a stick. It has no credibility at all. Then you have got the McBride-Collins Study, and also that was another thing of – that study was much better but they didn't go where the hogfish live. They went to some spot where those fish weren't at. Every little kid in the Keys here, we know where to go look for hogfish. You go out back and in the channels, in the Gulf. As a matter of fact, when you are in the Gulf, the hogfish are thicker, they are beefier, and they have got shoulders on them because there is a lot more food source.

Chances are I am not going to really shoot many hogfish on the Southeast Atlantic side, on the reef, so to speak. The majority of my hogfish I am going to harvest are going to come from the inshore areas where the Gulf passes through to the South Atlantic; because I am going to get a better yield. I personally have a personal size limit of 14 inches. Twelve inches is too small. I know a bunch of the restaurants want them that size because it helps with portion control, but realistically a 14-inch hog fish is going to give you a better yield. That fish is going to have a couple more times to spawn, which I think is extremely important. Then if that program was successful, well, then gradually increase it over a few years, go to 16 inches then. Just like you guys did with grouper; you went from 18 to 20 to 24. Now those programs were successful, but at the same time it allowed fishermen economically to ease into that. You didn't suddenly have a huge slump in income because you couldn't get those fish. Hogfish right now are really important toward me, because, man, I tell you what, the Gulf council; they did bad things to me with the IFQ program.

I can't make a living with the IFQ program. I qualified; I had over 8,000 pounds of grouper a year. I thought I was doing pretty well, but you know what, they turned around and gave me 286 pounds of IFQ. That is the grouper I kill in a week, so suddenly that source of income is gone. What happens is, of course, I am going to have to convert. I am going to concentrate on hogfish and gray snapper to supplement my income. Actually, lately I have been running lionfish trips. I have been working as guiding private boats and we go out and do nothing but kill lionfish to supplement my income. You can't take all these small operators out of the loop. I know it is easier to control a corporation type thing where you have only got a few people that are really holding the licenses, so what you are doing is you are downgrading your quality of fish. They have got a method now that they are using called power chumming for yellowtail, and it is destroying our stocks. It is destroying them.

They sit there, they power chum, that is where they put over a case in the water at a time and it creates a reaction in the fish. They feed even though they are not hungry. They sit there and put 800 pounds of fish in the boat, but those fish unfortunately are all 12 inches long. They barely make it, so you deplete that stock. Then they move on to the next spot. They keep saying, well, this is a sustainable thing, we are feeding those fish, they are growing off that chum we are putting in the water. Well, if that was true; and this method was brought to us from Miami, they would still be doing that in Miami and they wouldn't have to come 150 miles down to Key West to do it. It is not sustainable. We have got so many more important issues here. We have got the lionfish, we have got the mutton snappers, and we need to start using a little bit of common sense here. Let's quit killing the cow when it's having a calf.

There is no stock assessment for hogfish. Personally, based on a technicality I don't see how you can change the rules on something unless you have got some scientific data to back it up. Now common sense will tell you we need to go to 14 or 16 inches. This also wouldn't really affect us down here in Florida. I don't know if the FWC, Florida, State of Florida, is not going to go along with this. The Hotel/Motel Association, quite frankly, they are a huge supporter of the mini-season, which I think is one of the worse things that happens to our environment down here is that period of time; along with the incidental bycatch. They are going to fight you tooth and nail on this. It is really going to affect a small area overall; but what it is going to hurt, it is going to hurt that commercial guy supplementing his income. We are going to see less and less grouper, less and less snapper due to the lionfish. I am appalled; I really am. You go to a patch

reef or something and suddenly you don't see any little fish there anymore. They are all gone. Grunts are going to be worth 20 dollars a pound one day and we are going to be raising them in our bathtubs or pools behind our houses just to keep them away from the lionfish.

Yes, this will just affect a small amount of people. Please let me keep my powerhead. I personally don't harvest deepwater fish. I don't believe in diving deep because I am older. I don't harvest fish with powerhead, but I tell you it is a personal protection device. There are a lot of sharks around here, I need it. I try not to use it. When the shark shows up; believe me I get out of the water. I am not real brave, I never said I was. It is like my instructor years ago, I used to teach scuba, and he said you can teach the course but you can't teach common sense. That applies to this fishery, too. Yes, you know what; I would be happy to go to 14 inches, I think it is needed. I want our own council.

MR. HARTIG: On that end, please write letters of support, tell the council they made a commitment last time we were here to do the regionalization. We haven't seen any efforts from that yet. Please form an amendment ASAP, a scoping document on regionalization of the fisheries. That is what I am telling people to do. I am a one-man band. John, he is new, but he understands the issues, he has been in Florida all his life. He understands the regionalization concept and knows the differences between the tropical species in South Florida and the Keys. I don't think the Regional Administrator has committed to it. We should already have an amendment going down this path. Of course workload – in this process we will say we are going to do something, but you have to keep following, you have to keep pushing, you have to keep pushing, you have to keep letters coming. You have to say we need to get this done. That is the best way to get it done in a timely fashion in this process.

MR. STARLING: Sir, the fact that you are even discussing it or considering it is astounding to me, because five years ago, eight years ago, when I was saying these things; people looked at me like I was crazy. They still do. I might be a little crazy. To me fishery management doesn't look that hard. Maybe I am looking at it too simplistic, but the way it is run now, we reward the people who overfish. Good God, look what we did in the Gulf. Then we kill our fish while they are spawning. That is just crazy. It is crazy; you don't kill your cow when it is having a calf. We should be thinking about farming here and now just making a short-term profit; because, quite frankly, I ain't in it for the money. I ain't got any money, but I sure enjoy my lifestyle. Every day when I pull out and I head out, I am thinking about how good my life is. I don't need money to have a good life. Now, that might not work up in the city, but it is different down in the Keys.

MR. HARTIG: Well, there are those of us who live outside of the Keys who have the same mindset as you and never got into fishing to make money but did it because it was their life and their chosen way to make a living. Living was secondary; the living came along with the job. It wasn't the point of the job. The point was to try and stay in the ocean environment and make a living. It has worked for a number of us. None of us got rich doing it, but it was a very fulfilling lifestyle for me, and it sounds like for you also.

MR. STARLING: Well, now also I have got a little more invested in it. I have got a three and a half year old now. I need a future for her. That means I need snapper and grouper out there. Use to be it was all about me, which was a short-term thing, but now I really need to look to the

future. I was thinking 10, 12 years down the line how do we make this fishery better; but now it really matters. It really does provided the world doesn't end this year.

MR. HARTIG: One other thing I will add to that is that the council is looking to try and have a vision. The Mid-Atlantic Council has got a model for what do fishermen want the fishery to look like in the future. What we will do in the next year or two is try and put together some workshops and get people's comments of what do you want your fisheries to look like in the future; what do we want this to look like both recreational and commercial? I am big behind pushing for that because I think division of the fishermen is very important in this process. We could improve it to a great degree by going down this path, so we are going to do that. I know you will be involved, because you are here at every public hearing we ever do, and I appreciate that.

MR. JOLLEY: Let me ask you just a couple of questions on your spearfishing. You make most of your living spearfishing; is that correct?

MR. STARLING: Yes, sir, I do.

MR. JOLLEY: Are you diving with a tank or are you free diving, are you doing both?

MR. STARLING: No, sir, I am diving with a tank. I don't have the skills or the patience to free dive and also free diving is dangerous. You have got to have a team there. There is a lot of stuff going on; you've got shallow water blackout, things like that. There are groups of people – we now have basically a new demographic, which is fishing the Keys very heavily. They work in groups and they are very efficient at it. They mainly come from the Miami area and they tend to be Hispanic, and they have amazing skills, but also they kill everything they see. Where they walk, the grass doesn't grow. They come down here and they kill things we would never think about. They kill bluerunners. Every barracuda they see goes in the box. If I see a black grouper and he's kind of marginal – let's say he is 25 inches or so, well, I am thinking, okay, you know what, basically two months from now I am going to see that same fish in the same area, he is going to be bigger. I don't feel obligated to kill that fish right at that moment.

I can swim by that fish and feel good about myself and not worry about the bills. Whereas, that guy who drove 150 miles down here, he ain't thinking that way. He is used to working in an area that has no fish anymore, so he figures if I don't kill it the guy behind me will. It is two different mentalities and two different cultures. That is a big, big difference. Then we have got the opening season of grouper is at the improper time. In Florida Keys, during May, on the full moon, our grouper are spawning like spring breakers around a keg. I mean, it is crazy; and when you pull those groupers up, they are full of roe. You can't tell me they are not spawning. If we start fixing simple things like that, and that goes right back to regional management. What happens is you see those groupers build up, build up, build up, and now it has turned into derby fishing. Like last year, it was blowing 25, almost 30 during opening day of grouper season.

Man, I sure as hell didn't want to go, I really didn't; but you know what, I went. It was rougher than hell, and when I got out there I looked up and all those boats from Miami were there and all these other boats were out there, too, because we have created an artificial opening at the improper time. Most of the boats came in that day with over a thousand pounds apiece. You can look at their trip tickets and find that out. They slaughtered them, slaughtered them. What

happens is suddenly you have killed off that spawning aggregation; and even though you saved it for a long time, right at the height of it you killed it.

Then, what happens is for the next three months those fish that normally would have left those aggregation spots and gone deeper were here; they go back to the patch reefs. Those fish aren't there for me to – see, I would rather harvest fish slowly over a period of time. I would rather bring in 200 pounds a day rather than be spectacular and come in with a thousand pounds. To me that is going to be a steadier income and those fish have got more opportunities to get away. Quite frankly, spear fishermen are way too good. You ought to see me when I get in the water. I've got a camouflaged wet suit that looks like sargassum weed, really. I have got a mask that has got mirrored lenses. I've got a speargun that, man, I can hit a quarter from over there. Then, I've got clear fins I could put on, so I reduced my size conceptually to that fish. Groupers are smart, but they are not that smart, so you are dropping down, especially if you are a free diver; or if you are using free-diving techniques with a tank like I do where I hold my breath on the way down and as I approach that fish, you are only trying to fool that grouper for a few seconds. He is looking up at you going, what the hell is that, or he's laughing, I don't know what he's doing, but you caught his attention and suddenly, whack, it's done. It's done.

The technology has gotten to where that we have exceeded capacity. I would rather – man, somebody is going to kill me for this, I would rather see a catch limit or at least get the grouper closure right. If you open those groupers in June – and, man, people are going to strangle me for saying this, you open them in June; we are going to have a much healthier species there. What am I trying to say? We are going to have a healthier set of fish; they actually are going to get away. There is nothing more disgusting to me then gut that fish open and he's got roe that looks like a sweet potato. I have had all of these biologists come to me and say, ah, that's a fluke, it's just at the spot you are going to, and I am like do you want me to bring them to you tomorrow and the next day and the next day? Danielle, that young lady that did the side-scan sonar thing there at Western Dry Rocks, the mutton snapper aggregation for FWC; she will tell you 100 percent she agrees with me. Groupers are still spawning in May. I know that's a bit off the subject, sir.

MR. JOLLEY: Lee, one last thing, you like having that powerhead for protection, but how do you utilize it on your gun? Do you have another barrel below at the bottom so that you can use it; is it an impact thing or do you put a bang –

MR. STARLING: I'm using really a stripped-down gun. I don't like those fancy guns and stuff. I am using an AB Biller or a Sea Hornet 48. It is sort of the Ford F100 of guns. What I'm using is a sleeve. I keep it right here, it's got a 357 and it doesn't have a firing pin, and it's got a little string on it. I pull it out, I slide it over the tip of it, so the chip becomes the firing pin; but I don't dive deep. I don't use a gun to take fish. Quite frankly, I probably only fired the thing off maybe three times in ten years. Down here you are diving shallow so you don't have that depth consideration. Also, I personally don't harvest amberjack, which is what most people harvest amberjack with down here.

You get on a wreck or something, what they do is they come up to you and they start circling round and round and round. What you do is you, pop. The guy under you catches the fish, they run over to the anchor line and you have got these bags you put them on, and you clip them on the anchor line and you blow the bag with air, boom, straight to the surface. Then the guy on the

surface gaffs him, puts him in the boat and sends the bag back down the line. This is extremely efficient. We started doing that back in the mid-eighties in South Carolina, and quite frankly we devastated our amberjack population there; because they went from a nickel a pound to sixty-five cents a pound. We would hang on the line and kill a thousand pounds of them just to pay expenses. All the amberjacks back then were 100 pounds, 120 pounds. Now if you see a 60 pounder it is a monster. It's a tool; it is all in the way you use it. It is like anything else. Some people use a knife to chop vegetables; other people use knives to rob people.

MR. HARTIG: Lee, thanks for that. There were a number of gems in your testimony. I appreciate it; there is some really interesting stuff in that. The black grouper thing, there was another gentleman in the office had to say – you know, we will go back and verify the science on that, maybe do a CRP to figure out what are the best months for black grouper and certainly maybe change the closure for black grouper in the Keys. I mean that just makes a lot of sense to me. If we are not getting the spawning – if we are not capturing the peak spawning times in that closure, than we should deal with it.

MR. STARLING: If you do what's right for the fish, the fish will do what's right for you in the long run. One thing about if you guys do go to ACLs, don't do it like you did in the Gulf with IFQs. Every fisherman deserves an equal share; one man, one vote, no weighted votes. Just because some guy has got a bigger boat than me, and he's working harder and he's got a bunch of young boys on his boat, he is going to have higher landings. I am more of the tortoise, I am not the hare, but I am steady and I am consistent. I don't have to go a long ways to put my fish in the boat, but what I do deliver to the dock every day is a very high, consistent quality product. I feel that is the most important thing. It is not just what you do, it is not about killing that fish, and I kill fish. I ain't going to play around and say I harvest fish, I kill them, or I happen to be there when they die. It is about taking care of that fish afterward. I don't think enough focus is put on that. I am appalled at what I see go to the market; because now we have got all these trucks that come down here and they haul our product to Miami. I am appalled at the product that goes up there. I personally wouldn't eat it.

MS. CLIFT: My name is Leslie Waylon Clift. I am here as a concerned citizen. I am a full-time mom of two small children and a marine biologist in my previous life. I am here to urge the council to work with fishers and other stakeholders in the process to designate Habitat Areas of Particular Concern for speckled hind and Warsaw grouper. Hopefully, with a multi-stakeholder approach, concrete or at least very probable spawning aggregations can be identified. I am here to urge the council to protect spawning aggregations in CE-BA 3. My son, Colby, he is four years old and he was explaining to me the other day who Rhino Man is – I have to have a little side note here – he is an arch enemy of Spiderman. When I asked him why he thought Rhino Man was a bad guy and not a good guy he thought for a moment and he said, "People hunt rhinoceros and maybe he was hunted. Maybe Rhino Man got mad and then he turned bad." I thought it was pretty good logic for a four year old, so why am I bringing this up?

I wanted to bring up the subject of hunting. Both my husband and I are from Texas, and we have family members and friends who have big guns and a lot of them. They hunt, but like most every other hunter they hunt ethically in season, within their limits and with a license. Deer season coincides to the time when deer are not pregnant. I don't know of any hunter that would shoot a doe that was obviously pregnant. Why; because hunters want to be able to hunt the next generation. It seems like common sense. I have been fortunate to dive on several grouper

aggregation sites in the Caribbean, in Belize, Bahamas, and the Cayman Islands. These sites support not only groupers but dozens of other fish species that aggregate at these locations to reproduce. Today most of those sites I dove on are off limits to harvest. Today the people of those islands, including the fishermen, most of them voiced that it was necessary. They said in order to have another generation of fish the aggregation sites must be protected. Those Caribbean islands have set an example for Florida. Please keep the spawning protections in CE-BA 3 and please include our local fishers and their valuable knowledge in this process. Thank you.

MR. MANCHESTER: My name is Randy Manchester. I'm a golden crab fisherman. I'm a little bit under the weather with this cold, flue, whatever it is. I support Amendment 6 in the golden crab fishery. We've been working really hard on this and there are a lot of actions and preferred actions. I agree with most of the actions. I am sure that the council has the document and they are going to go through it. On Action 8, that is the action where the size of the boat length – that is the action that we want to see go to CE-BA 3, so they can try to put it through. A long time ago there were big boats out there and they had lots of gear, and we were scared, and that is why we went with 20 percent rule length, to try to make sure that there wasn't going to be anymore big boats out there. They are all gone. I've got a little boat, a little 46 footer, and I am getting ready to go to an RSW system. That's a lot of water and a lot of weight. It is probably not practical or safe for that size vessel.

I have got to probably move up to 60 foot, 65 foot vessel that could hold the water, hold the weight, stay out for a couple days, be more efficient and catch the crabs and get them in healthier and livelier. There is at least a 30, 40 percent markup on the crabs if they are in the RFW system versus an iced crab. There is a real advantage. A little bit of money out now and a lot of money down the road if this amendment goes through, and it's pretty fair. On the catch shares, I really don't know how that is going to work out. There are 11 permits; that is like six boats. There are a few boats that just got into the fishery. I am not sure how many shares those guys are going to get or if they are even going to get enough to even make it a go, but there is two million pounds to be caught, so hopefully the shares can be spread around enough where they can at least get a get-go. That is about all I have to say today, any questions?

MR. HARTIG: I appreciate it, Randy. You do have, what, the smallest vessel that fishes in that fishery now, correct?

MR. MANCHESTER: Yes.

MR. HARTIG: You did say that in order to participate with the seawater system that you do need a larger boat, and that the current regulations we have with the 20 percent size limit wouldn't allow you to increase to the size you need to participate.

MR. MANCHESTER: Correct. I've got two boats. One is like 36 feet and one is 46 feet. Since I got the 46 foot boat, I don't want to use the 36 one, because it's safer. The bigger you go the safer things get for the crew. And it is actually rough out in that Gulf Stream with a north wind. I mean a six, eight, ten foot sea is common. If you can't go fishing, you can't make a living; and if you can't be safe you don't want to be there, and you don't want to beat the crabs up and have their legs fall off and be worthless by the time you get to the dock. So, some comfort, some safety, and hopefully catch enough to pay for a bigger boat, too. Thank you.

MR. HARRIS: This is Rob Harris. Thanks for having me and thanks for coming down. If I did have one thing that I would ask; could you come a little further south? The reason I say that is because I left my house today at 2:15 and I didn't get here until 5:30, and it will probably be around 11:00 when I get home, which makes for a long day.

MR. HARTIG: No, I am glad you said that. We haven't been down to Key West in quite some time for the hearings, and we need to do that. Thank you.

MR. HARRIS: I would like to start off – I have got several of the issues that I would like to hit, Although before we get too far away from the items that Lee was talking about, I would like to make one note on the black grouper. The one thing that I would like to comment on is he was specifically speaking on the black grouper and the fact that he believes that they are still spawning, and Alex in the back of the room here also agrees with him. I would like it noted that out of all the grouper species, the one grouper that is not designated as being overfished is black grouper. Before you look to close down another of our fisheries or to take actions, remember that is the one that is not overfished. Moving right along, my name is Rob Harris, and I live and fish in the Florida Keys. I serve as a member of the Snapper Grouper AP. I am the representative as Florida's recreational fishing representative. I am also the director of the Key West Fishing Tournament, which averages about a thousand recreational anglers each year.

I also have a very large population of commercial fishermen there that live and fish in my area. To start off, I would like to look at Action 4, which is designating the Snapper Ledge, the federal waters portion of it within the Florida Keys National Marine Sanctuary, and designated as an MPA. Although you all may not be aware of some of the local issues that are surrounding this proposed closure, I am. I believe that this whole wanting to close it off as an MPA is being driven by a single group of special interest, being some dive shop operators, so I am opposed to designating the Snapper Ledge as a Marine Protected Area. If you would like me to elaborate on any of that I will, or I can do it and follow up with written comment. It is up to you.

MR. HARTIG: Basically the way I see it – and I talked to Ken and Bruce earlier – is this is a Sanctuary Advisory Process. It needs to go through that before we get it. You can say it now if you want, but we are looking down the line. It is going to take a while to get through the process.

MR. HARRIS: Right, and that is why I don't want to belabor it by going through it, because we can do it at our AP meetings and also written, but there is more behind that story than what the paper actually says, and I will bring that up at a later date. I would like to move along to Action 6, which is the increasing of the minimum size limit for hogfish. Obviously, at our last AP meeting is where this came up. It was discussed at pretty great length, and it was also accompanied by some of the scientific life history for hog snapper. If you remember correctly, Jim Atack brought forward some of the documentation, because when you look at things and based on the information that was provided to the council and its AP members, I supported the recommendation for an increase in the minimum size limit and will continue to do so based on the information that we were provided. The one thing that I spent a lot of time next door in the briefing area that I was a little disappointed not to see is that if you take the information as it is written on the website and in the briefing book; had you presented it to me that way, I would be opposed to it.

The only reason I am in support of it is because I know what the actual meaning behind it was. I think that it would be a good idea for the council to make sure that the general public has access to the same information that was provided to the AP; because I believe that if the general public was more aware of the life cycle and the information that we had, they too would see the benefits. I would expect that the resistence is going to be great, especially here in the Florida Keys, over any type of minimum size limit, raising it. But if you provide that level of information to the general public and allow them to decide for themselves, I think you will find that there will be less resistence to it; and just in the nature of the beast, making sure that they are looking at the same information that your AP members are and your council members get. That way we are all talking off the same piece of paper.

MR. JOLLEY: Rob, what do you think about the discussion about gradually jumping the size limit up versus going to 18 inches all at once?

MR. HARRIS: I would probably be more inclined to support that even greater than just taking the big leap, because if I remember correctly at our AP meeting it was proposed for a jump up to a 20- or a 22-inch size limit, which I was not for that at all, because at that point now you are excluding a big chunk of your fishermen from that fishery for four years or so to come. Whereas, if you did it gradually – and that is why I went ahead and supported the 18 inch, because now we are looking at just a little bit of downtime to give everybody a chance to get used to it and give those fish a chance to grow and to show that it really does work that way. I would probably jump up on the table and be your loudest speaker if you said, all right, we are going to go to 14 inches within two years later, and spell it out for everybody so that they know that it is coming.

But the goal is to eventually get to that 18 or 20 inch, and you are just going to do it incrementally. It will make more sense to the people as you go, as they get to see the fish increasing in size as they go. It doesn't take the snapper long to gain that extra two inches, especially not with the pinched length that everybody uses. You could almost make it grow half an inch just by pinching its tail. I have never agreed with a 12-inch size limit and would refuse to take one that is 12 inches because it is not enough to feed me. We see a lot of dead discards, because you have got a lot of – especially here in the Keys where you have all the Mom and Pops that snorkel or dive once or twice a year, They get in the water and they get buck fever and they want to shoot everything that they see, so you see a lot of undersized fish; whereas, most of us that do it on a regular basis are more inclined to target that 15-, 16-inch fish. Granted that anywhere along the Keys where you are in highly populated areas, those fish are few and far between.

But for those of us that have a tendency to fish further west, I very seldom ever come this far east. Most of my traveling is south and west of Key West; more prevalent once we start getting out there into that Rebecca Shoals Area and those areas because there is less traffic so we can be more selective on our size. Here off of Key Largo you are going to be hard pressed to find a 15-, 16-inch fish. If you start gradually increasing it, they will come around, but I would be in support of the gradual increase, especially if you told everybody that it is going to continue to increase. Moving along, Action 8 with regard to adding African pompano to the appropriate fisheries management unit, I am hugely in support of placing it into a management group, because right now it is essentially sitting out there flying n the breeze. The state has regulations

on it; but when we went through the Comprehensive ACL and we started moving fish in and out of different groups, this was one that got left out of a group simply because of the fact that we were too late in the process to add it in, and we didn't want to slow up the actual forwarding of the plan.

That is one of the reasons why the AP – and I don't think there was any of us on the AP that was against it. I do believe that it needs to be in a management group, but also weren't willing to hold up the entire Comprehensive ACL Plan to have it placed there. Action 9 – and you will notice that I am skipping around on these, because a couple of the other ones that are coming up are much more near and dear to my heart and so they are going to be a little lengthy, so I am getting the little ones out of the way. Action 9, with modifying the permits and data reporting to ensure ACLs are not exceeded; given the abilities of technology today it is time to bring the reporting up to date. We spent a lot of time talking about this at the AP level. I have been talking about it to the council for seven, eight years now. Technology has not stepped back; technology has moved forward.

The things that I was talking about eight years ago are even easier now than they were then. At the end of the fishing year for 2011 it was expected in the South Atlantic commercial grouper fishery – red grouper if I remember correctly – would reach its ACL before the end of the fishing year. The decision was made that they were going to close it – and I may be mistaken on the day – like the 20th or the 21st of December, which would have been an early closure. But given the time lag between them getting the information and being able to forecast the ACL being met for the commercial fishermen; and then with the holiday period and the lack of being able to get that information out through the standard snail mail mailing and the bulletins that go out, they decided not to close and to allow it to go ahead and just run its course.

Essentially right now we are looking at for 2011 in the commercial red grouper fishery, there is the potential that it will be overfished or they will have exceeded their ACL simply because they didn't close it based on the lack of time. That was done based on the concerns that the council would not be able to get the word out to the fishermen in time and they didn't want to place anybody being in jeopardy as far as a regulation of having the illegal fish on board had they closed it. We are really good at getting the word out to the enforcement guys, not so much to the fishermen. The days that we live in now, there should be no reason why we can't get the information from the fish houses and wholesalers in a timely manner and then turn that information around and get it to the fisherman. There is electronic reporting, there are several different mediums which we can use, and some states already do, but there has got to be some sort of method that we can get and place the entire South Atlantic under one management electronic reporting procedure.

Start with your fish houses, because that's the guys that are going to know first. Then if you have a proposed closure coming up, you can contact the fish houses and they can start getting the word out to their fishermen. Well, you try whatever method that you've already got, which we know doesn't work real well, but it is what you got. Our current system has shown or at least should show that through inadequate reporting and lack of notification, fishermen were allowed to exceed their ACLs this year. It is 2012, bring the system into today's standard and don't set your fishermen up for failure. Let's do something to help them stay within the guidelines that are set forth. Any questions on that before I move along?

In the briefing room next door I was handed something that I didn't really pay any attention to and unfortunately Myra didn't have all the data with her. It was regarding Amendment 18B, the golden tilefish fishery. Specifically in there she has some new data from the new assessment and some of the new data that was run through MRIP that she just doesn't have with her, but she did note that there were going to be some changes to the ACL. Of course, as we all know the golden tile fishery is one of the few fisheries that is actually counted for the recreational sector by number of fish and not by poundage of fish. She said that there is going to be an increase. She is not really sure what it is going to be, that it still has to be scoped out at the council's March meeting. She is not on the hook for that yet. The question that I did ask of her was since we do know that the ACLs are going to change and there is going to be an increase to the actual head of fish that the recreational sector is going to be allowed to harvest; is there anything or has there been any discussion beyond what we did during the Comprehensive ACL Amendment with regard to changing the allocation?

Right now we have a 90 percent allocation for the commercial fishery to a 3 percent allocation for the recreational fishery, which is based on allocation levels from 20 or 30 years ago. It is 2012. We know that there are more fishermen out there fishing these fisheries. It is time to adjust accordingly and stop telling the recreational guys you are exceeding your quota. When your quota is 1,200 fish, it is not that hard to exceed it. There was also a discussion over there that I answered a few of the questions that were by Keys-based hook-and-line golden tile fishermen, commercial; that they had some of the same concerns that I had brought to the council's attention during our AP meeting with regard to the longliners going out. Ben, I think you and I discussed this at great length at the last meeting where the longliners were going out and they were exceeding the quotas for the fishery; and before they could be stopped, because they do have their own quota, they were exceeding and blending over into the hook-and-line sector.

That was talked about over there and I let them know that there is something in the process that addresses that to be able to allow the hook and liners to have a greater percentage or do something about the longliners shutting the fishery down. We had a fishing season last year that was three months, that 90 percent of it was all longline. That was before any of the hook-and-line guys could even get out and fish. When we are looking at allocations, I am not just discussing allocations between commercial and recreational; even within the commercial, the commercial side for hook and line and for longliners. I just didn't see it anywhere and since it came up, I just wanted to go ahead and mention it. I know that Lee, and I don't know who else has spoken already, but I once again would like to say this is another cause for needing regional management. The south does need to have regional management. It was during the council's General Assembly Meeting down here that I posed that question directly to Dr. Crabtree, and Roy told me right up, he is like, "Rob, you know that is a good idea, we need to get it on the agenda." Well, here we are a year later. I don't see it on the agenda. I know that Ben has heard me talk about it since the first day he met me. I am still talking about it and it is still not on the agenda.

MR. HARTIG: Keep pushing.

MR. HARRIS: I will keep bringing it up, as you know. I am a broken record when it comes to regional management. I don't live in the Carolinas; don't treat me like I do. Moving along, these will be a little more in depth, so I am sure you are probably going to have some questions.

I have some comments and I have some recommendations for you to take back with you to the council and hopefully for other meetings that you come to. Under Action 2; prohibiting the powerheads in the EEZ off North Carolina and throughout the South Atlantic, I know that this was an item that was brought forth from the North Carolina Marine Fisheries Commission. It was discussed at great length at our last AP meeting. As I recall the discussions of the issue, there wasn't great support from the AP for a complete ban of the gear from any of the represented sectors. We discussed the typically selective nature of the gear and the fact that the commercial seafood buyers had a preference for the fish taken using the gear and the potential for exploitation of only the largest species that were being targeted, Those were some of our main areas of comment and concern.

I would also mention that the hook-and-line fishermen were noting a lack of the larger specimens in the target species being taken by hook and line. This point was made by the differences in the size of the fish being landed at the docks and it was even noted by some of the AP members as they had seen either the catches or pictures of the catches coming off of the commercial powerhead boats. I also recall the discussion of the difficulty of landing these larger fish on hook and line throughout the entire region regardless of the presence of the spear fishermen, and it only makes sense that the fish would be more difficult to land with rod and reel. It also makes sense that the larger specimens that are being targeted by the spear and powerhead divers also make for the best brood stock. That undoubtedly would have impact on the overall stocks. Having said that and given the amount of information that we have been presented with, or the lack thereof, I would find it difficult to support a complete closure.

I would be more inclined to follow the line used by the divers about the selective nature within their fishing style, which would be to establish a maximum size limit for both commercial and recreational sector when it comes to the powerheaders. It is very easy to be able to say that fish is 36 inches long, 48, whatever the number turns out to be, and not so much worry about the minimum, just the maximums. To follow that up, for the commercial sector also establish an endorsement program. Let's just find out who all is out there doing it. I will wait for your pens to stop moving and see if you have any comments, questions, queries.

MR. JOLLEY: I've always thought that the divers had an unusual advantage over fishermen, because today people are using sea scooters, they are using all kinds of things. You can go down a section of reef until you find the fish, and they don't have to be hungry to harvest. If you are a fisherman, you can't see them as well. You may mark something but it might now be the target. Then you have got to get something down to them, they have got to want to eat it.

Then you have got to be able to get them off the bottom before they go in a hole. I have always found that most people don't understand the advantage of a diver, and especially a good diver. I always thought there was something there that we needed to better understand in the management aspects of things. Just so you know, I have done a lot of it. That is one of the reasons I am here. I would be interested in your comment on whether you think there are real advantages in the diving aspect of it that maybe makes it harmful to stocks of fish like gags, for example, that congregate in large numbers, or amberjacks. We heard today from a diver about amberjacks, being able to really take a lot of them on in pretty quick fashion. That has been my experience over time down in the east coast from Ft. Pierce to Key West.

MR. HARRIS: From my personal experience, just being down here in the Keys, there is a huge advantage to being a diver. These comments that I had about that particular issue really are only driven towards the powerhead. But if you are just a shaft shooter, you're going out there, there tends to be more bycatch mortality and lost fish from losing them that have got a spear stuck through them. For the concerns of the area that we are talking about up in the Carolinas, because I know the bottom contour that they have got is a lot different than what I've got down here; it is very easy for their divers to go to an area that is a rock pile the size of this room that will be covered with grouper; to get down there and powerhead them. When they bang a fish, the fish is dead. It is not going anywhere, but that area is so small and those fish so condensed that they can just sit there and keep banging away at them. It is very easy for them to go in and literally clean out an area.

We've got a couple of dive operations down in Key West that are known as the Keys Vacuum Service, because they go out and they drift dive and they will have 15 divers in the water. They just go out there on the current; and if you go set up behind them and just follow them, you can see the fish that pop up; some that they've put a shaft through that got away that then eventually comes up or something happens with. Most of the fish you won't ever see, but if you go back through that area and jump in the water, there ain't nothing there because they will literally suck everything off the bottom. Is there a distinct advantage? Yes, there is. Is there a larger skill set to being able to harvest that way? Yes. I don't think that the majority of your fishing public has the ability, physical or technical, to get in the water and do that type of harvesting. I think it is more of trying to protect some of your smaller areas such as the Carolinas to where these powerheads can have an impact and can have an impact for not just the recreational fisherman that is out there, but have an actual impact on the overall fishery for the area.

They can wipe out this rock and move ten miles to the next rock and wipe out that rock. Now you have got 20 square miles that have no spawning coverage. Whereas, the hook-and-line guy, he's going to hook 20 of those fish, he is going to land 2. Yes, there is an advantage. Would I say do away with the spear fishing? No. Am I opposed to powerheads? No. I would look at a way of better managing the fish within that fishery than to try to manage the fishermen themselves, if that makes sense.

Okay, moving along. This is one that is near and dear to my heart, and I am sure Ben has probably heard enough of this one to fill up his lifetime, but now he gets to hear it twice. Action 3, establish marine protected areas for the HAPC, the Habitat Areas of Particular Concern for speckled hind and Warsaw; for anglers of the Florida Keys this issue has been the topic of many discussions at meetings and bars, fishing clubs, public comment periods and dockside gatherings. Amendment 17B; the closure of waters from 240 seaward was directed for protection of the Warsaw grouper and speckled hind. It resulted in the complete closure of all the deepwater grouper species within the closure zone. The graphs that are presented in the scoping document, they echo public comment. Less than 5 percent of occurrences of all angler interaction occur in the waters of Florida Keys, less than 5 percent. That is what we were saying the whole time. As a matter of fact, the information that is being provided now was available at the time the council took the economically devastating action that it did when it approved Amendment 17B.

They are the same charts and graphs. Even given that fact, here we are now trying to undo what has already been done. I applaud the council's effort to right the wrong and won't belabor the obvious fact that this action is one that we should have been discussing when we arbitrarily

closed hundreds of thousands of square miles of waters to anglers. I would support looking for specific areas to designate protection as long as it allows for open access to all anglers for species not in the restricted species listed. If there are other species known to aggregate in the HAPC and they are dependent upon the rules of the specific area HAPC, those species should also have the HAPC included as being protected areas for their own management group. When you are looking to scope out areas to close red snapper, if there is already a speckled hind and Warsaw area that there is no interaction with red snapper in, let's include that as already being closed as protection for red snapper. I would also support looking to be more specific in the protection of the areas designated as HAPC.

Action 5; develop a recreational tag program for deepwater species; as mentioned earlier, I am painfully aware of the impact Amendment 17B had on the anglers, both commercial and recreational, of the Florida Keys. I know that the council took appropriate action after the last public comment hearing here in Key Largo when it opened the floor during that meeting to take comment on 17B. That comment led to further discussion at the council later in the year, which then voted to overturn the complete closure listed in Amendment 17B areas. I, like many that fished the deepwater complex, are still waiting for those areas to be opened. I also understand that there are some political concerns that took exception to opening these areas out of concern for the Warsaw and speckled hind issue. We are still waiting for the Secretary of Commerce to open our fishery and are quite surprised to find ourselves in the midst of more discussion over an already voted on and approved South Atlantic Fishery Management Council Action.

Action 5 of this public comment is not as cut and dried as it may seem at face value. There are really two issues in play here. First is the method in which the recreational angler catch data is collected and used. I will not waste time speaking about the failures of MRFSS, nor its replacement MRIP. I would not be in favor of a fish tag or a tag to be used as an individual tag. This would lend itself to being turned into a commodity which could be monopolized or used for personal gain. I do have a suggestion to present, which is one I presented to the AP, and at the end I will present that. Second is the allocation of the stock. You know that the recreational sector exceeded its allocation of golden tilefish in 2010 by 178 percent. In 2011 it exceeded it by 433 percent. The problem is obvious to me. When the recreational sector is only allowed access to 5 percent of the stock and you have overages in the levels being harvested, you have an allocation issue.

I have addressed this at the AP level and have been met with much resistence outside of the recreational sector. I think that it is important to note that the recreational sector will have a larger allocation in the newly designated wreckfish fishery, 5 percent, which has traditionally been closed to the recreational sector than what is allowed for in the snowy grouper fishery. When one sector holds greater than 95 percent of an allocation in the golden tilefish, the allocation of 97 percent, and the other sector is exceeding its allocation granted by the council, it may be time to address the allocations. When you combine a poor reporting system being MRFSS and MRIP, with a low allocation limit it only stands to reason that there will be catches in excess of the allocation. I don't believe they will solve anything, nor would I support an individual fish tag or fish tag program. However, I would like to offer to the council another alternative to consider; establish a deepwater grouper complex permit.

This would serve to narrow down the universe of recreational anglers who participate in the fishery. Make it a vessel permit and tie it to specific vessels, which would give you better data

on where the fishing is actually taking place. Have a for-hire permit to cover the charterboats. It would even provide you with specific data on who was fishing in the complex within the for-hire sector. The system for setting up the permit is already in place. NMFS owns it and you could simply mirror the efforts that are already being done with the HMS system. The cost would be low. The effort is already there. It's already in use; it has already been developed. Anglers that I know wouldn't balk about paying a $20.00 permitting fee to be better represented in the fishery. You could even get more precise data or precise catch data from the recreational anglers if you provide a system to report their catches online. We already have to call and report our swordfish. I personally would have no problem calling in my snowies, especially if it's going to give me better access to that fishery.

In closing, the council must revisit the allocations and come to terms that reflect current real world uses of the resource. Existing allocations have been in place for a long time and do not represent the fishery of the day. It grates the fabric of fairness when anglers in the Keys have the knowledge and ability to harvest their own fish and they can't because it is closed to them. It gets even worse when it is open to commercial boats that are still out there harvesting the same species, and yet I can't even go to the market and buy it because it gets exported out of the area or out of the country. If you have any questions on those points I would be glad to answer them. Okay, if you don't have anything further for me for this moment, I think I covered all the talking points that I had. Thank you for coming, John, it was a pleasure meeting you, sir.

MR. PALMA: My name is Robert Palma. I am a commercial golden crab fisherman. I am here to support Amendment 6. It's all good; it has all been a good experience, hard work fishing the golden crab. On the share catch I would like to see it fair for everybody, meaning everybody should have a fair share at the game and not based on historical landings and whatnot. It should go forward fair for everybody. That's pretty much it; any questions?

MR. HARTIG: Robert, I appreciate it. Where do you fish out of?

MR. PALMA: Marathon.

MR. HARTIG: Marathon, okay, so you are still golden crab fishing out of Marathon. Are you the last one of the survivors of the Keys fishery?

MR. PALMA: Yes.

MR. HARTIG: Your product is sold through local markets or are you shipping it or what is your disposition?

MR. PALMA: Last season we did live – we messed around a little bit on the live situation, previously it has been iced.

MR. HARTIG: I appreciate it. I am glad to see there is at least one person from the Keys still involved in this fishery, because we had a number of people for quite some time. I understand there are a number of other fisheries that have been up on the economical scale especially in the last two years. I know stone crab has been good and lobster has been much better than the last four or five years before that. It is nice to see that you are still fishing the golden crab.

MR. PALMA: Yes, we've been at it for a while. It has just been real hard to try to fish it and figure it out and the bottoms and the mess that people have left there in the past we have had to clean up. It has been a learning experience. Going forward with this I would like to see it even for everybody, fair for everybody, go forward with it as far as catch shares and all that.

MR. HARTIG: I understand what you are saying; you would like to see more equitable distribution.

MR. PALMA: Right.

MS. PORT-MINNER: Thanks for the opportunity to speak. My name is Samantha Port-Minner, and I am here on behalf of Ocean Conservancy to provide comments on the scoping of CE-BA 3. As always, we will be submitting detailed written comments soon, but I wanted to focus on some of the most important issues for us in this amendment, specifically the establishment of marine protected areas across the mid-shelf region and designation of Habitat Areas of Particular Concern for speckled hind and Warsaw grouper. We want to start by saying that whether or not the secretary approves Regulatory Amendment 11, which is the removal of the deepwater closure, we feel it is imperative to remove this issue from CE-BA 3 and move it into a separate amendment, like a framework, to immediately achieve the ABC of zero for speckled hind and Warsaw grouper. This will ensure more effective protections for these vulnerable species and allow for better fishing opportunities with more refined and protected areas.

CE-BA 3 has a large volume of issues in it and we feel it is important to ensure the new speckled hind and Warsaw grouper protections are able to move as quickly through the amendment process as possible. We would like to see that separated out into its own amendment. We also recommend preparation of a full environmental impact statement for these new protections instead of an environmental assessment. We support the development of an EIS rather than a more abbreviated assessment, because it offers the South Atlantic Council an excellent opportunity to take a holistic look at the current management strategy and any other potential scenarios that could protect the snapper grouper species in the South Atlantic and also to ensure that the letter and the intent of Magnuson-Stevens Act are implemented. For major federal actions significantly affecting the quality of the human environment, a detailed EIS must be prepared.

This is really important I think to this region because it not only includes the environmental impacts, but it also looks at any other long-term and short-term tradeoffs for everyone involved so we can really get some good collaborative solutions I think if we go through an EIS. We would like to see in this EIS an evaluation of a full range of protection ranging from large area closures to something as small as spawning and/or seasonal area protection, so the full range of alternatives we would like to see the evaluation of. We also urge the council to include in this document a broad range of options for a total mortality management system and encourage consultation with other regions that have dealt with similar issues. As council is well aware, speckled hind and Warsaw grouper are subject to overfishing and are already highly depleted. Council has discussed and made clear their desire to expediently develop new and effective protection, and we are really grateful for that, but we are concerned that the focus on a landings-only ABC is not consistent with the Magnuson-Stevens Act and would like to see an analysis of total landings and discards.

We would also like to see this run through the peer review science process at the SSC as well as through the EIS. It would be really great if we could get something out of it like SSC recommends an ABC equals zero landings plus X amount of discards just so we have some sort of goal of what we are looking towards instead of just landings only, because I feel that we are leaving a pretty big gap in our reporting there. That is all I have to say; thank you for the opportunity to testify today.

MR. KOURY: I am Samuel Koury. I am a golden crab fisherman and have been for the past approximate eight years. I am just here to show my support for Amendment 6, pretty simply and basically. I have seen some things. Down in the Keys I have worked for multiple boats. Right now I am on the Joyce Lynn II. As far as all the gear, I was on the Lady Leah when we were pulling up the Alaskan gear and things like that, so I thought that was kind of interesting when he commented on that. I didn't even think about going there at that time. It was a serious issue when people were down here doing that. It really caused a bad area right by the box there, and you know, of course, for the habitat and whatnot. I really believe in Amendment 6 for the fishery, for everyone working with the fishery and my family, because obviously golden crab supports my family. That is all I have to say.

MR. SCOTT NICHOLS: Good afternoon, guys. I am here speaking on behalf of the Coastal Conservation Association and particularly about the marine protected areas. I've turned in my speaking points already so they have that for you as well, but just wanted to go over a couple of the issues with marine protected areas. CCA has actively supported the use of time and area closures for a variety of reasons. In recent years we have supported the time and area closures in conjunction with controls on displaced effort to reduce highly migratory species bycatch. We supported area closures to prevent fishermen from targeting spawning aggregations of grouper, but we also oppose unnecessary restrictions which prevent fishermen from taking migratory species with gear that has little if any bycatch of grouper. Marine protected areas are one of the many tools available to fisheries managers. CCA will support MPAs when they are necessary and have been developed in accordance with the full public participation and mandated by law.

CCA will continue to oppose marine protected areas that prevent recreational fishermen from using public fishery resources unless recreational fishermen have contributed significantly to the conservation problem in the proposed areas and other fisheries management tools have proven ineffective. CCA does not oppose marine protected areas. We oppose the arbitrary exclusion of recreational anglers from our nation's renewable fishery resources. We note that recreational fishing is allowed in all national parks, national wildlife refugees, national wilderness areas, and on wild and scenic rivers. CCA does not support the establishment of any MPAs by executive order. We believe that the public process and opportunities for congressional oversight that are contained within the Magnuson-Stevens Act and the Marine Sanctuaries Act represent sound public policy. Since most MPAs are likely to cause displacement of fishing efforts to other areas of the ocean and other times of the year, we believe compliance with the National Environmental Policy Act is essential.

We also support the recommendation of the National Academy of Scientists to involve recreational fishermen in the decision-making process. Proponents have also suggested that marine reserves will help fishermen. There is, however, little if any science that demonstrates that more fish that can be taken from an ecosystem if part of that ecosystem is permanently

closed to fishing. For species that migrate widely, the temporary protection that they might receive while in the reserve will have little if any conservation value. However, the displacement of fishermen caused by the marine protected areas will intensify fishing efforts in open areas and is likely to impose additional costs on both the commercial industry and the recreational fisherman. This increased fishing pressure in the open areas will likely increase and intensify user group conflicts. For this reason reserves will likely require more and not less regulation to be applied to those parts of the ocean that remain open to fishing. CCA supports our citizens' freedom to use our nation's renewable fishery resources, and we provide all reasonable cost-effective efforts to increase the value of those resources to the nation. We remain skeptical that by simply closing off areas to all forms of fishing for all species that there will be corresponding increase in the amount of fish that may be harvested on a sustainable basis. We are concerned that closing areas invariably results in the displacement of fishing effort to the open areas, which could reduce abundance in those areas, increased conflicts among and between fishermen and cast doubt on the entire U.S. Fishery management system and manages people rather than the resource. CCA supports the use of time and area closures to address specific problems in a given fishery, but arbitrary blanket closures to all forms of recreational fishing are unjustified. CCA opposes regulations that prohibit recreational fishing access and recreational freedom to fish unless it can be scientifically determined that the recreational fishermen are the cause of the specific conservation problem and traditional conservation measures are adequate to solve the problem.

MR. HARTIG: I appreciate that, Scott, and this new initiative to protect speckled hind and Warsaw, Regulatory Amendment 11 is trying to get rid of the deepwater closure. Whether that is approved or not is up in the air because there is some concern from some of the environmental groups that we won't have any protection for those two species. This is going to be important, and I hope your group gets involved in this, because we want to hear what you have to say about how to deal with these two species in particular. I don't ever want to get to the point where we have a choke species that is on the endangered species list that prohibits all bottom fishing because of the stock assessment status of that fish.

MR. NICHOLS: Absolutely; we are on the same page there.

MR. GROLLIMUND: My name is Timothy Grollimund. I am speaking today on behalf of myself and another gentleman named Steven Frink. He's got a statement that he wants me to read into the record here. I moved here in 2009 to pursue photography. One of the first places my teacher, who is Steven Frink, took me was Snapper Ledge. It was just a phenomenal experience because it is so unique. It is a small ledge and sort of an open sand area and another little sloping area that had more fish on it than anywhere I have ever seen, grunts, goatfish, trumpet fish, just large aggregations throughout the entire water column on some days. Shortly before that, Steven had taken a class out there and found an injured nurse shark, because they are spear fishing them out there. They went back three days later and the shark was eviscerated and dead on the bottom. That is what prompted the initial petition, which has over 3,000 signatures now to designate Snapper Ledge as a protected area.

I went back through Reef Environmental Foundation or Educational Foundation Data, where they have done about 150 surveys on the site, and I aggregated about 7,000 lines of data into a few charts that show for some species what's happened at Snapper Ledge, and it is clearly not a good thing. I have that here to give to you as well, and I have it on a thumb drive as well so you

can have that PDF file. So far it has been my experience that Snapper Ledge, of all the places – I am a photographer and a columnist here. I write for the local paper, The Reporter. I am in the water a lot, and Snapper Ledge is unlike any other place in the Upper Keys. In addition to Snapper Ledge itself being unique, just off of Snapper Ledge, Ken Nedimyer has an elkhorn nursery and he is cultivating elkhorn coral there. It is doable on the same dive. If you are moored on the ball at Snapper Ledge, if you know the direction, you can get there fairly easily. It's within the designated boundaries of this area that you have in Action Item 4 here.

Okay, I have been out many times with Ken, working on a documentary for him. His work is significant. If you go to the Wellwood Site, you will see firsthand just how significant his effects have been, because that is the oldest site that he has been working, and now we have bushel basket size staghorn that has come from a nubbin the size of your knuckle. Okay, so that's an important resource and an important effort for the Keys. I think as far as I'm concerned that's it for me, from my own personal observation and my own personal take on it. I do have a statement from Mr. Frink that he wanted me to read. He could not be here today he is publishing the magazine today. If it's okay, I will just continue with that.

He says: "To my profound regret, I will be unable to attend as I will be in Wisconsin on a press run for the next issue of Alert Diver Magazine that day. My friend and passionate advocate for Snapper Ledge, Tim Grollimund, will be in attendance to present some relevant and compelling documentation he has been able to coordinate with the cooperation of Reef and others. Because I can't be there, I ask permission that my following words be read into the record for me." His statement reads as follows, "I regret that previously scheduled business keeps me from attending this meeting. However, for my part I remain as committed to my belief in the viability of Snapper Ledge Sanctuary Preservation Area as I was at the beginning of this initiative when a petition in support of the SPA concept was launched, even more so. Actually as other issues such as deteriorating water quality and the lionfish invasion are now stretching our local coral reefs to the point, that those with unique geologic attributes, such as Snapper Ledge, now require greater protection in a more accelerated and immediate timeframe.

"With 3,036 signatures in support of the Snapper Ledge SPA, I am just one voice of many seeking protected status for this reef. With Ken Nedimyer's coral nursery in the same vicinity, we have a good opportunity to restore the fish populations by means of SPA protection, and also get to a functional critical mass in terms of coral concentrations, thereby allowing spawning coral to hopefully repopulate the elkhorn I saw so dominant along this reef back in the early 1980s when I dived it for the very first time. Protection will allow this reef to be an empirical and quantifiable means to gauge the effectiveness and speed of environmental restoration when SPA status is designated and enforced. I am very grateful to the Florida Keys National Marine Sanctuary, the Sanctuary Advisory Council, and the South Atlantic Fishery Management Council for giving the SPA designation due diligence. I am certain that when the unique aspects of this reef structure are understood, particularly in light of the massive concentrations of reef tropicals that traditionally aggregate here and the myriad pressures its popularity inevitably places on this relatively small reef complex, expedited sanctuary preservation area status will be the logical and environmentally correct solution. Thank you for your kind attention to this matter, Steven Frink."

MR. HARTIG: Thanks Tim, now to get my understanding, this has gone through the Sanctuary Advisory Process – is it going through that now or has it been completed and then it is going to be submitted to the council for their concurrence or what state are we in on this?

MR. GROLLIMUND: Back in August we went before the council. It has been ongoing for a couple of years. Shawn Morton could give you all the details and how that process works. I don't understand how you work in concert to accomplish these things. At the last Sanctuary Advisory Council meeting they were fairly excited about having it be considered here in this manner, because it is a huge step forward for us, for protection. Now I understand that there are differences in designation between MPA and SPA and so forth. I think that was Shawn's take was it's going to be in the document. Now the process starts. It may not be ultimately a SPA process at this initiation, but it's a step further than where we were. The feeling was if it becomes a no fishing area, then that is a great step in the right direction; and eventually if it becomes a SPA, then that's where 3,000 people would like to be.

MR. HARTIG: Yes, one other question I have. Do you know if this is a prime spawning area for any of our reef fishes? I mean do muttons come in and aggregate there and spawn or any of the groupers.

MR. GROLLIMUND: I don't know. I think the guy to ask would be Ken Nedimyer. He would be a great resource to ask for that. I mean he knows the reefs here better than anybody I know.

MR. HILL: We're all here for the same reason. Again, my name is Tom Hill. I am the owner of Key Largo Fisheries. I guess I have a different perspective then most of the guys that you've seen today because most of them have been fishermen. Some of them have been mine and some of them I guess you've dealt with or listened to some frustration in their voices and in their presentation. I guess we all deal with that from time to time, but I guess I just want to bring up some of the things that I've said in the past. I guess right now I am just coming from an industry perspective and providing food for non-fishing folks. Looking at our fishing culture that exists and we are in agreement, we want to protect the industry and the environment and the resource. I read a comment made by Dr. Crabtree about a couple weeks ago, and basically his comment was that even though these are good exercises what we really need is the data in order for us to make the proper decisions. I just really encourage you guys to let's be making the decisions based on the data and not just one perspective or another perspective in that.

The couple things I will make comment on is water quality. Again, I feel that a lot of our issues here are dealt with water quality, not overfishing, even though that's a result of, and that with the water quality, if we really took and addressed some of those issues up and down the coast, that we would see increased populations of all species as well as the protection of corals and things like that that can't move. Case in point, while we are still looking at Miami-Dade, Broward and West Palm Beach Counties all having fall outs that dump directly into the ocean and even though that it's "treated", we know just from radio reports where people can't use a particular beach because of contamination, that those treatments aren't always accurate or always done. We are dealing with that. With that in mind in the fishing community, the fish themselves aren't going to repopulate if they are dealing with any form of pollution in that respect.

I know that you have received a letter from Florida Keys Commercial Fishermen concerning the proposed closures concerning the coral, and, of course, I am just in agreement and just want to

make comment on that, that I support the proposed 56 closed areas to protect the coral as they have stated in their presentations with minor adjustments to some of the sizes. Then one other comment that I would like to make and that would be on the CE-BA 3, and listed in that one is the gray triggerfish. Gray triggerfish, because I am dealing with, as far as food fish in a community, this is a fish that in the ethnic market it's absorbed. Many years ago when I was a kid and I was fishing that was always considered just a trash fish, no value at all, but there is value to that fish as food. Because of that, I really encourage either data or the decisions being made on that particular fish based on fact and not just whim, one side or the other, because one of the things I do know about a triggerfish is that he is more a predator than anything else. He is a predator to lobster; and if a triggerfish happens to get in a lobster trap, the lobsters in that trap are dead. They are gone because he will attack and eat and destroy that animal. When they are harvested and they are done responsibly where they are being commercially used, they are being shipped and used in ethnic markets, and most ethnic markets aren't fisher people, so we are going to different island people. That's something I just wanted to bring before the council and let them think about it. Just a comment concerning the hogfish going from 12 inches to 18 inches, that's a big jump in size and it's a third in inch length but more than 30 percent in weight, so that's a rather large jump, and I would hope the council might reconsider that proposal. That's all I have to say.

MR. JOLLEY: What is your biggest headache in the industry for you in the business? I don't mean handling personnel either; that's not what I am after.

MR. HILL: Right now knowing what regulations are and being enforced now, where am I being affected? Can I buy that fish or can I not buy that fish? Who caught it? Where was it caught, and is it legal? You know, it's not legal to by a grouper off the Atlantic but I can buy a Gulf produced grouper. Knowing my fishermen and know where it was caught or knowing the source and then being able to keep the paperwork in that, the biggest problem, just keeping paperwork.

MR. HARTIG: Yes, on the hogfish, from a marketing perspective, the 12 inch works for you now from a marketing perspective?

MR. HILL: I would prefer seeing a larger fish, but the 12 inches as a minimum, yes. I think most of the hogfish that we do see that are harvested are larger than 12 inches. They are not on the 12-inch mark. My concern with raising the size, many of the hogfish are a speared animal; and once they are speared, big or little, they are gone, you haven't got another shot.

MR. WALTER RENTZ: I am a member of the Florida Keys Commercial Fishermen's Association and I would like to support everything we've worked out. Walter Rentz; I've been commercial fishing since 1978. I'd love to save all these rocks but I think there is more to it than just fishing around them with the traps. I think there is more to the loss. Okay, I would like to support this Site 30; I'd like to see it split in two, at least cut through it. I would fully support the no action on the trap marking, being that it's going to cost a lot of money to change it out and just time and paying a crew to do it. I'm sure the rope company will find out a way to tack on some more money to that. It's just going to get outrageous, and besides that it's a lot of work. That's about all I'd like to say. I would like to comment. There is a lot more going on out at these reefs than just fishing around them with these traps. Its unbelievable how many anchors are thrown in it. If I were the cops, I'd be in court every day for multi, multi infractions. It's unbelievable, really, but we can't do anything about the recreational because it's so big. There's

like, what, 15 fishermen here and there is about 200,000 recreationals right here. I just hate taking all the blame. It really hurts me when I've made my living all my life on it. I mean that's what I've done. I'm one of the Mohicans, I guess, because pretty soon I'll probably be taking the arrow. Well, I hope you guys can work it out and everything and I support everything I said. Thank you.

MR. HARTIG: Yes, Walter, we have had a number of comments just like yours that said we should look at the impacts like, say, lobster diving n these areas, anchoring and the whole suite of options. That's something we can certainly do and something maybe the Sanctuary may want to take up in the future.

MR. RENTZ: Well, I hate picking on somebody because a fisherman, he's a pretty lonely guy. I don't want to say he can't do it, because that's just not the way we are. Everybody is entitled, I believe. I hope we can get it worked out without losing our jobs.

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Robert S. Keeley	305 849 7484

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
126 Star Ln, Key West, FL 33040

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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YOUR NAME (PLEASE PRINT): BRUCE POPHAM

TELEPHONE NUMBER (& AREA CODE): 305-743-6311

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 2059 OVERSEAS HWY MARATHON, FL 33050

EMAIL ADDRESS (IF APPLICABLE): BRUCECMARATHONBOAT YARD.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Florida Keys National Marine Sanctuary Advisory Council

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:
(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Lee Hopping	305 942 9177

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
3314 NORTHSIDE DR #104 Key West 33040

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR ~~NAME~~ (PLEASE PRINT): ROB HARRIS

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 2611 GULFVIEW DR KEY WEST, FL 33040

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): SNAPPER/GROUPER AP, KEY WEST FISHING TOURNAMENT

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:
(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
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YOUR NAME (PLEASE PRINT): Tom Hill

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 16741 SW 278 St

EMAIL ADDRESS (IF APPLICABLE): KLF333@AOL.Com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): KEY LARGO Fisheries

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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Brian Whipple

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Howard Rau	954-612-3176

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
1673 NE 36th St. Oakland Park, FL 33334

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Golden Crab fisherman (Gold Coast Lobster Co.)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT): ERNIE Piton

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 606 Portia circle Key Largo Fl 33037

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): FKCFA

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT): Robert Palma

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 1280 Ocean View Ave Marathon Fl 33050

EMAIL ADDRESS (IF APPLICABLE): RobertPalma701@AOL.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Fisherman

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
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Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
DAVID NIELSEN	954-584-1288

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
2430 SW 50th terr Ft. Laud. Fla 33317

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Self

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:
(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
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Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT): GAIL FEDDERN

TELEPHONE NUMBER (& AREA CODE): (305) 852-5459

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 156 DOVE AVE, TAVERNIER, FL 33070

EMAIL ADDRESS (IF APPLICABLE): huntress@terranova.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): self

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:
(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Randy Manchester	954 6329492

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
640 SW 8th Terr Ft Laud Fl. 33315

EMAIL ADDRESS (IF APPLICABLE)
crabsrus61@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- ☐ CE-BA 3
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YOUR NAME (PLEASE PRINT): Scott Nichols

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 1115 Lakeshore Drive #104 Lake Park FL 33403

EMAIL ADDRESS (IF APPLICABLE): snichols@ccaflorida.org

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): CCA Florida Coastal Conservation Association

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Bradford Whipple	508-269-2378

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
4501 SW 44th Ave. Ft. Lauderdale, FL 33314

EMAIL ADDRESS (IF APPLICABLE)
whipnz@hotmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Golden Crab Fisherman (Nelsen Golden Crab)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
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YOUR NAME (PLEASE PRINT): Gary Nichols II

TELEPHONE NUMBER (& AREA CODE): 305 393 1415

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 1416 Venetian Dr. Islamorada Fl. 33036

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Nichols Seafood Suppliers / Marathon C.F.F.

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Leslie Whaylen Clift	305 852 3671

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
90 Henry Morgan Dr Key Largo Fl 33036

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- [X] CE-BA 3
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT)
Jason Peters

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
2605 Sherman St. Hollywood, Florida 33020

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Joyce Lynn II Golden Crab Harvest

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT): Samuel Koury (Kourey)

TELEPHONE NUMBER (& AREA CODE): 954-549-7267

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE): 1401 Lee ST Hollywood Fl 33020

EMAIL ADDRESS (IF APPLICABLE): Goldenseasservices@yahoo.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- ☐ CE-BA 3
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT): CLAIP BRIHALL

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4671 S.W 35 AVE FT. LAUDERDALE, FL 33312

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- [ ] CE-BA 3
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Jason Wells	305-849-0023

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
PO Box 2676 Key West, FL 33045

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
The Stoned Crab restaurant / fish monger

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:
(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Doug Gregory

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 1109 Georgia Key West FL 33040

EMAIL ADDRESS (IF APPLICABLE):

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

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT): TIM GROLLIMUND

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 506 N JADE DR KEY LARGO FL 33037

EMAIL ADDRESS (IF APPLICABLE): TIM@TIMGIMAGES.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT): Jorge Mestre (Metz)

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 2084 SW 20th St. Ft Lauderdale Fl.

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Florida's Finest Seafood

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Samantha Port-Minner	727-369-6613

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
449 Central Ave, Suite 200

EMAIL ADDRESS (IF APPLICABLE)
St. Petersburg FL 33701

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Chris B. Walter	305-942-7039

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
P.O. Box 2637

EMAIL ADDRESS (IF APPLICABLE)
fungei@msn.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
South Atlantic Charter Boat Association

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
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- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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

PUBLIC COMMENT ATTENDANCE RECORD

Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT): Kevin Wadlow

TELEPHONE NUMBER (& AREA CODE):

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

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): FL Keys Keynoter (news)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
KENNETH N SMITH	305 453 3551

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
800 MADRID ROAD KEY LARGO FL 33037

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Audrey J. Smith	305 453 3551

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EMAIL ADDRESS (IF APPLICABLE)
a.j.audrey@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Manuel Rodriguez	786-417-6231

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
5 Golf Stream DR.

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Kate Quigley	843-327-1114

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PO Box 80938, Charleston, SC 29416

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
SAFA

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Dr. George Proenza	305-664-4240

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Dr.Proenza@Gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Fisherman

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Beth Nichols	3056648358

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
146 Venetian Drive Islamorada, FL 33036

EMAIL ADDRESS (IF APPLICABLE)
NSCKBeth@aol.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Nichols Seafood Suppliers Inc.

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT)
Denise Nedimyer

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
212 Silver Palm Ave, Tavernier, FL

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- ☐ CE-BA 3
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Julia Nedimyer	305 852 4955

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

212 Silver Palm Ave.

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

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- ☐ CE-BA 3
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT): LAURI MACLAUGHLIN

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): P.O. Box 1083, Key Largo FL 33037

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): NOAA - FL Keys Nat'l Marine Sanctuary

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
GERALD M'GINLEY	305-371-3835

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
2903 SALZEDO ST CORAL GABLES FL 33134

EMAIL ADDRESS (IF APPLICABLE)
JERRY@ADMIRALOIL.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
CCA

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT): Alex Laurel

TELEPHONE NUMBER (& AREA CODE): 786-417-6231

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 10829 SW 240 Lane

EMAIL ADDRESS (IF APPLICABLE): Alexlaurel@Hotmail.Com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:
(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☒ Spiny Lobster Amend 11 (NO)
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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

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Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Carlos Jimenez	(305) 393-4031

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
101 High St Tavernier, FL 33070

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Losmanjim@Yahoo.Com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
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YOUR NAME (PLEASE PRINT) | TELEPHONE NUMBER (& AREA CODE)

ANDY HERNDON

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

263 13TH AVE SOUTH, ST PETE FL 33701

EMAIL ADDRESS (IF APPLICABLE)

Andrew.Herndon@noaa.gov

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

NOAA/NMFS - PROTECTED RESOURCES

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Steve Blair	305 383 8001

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
13875 SW 80th ST Miami, FL 33183

EMAIL ADDRESS (IF APPLICABLE)
S-pblair@bellsouth.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Self / Coral AP (SAFMC)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:
(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT): SAMUEL BEYLARD

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 157 Tequesta st Tavernier Fl 33070

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Capt. Shannon Attales	305-522-5587

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

101600 Overseas Hwy #C67 Key Largo FL 33037

EMAIL ADDRESS (IF APPLICABLE)

shapatta@hotmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Islamorada charter boat association

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Capt Alex Adler	305-522-1984

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
137 Plantation BLVD Islamorada Fla

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Ar A Charter Co

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Key Largo, FL	January 30, 2012

YOUR NAME (PLEASE PRINT): Walter Rek

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 3 Ransgluama Ave

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
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- ☐ SG Amend 18B (golden tilfish)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
COCOA BEACH, FLORIDA
HILTON COCOA BEACH

PUBLIC HEARING

JANUARY 31, 2012

MR. FISH: My name is Andy Fish, and I am the owner/operator of the commercial vessel The Point Blank. I have been a commercial fisherman since 1984. Along with several other permits, I have held grouper snapper permits since 1991, and I report all catches and harvest methods via the logbook reporting forms. I dive approximately four to five hundred times per year in depths from 50 to 165 feet of water. My current fishery schedule involves hook-and-line king fishing, amberjack fishing, electric and hand and bandit fishing, lobster diving, and spearfishing with a powerhead. Every day of fishing I pick the fishery that I think will yield me the best recipe for success based on sea conditions, underwater visibility, fish trends and fish prices. I feel fortunate to do this. I try to maximize my time, fuel and risk while on the ocean. For me, a typical fall day starts with king fishing for a limit of only 50 fish. If I can accomplish this task before the sun sets, I will attempt a couple dives for grouper, amberjack, lobster, or flounder in an average of 90 feet of water.

Other days my average fishing time is 25 minutes per dive up to four times a day. My preferred gear choice for bigger fish like grouper and amberjack is speargun with the powerhead. With my limited time under water, I choose my target. I have zero bycatch, I have zero catch and release, zero traumatized fish, and I have zero undersized fish. During this time I have risk of shark attack, decompression sickness, nitrogen narcosis, working in reduced visibility, confined spaces and being run over by the increasing number of surface boat traffic. My dive partners and I have become quite efficient. Many fishermen say spearfishing is an unfair advantage to the spear fisherman. But tempting fish with lives baits where there is limited baits isn't exactly fair to the fish either. At least my targets are swimming and instinctively wary. I consider myself an above average spear fisherman, and I've had some incredible but rare days of spearfishing grouper and amberjack, but those days and stories pale in comparison to the stories of my hook-and-line commercial buddies.

Harvesting by spearfishing with a powerhead is done by a very small percentage of fishermen compared to the industry. With my 25 years of offshore commercial fishing experience, it is my opinion that this move to ban spearfishing with powerheads is solely due to the fact that sport fishermen try and compare themselves to a commercial fisherman and that is just ridiculous to me. These anti-powerhead activists are merely sport fishermen trying to increase their catches by removing one of my proven and accepted catch methods. This pathetic act of pointing fingers is repeated over and over every time a sport fisherman happens to see any commercial fishermen unload. The fact is that spearfishing with a powerhead is the most selective, safe, efficient and humane method of harvest known, period. If anyone is allowed to harvest a fish, if we want to eat fish and if we want to sell fish, a spear fisherman has the smallest impact on our ocean's reefs.

I don't use five-hook rigs, I don't use 35 miles of longline with 600 hooks, seine nets or trawls. I don't drag my anchor up and down our precious reefs. I shoot my fish one at a time. That is one shot, one capture, one place in bag, one reload, readjust, swim around and try again. If I am willing to push my limits as a fisherman and do more than others would dare, I am justly awarded. If this method is so easy and it's such an advantage, then wouldn't more fishermen be doing it? Thank you for listening.

MR. CARDIN: Robert Cardin, Ft. Pierce commercial fisherman. Since Scott was talking about the dive and the powerhead, and this issue has come up plenty of times before in the past, it is pretty cool how it came up this time in an ecosystem-type amendment, so we assume we are addressing being too selective and killing the bigger fish. I myself fish and dive. Periodically I measure every fish. Nice calm days I do a lot of measuring and recordkeeping. My hook-and-line fish are on the average larger fish. To say spearfishing kills big fish is not correct, in my area at least. I am getting old. I kind of like killing the fish when I shoot it. I kind of like not having to run down the reef trying to find it. I kind of like not having to jump in four or five tanks trying to get a wounded fish. There is really a safety at-sea issue here with the national standards that not allowing me to powerhead will make my job more dangerous. I think the council needs to really consider this national standard.

What got me to doing a lot of the diving was the bycatch issue. I used to go out, anchor up on a spot, bottom fish and I would jump in to catch lobsters; they didn't bite the hook that well. I really saw a lot of fish that I had broke off; fish that I yanked the gill rake out of and the sinker was caught in the rock. I was scared of sharks when I was a kid. The sharks used to chase my Dad out of the water. As time went by I went more and more to spearing fish, and then I worked with the powerhead. I was killing the fish and I had a lot less shark problem. There, once again, I believe the powerhead helps reduce my bycatch. The problem we've got these days with all these size limits and living in the populated area that I do, there are a lot smaller fish. When I hook-and-line fish, bycatch release mortality is rally an issue. I go to bed at night and I sleep pretty good, because I think I am doing my part by diving and by powerheading. I feel like I am utilizing what I kill. It is not floating in the ocean dead. It is on someone's plate, and someone is eating it.

I understand the problem in North Carolina. A couple of Florida boats went up. Years ago the bandit boats went up there; people in Carolina were upset about that. Now we hear about powerheaders or spear fishermen up there. Well, us divers have been going up there for years, 20 years or something, and now maybe some of the Carolina boys are just getting out far enough to see us, but it is not really that big of an issue. It was blown out of proportion. I saw a lot of the internet stuff. People were calling all the way to Hawaii and California and everywhere, asking people to call the North Carolina Division of Marine Fisheries. As an AP member, many people asked me about it and I went and kind of looked into it. The boats in question actually sent me their trip tickets. If you looked at their landings, it wasn't 50 boxes of powerheaded groupers. They had more hook-and-line fish than they had powerheaded fish. They had more speared fish than they had powerheaded fish.

What started this whole drive about the powerheads in North Carolina, it was just misconceived. When you really look at the facts, it is not what it was portrayed to be. I spoke with a lot of people at that time that, six or eight months ago, had one opinion because they were told one story; and when they look at the true facts, now it is not an issue and they wished they wouldn't

have called the Division of Marine Fisheries in North Carolina. You will maybe hear that through other people's testimonies. That is all on the powerheading. That's it, thank you.

MR. ANDERSON: My name is Brock Anderson. I own Bottom Dollar Charter Fishing out of Port Canaveral, Florida. I would like to speak to the Action 2; the prohibiting powerheads. We have been down this road before. Back in January of 1993 there were many public scoping hearings done on powerheads on this coast, as far as the South Atlantic goes, and I would refer the council to review the findings that they made from those public scoping. I am not going to repeat them all because they are lengthy. But generally the overall gist of it is that powerheads are an efficient, very manageable process of producing seafood, fish. It is the idea that for some reason that they are detrimental to the reproductive capabilities of any long-lived species, they are no more responsible for that than any hook-and-line process that catches the very same fish that are targeted by powerheaders. The differences in powerheading, I will mention, they take only the targeted species. There are no bycatch. Size limits are observed before fish are taken. There are no traumatized catch-and-release fish. We talk about this all the time in the red snapper area these days. There is no ghost fishing tackle left on reefs and wrecks. There is a very small, easily documented user group.

Back in 1993 less than 3 percent of landed snapper grouper product was taken by powerheaders. There are natural limits on this user group, also, water visibility, depth of water, limits in bottom time, and the inherent dangers of scuba diving in general. It would seem that this process now has been brought around by people in the Carolinas area, North Carolina/South Carolina. If they wish to have a no powerhead situation there, their fishermen should become involved, but they shouldn't try to push this down on the entire South Atlantic area. That area has the majority of the quota for grouper because of the spawning times given to us down here. The four-month closure is during the period of time when grouper are available to us, and, of course, that's closed, allowing that the majority of the quota be taken during the good weather times available to the Carolinas. Just in closing, commercial powerheading has proven itself to be a viable type of fishing that produces a superior quality product. Permit holders that use powerheads should be allowed to continue subject to the same rules and regulations imposed on the rest of the commercial snapper grouper fishery. Thank you very much.

MR. HARTIG: Thank you, Brock. I am sorry we've got to go down this road again. You and I have had differences of opinion, but there were a number of people in that last public hearing process from Florida that wanted to see it done again. Frankly, I don't think it would have been approved just as a North Carolina option. We will go down this road, we will rehash the old arguments and then we will see how everything falls. I understand all your arguments, and many of them are very good. You guys have been very persuasive in the past in convincing the council not to ban them. We will see what happens this time.

MR. ENGLERT: Ben, council members, my name is Chad Englert; owner/operator of the fishing vessel Die Trying. I can't help but notice as I look through this packet for Amendment 18B that the number one action that the council would like to take is limit participation in the golden tilefish portion of the snapper grouper fishery. Currently I longline golden tilefish. I am no historical captain by any means. I have been involved in the fishery since 2010. I would like to make a couple comments on how the council could reduce effort; because if I am not misunderstood, that is what you are after, reducing effort in basically catching a very small quota. Well, as economics have it there is only one boat that will make the most money and that

is a sole proprietor, owner/operator with very little hands in the till. I know I am going to hurt a lot of feelings by saying this, but at this point this is my last-ditch effort to save my way of a livelihood. On my vessel I own my boat, own my permit, and operate the boat. I have one deckhand; and if you look at the numbers that I yield in a year versus a corporate boat where there is an owner of the boat – possibly a second owner that might own the permits – then you have a captain, and then you have two, possibly three deckhands, who is making any money, killing, killing, killing fish when nobody is getting ahead? It's preposterous to me, but if you limit the participation, which you want to do by an owner/operator program where permit holder must be aboard and own the permit, the boat, this fishing year could go on for months and months beyond what it has been in the past three to five years. A long story short, I think economically viable it would be in the council's best interest, if that is truly what you are after is limiting participation and making the fishing season last, which I believe it is, cut the corporate boats out of it. That's all I have to say.

MR. HARTIG: Chad, let me ask you a question. We got the letters from you and your wife through the council, and then did you get the e-mail that I sent you asking for what kind of qualifiers?

MR. ENGLERT: I did.

MR. HARTIG: Did you follow up on that?

MR. ENGLERT: Yes, I did.

MR. HARTIG: Okay, I haven't seen that yet.

MR. ENGLERT: I sent you a letter and I have it on my phone. I will gladly e-mail it to you again tonight. Now, personally I cannot – like I said, I am a new entry into the fishery. I have invested, to be quite frank with you, $49,000 between a permit, gear, the whole nine yards to go catch these fish. I have one deckhand that has fished with me since I owned my boat in '04. He doesn't fish with me year round, but he fishes with me tilefishing. Between what I have invested and making this gentleman a living and myself, I have only been involved in the fishery personally on my own boat and my own permit, 2010 was my first year; and then now this year – or I'm sorry, 2011 and 2012, the current fishing year. I fished on a boat in 2010 as a deckhand. I have a hard time swallowing the fact that my historical catch, which is no historical catch by any means, but what I have landed between 2011 and 2012 is more than these corporate boats are landing in one season.

The yield that I am bringing home and putting in my bank account for my family, my boat payment, my mortgage is quadruple what anybody on any of those corporate boats is making. There are too many hands in the pot on a corporate boat. I just have a hard time seeing how a 282,000 pound quota can be divided up between one corporate boat that has five hands in the pot; when there is one boat, as myself, that has an owner/operator taking a captain's share and one helper. My helper takes home more than the captain of a corporate boat does all season. That is just the facts of it. If it's truly the council's position to limit participation, and I am assuming by you saying limit participation, is to extend the season?

MR. HARTIG: Yes, that is certainly part of it, yes.

MR. ENGLERT: Okay, I haven't seen any numbers yet this year, but I guarantee we are on track for shorter than last year. I know what I've caught; and if I've caught what I've caught, I know what these other boats are catching. There is just a little bit I know about it, and the people I've talked to, there is, I am going to say, at least two new boats in the fishery that are corporate boats, and I know what those people are making and the gear they are leaving out there, and the fish they are killing that never comes to market; it is mind boggling. My gear is on my boat when I hit the dock every time. I never leave a piece out there, and every fish that hits my boat goes on the market. Now, if that's not a sustainable fishery where the most profit is made by the owner and operator, I don't know what is. I'm sick and tired of these people that have never caught a golden tilefish in their life and don't depend on it saying that I should be pushed out when myself, my boat, my crewman, my wife, and my mortgage depend on it. That is all I have to say.

MR. HARTIG: I appreciate it. I know it is an emotional thing to deal with being pushed out of a fishery and the council will take your comments into consideration. You have been good about sending us two letters, and I would like to see that other e-mail that may get you into the qualifier on what you think we need to do so stay tuned. With a bigger quota, the council may consider adding some new vessels, so that is what we will do in the March meeting.

MR. CLAY TOWNSEND: Thank you for listening to me. Like Tom, I am also not a true fisherman, but I am in the restaurant business. I am owner of Dixie Crossroads Seafood Restaurant. I think everybody in the room wants good policy for the health of the seas, but in listening to some of the presentation over there, listening to some of the concerns, even when you go on the websites to get the information, you are not aware of current studies being done and reporting being done. There was a lot of hoopla before on the snapper ban about good science and bad science, and that's being reevaluated, but the problem is people will not be able to survive if we don't make decisions on very good science. Now, this should be able to be worked out with the technology we have today, that we don't have to impact these people's lives. All these shrimp boats have transponders on them. You can tell how fast they are going by the transponder.

You are talking about closing off an area where a boat won't be able to go across the area. Again, you would be able to, with technology, by the speed of the boat tell if he was dragging, which he's not going to drag across coral because it is going to destroy his nets. There is no incentive for him to do that. But, number two, if you know the speed you know if he is in violation of it; but number two, if you do end up making this decision, at least leave a pathway through there a mile wide or so that they can cross over so these boats can operate efficiently, that they don't have to go all the way around St. Augustine and back down to unload or put people out of business who are in the business of receiving product to get it to the markets. I do not understand how the council can look at areas that have been shrimped for 40 to 50 years for rock shrimp, for royal reds, that obviously don't have coral or they wouldn't be dragging their nets in that area, and close these grounds to these people with their livelihood.

Rock shrimp is very important to my business; it is a big part of my business. I employ a hundred people in a town that has been devastated, and it would be devastating to us for people not to be very practical here. I don't think they understand what's really going on. This coral, to my understanding at the meeting next door, doesn't even grow outside of 300 feet of water, and

they are talking about shutting waters off that are much deeper than that, and the coral doesn't even grow there. Again, as I was saying, the shrimper has no incentive to drag across coral and lose his nets. That's the last thing that he wants. He wants that habitat, those shrimp to grow up inside the coral and to come out and shrimp on the outside of it, and it is not hurting us environmentally-wise in any way that I can see. Thank you for listening.

MR. HARTIG: I appreciate that and thank you for your comments from another perspective. It's not always easy to get people involved in this process other than fishermen, so when we have people from hotels and restaurants who talk about the economic consequences of our action, it is very important. I would encourage you to have others in the community, when they can, to come and address us.

MR. TOWNSEND: Well, I think there was a bad decision on the way the snapper ban was handled and I didn't get involved then, but I cannot sit here and keep watching this happen to our state, to our country, and to my business.

MS. BAIR: My name is Darcia Bair, and I work at a local seafood restaurant that sells wild ocean shrimp. We take a lot of pride in the fact that our shrimp is not farm raised. It is not from faraway place, it is actually caught here locally. I think that we should protect the reef, but I think that we should be able to shrimp where we've shrimped for years. I think that the proximity of how far they want to protect it is going to the extreme. The restaurant that I work at, the shrimp is a huge factor to people coming to my restaurant. I think that we need to reconsider the shrimping along the reef, or the so-called suspected reef. I think that it is important for our restaurant to have local shrimp and not shrimp from faraway places that are fed things that nobody knows. I think that it is important for this area to allow local shrimp. That is all I have to say.

MR. HARTIG: Well, Darcia, again, thanks for that perspective. We don't always get that perspective from people who outside of fishing come in and talk to us, but it is a very welcome one and thank you for coming.

MR. HEIL: My name is David Heil. I represent the Florida Saltwater Anglers, Incorporated. I am here to speak first on the Comprehensive Ecosystem. On the issues are in regards to expanding the reefs or the Habitat Areas of Particular Concern, we agree with most of the changes; however, they should not affect the recreational. Recreational has minimal impact on the environment out there. While most of these are geared more towards the commercial, the longliners and the shrimpers, it is something that we do believe that would be good for the environment, because there has been a lot of scouring in the inshore places where there is some shrimping, and that should end. It also would be consistent with the rebuilding efforts of the snapper grouper complex in regards to not taking out the juveniles and also the forage for the fish. As far as the powerheads, we agree with that. The prohibiting the powerheads, as I think we had a previous discussion here in regards to the use of those and taking the bigger fish; this we feel will end up in an age truncation issues predominantly because of taking the bigger fish out of the system, which would cause the council to take other action and close fishing unnecessarily.

In regards to the marine protected areas for the mid-shelf and designating more HAPCs for speckled hind and Warsaw grouper, we are against that. There are other management regulations

in regards to the working of those that would be more predominant and better in regards to just closing down areas of the sea. That would be the worst thing you would want to do is do more marine protected areas. As far as another MPA on the Snapper Ledge, we also disagree as we disagree with all marine protected areas. There are better ways to management than just closing down areas of the ocean. In regards to the recreational tag program for deepwater species, we wholly agree with that. Many of our people are also currently involved with the Florida Snapper Tagging Programs, and also most of us are also with the – not quite related – but with Don Hammond's efforts, also. There has been a lot of help for Don Hammond from this area in the last couple years.

As far as increasing the minimum size for hogfish, we agree with that. However, we do disagree with the changing it into dropping the recreational bag limit. Also, for gray tigerfish, we agree with that but once again disagree with changing it to a five person per day. We feel it should be just kept within the 20-fish bag limit. As far as the African pompano, that is something that should be placed in the appropriate management unit. Moving on to the snapper, David Heil here on behalf of the Florida Saltwater Anglers, Incorporated; on the two actions that are before the board, one is to limit the lobster fishing in certain areas, we disagree with that. There are too many areas involved in that and it closes way too much of the bottom down. There are better ways to protect the coral from that. We also agree with the requirement of gear markings for the spiny lobster traps.

Moving on to Amendment 18B with the golden tilefish, my name is David Heil, I am here on behalf of the Florida Saltwater Anglers, Incorporated. Basically just two issues that we have a position on; first is overall that there should not be any further regulations in regards to changes within the golden tile fishery until such time as the recreational anglers are getting a fair share. We are currently still limited to 3 percent of the golden tilefish; and we have actually had a closure this year in it because I think our limit is about 1,528 fish per year for everybody from North Carolina to the Keys. This is a fishery that should be a given – the recreational anglers should be given enough to where they can fish for these fish on a reasonable basis. Also, the bag limits need to be raised on golden tilefish to allow us to be able to actually go out there and target those fish. To go out there with the limits we have right now is just no way we can actually target those fish. As far as the transferability of the golden tile endorsements, we are against any transferrable quotas or endorsements, and those should be brought and sold back through the government and not individually transferred. Thank you.

MR. FISH: My name is Gerry Fish. I am from Cocoa Beach. I have been in the fishing tackle and the diving gear business for 40 years. I am a little bit alarmed that we're rehashing something that has been settled several times. If you are going to harvest fish spearfishing, powerheading is the most environmental way to do it. It doesn't pull a large chain with nets consuming everything in the water and several inches into the sand. We pay a high price for shrimp and scallops. It may be the most wasteful thing on earth. It doesn't pull up on a wreck with 50 people on board fishing with triple strength number four treble hooks so they can catch a triggerfish, the only allowable fish left. I can't imagine the number of snapper and grouper that are wasted in this process. This same fishing process is repeated by thousands of sport fishermen on the Florida coast. Your rules have done almost as much damage as the shrimpers and the scallopers. I think it is important to understand what a powerhead does versus a regular spear tip. Both of them provide a death sentence on the fish. The powerhead makes a bigger hole and generally kills the fish on impact. A spear tip only has the power of the speargun, and sometimes

the spear tip pulls out and the fish leaves and dies later; so eliminating powerheads will not reduce the number of fish killed. It will only reduce the number that is brought home. That's about it.

MR. PAGE: My name is Jeff Page. I'm the President of the Central Florida Offshore Anglers. I am here representing the club, and this year about 125 family memberships equals out to somewhere around 350 individuals. We are pretty much in line with Dave Heil's statements from earlier. What I would like to say is, Ben, if you were here and people with your commitment and listening skills were involved, there may be more people at these meetings. You may have to have them in a meeting room that is a little bit bigger than this, because people would still be involved. My past history, I came to this meeting, and I think I am speaking for the club and why you don't see members from the club. They felt like we were wasting our time. Tonight I feel like you are listening. If you are going to hold these meetings, please bring people with you like yourself that are going to listen and engage and make that move forward. As I said, I am in line with Dave Heil's statements from earlier, and that's all I've got.

MR. HARTIG: Well, thank you, Jeff. Frankly, the council always listens. They've had handcuffs on trying to do some of the management. That's why, in our last series, the last time we came to this area and to Jacksonville, I was appalled at the low number of turnout we had compared to the past two hearings, but I understand it. I understand the frustrations and not being able to have an impact on the way management was being conducted. I would say all of us on the council level have the same frustrations of not being able to deal with suggestions that you have in the face of what we had to do based on the law. But having said that, I've taken it upon myself to try and rebuild part of this process by engaging people, listening to them, trying to answer their questions to try and get them back into this fold. Because we will get to a point, and we are, that we will be able to release some of these fish back to your members and to the recreational fishery and red snapper especially for this area. It's been tough. It's been real hard. We've lost a lot of public buy-in that we had once created. Hopefully in the next couple of years you will see some changes that you will luck for a change with red snapper. I am pretty confident that the next assessment, based on some of the inputs that we are seeing now, will allow us to reopen that fishery in some fashion. Hopefully we can do that next year. But thanks for your comments.

MR. PAGE: No problem. I mean, we are a small club in Orlando. We used to have 250, 225 members. We are down a hundred members, and it's because they can't fish offshore. There is no interest for them. We took away snapper, we took away sea bass and you know as good as anybody what we've taken away here. If it is affecting a small club like that that is located in Orlando, what's it doing to the industry and to the local economy? Thanks for listening.

LT. TOWNSEND: My Name is Lt. Jeffrey Townsend. I'm with the United States Army. As you can tell by the title, I have very little to do with fishing. I'm a ground pounder. I don't even really like to swim very much. Growing up here in Florida, I grew up in Ormond Beach and spent a lot of time in Titusville, never working with fishermen but working a lot of restaurants in the area here. I couldn't wait to get out of Florida. Once I got out of Florida, it took me about three years in the army until I realized I can't wait to get back to Florida. I brought so many family and friends around; and when I first heard about this, I started thinking one of the things my friends that aren't from Florida appreciate the most is quality seafood. While that may seem

small, it really does persuade people, especially those from the north that don't have access to this sort of thing as a means to come down.

When you talk about the cruise ships that we have here, it becomes almost like an extra incentive for a family decides, hey, we'd like to come down, we'd like to spend a few days, eat some quality Florida seafood, take a cruise, and come back. This is whether you are talking Ft. Lauderdale or Cape Canaveral. One of the things I am concerned with, not only as someone who is looking to return to Florida, but as someone who loves bringing tourists around is I don't want to see anyone push that tourism away or push that celebration of Florida's wildlife away, especially not hurting those restaurants. Like we talked about those socio-economic reasonings, as someone in the army I don't want to see us lose any sort of true American business; especially to foreigners overseas. It is strange when you are overseas – and I just returned from Iraq last month – the things that you appreciate about America. You don't have restaurants like you have here in Iraq, I can tell you that. You don't have people with the freedom to open their own businesses; and the ripples that that causes if you push that away, that is not going to affect us just here in small restaurants. That is going to affect the rest of the state of Florida. I don't want to see that happen. I just urge the council to take that into consideration and to make sure that every T is crossed and every I is dotted when they are looking at the precautions they can take in their considerations.

MR. HARTIG: Jeff, I appreciate that. Thank you for your testimony and thank you for your service to our country. I very much appreciate that.

MR. BUSSE: First of all, this is in regards to 18B; tilefish. James D. Busse, Seafood Atlantic President, dealer, Port Canaveral. I would like to commend Dr. Peter Barile who was hired by the East Coast Fishing Section to work in cooperation with the South Atlantic Council and the Science and Statistical Committee to come up with raw data. Thanks to the help of Joe Klostermann and other fishermen in cooperation with Dr. Peter Barile, who compiled and brought together data that was already out there. It was on the table, but for some reason there was a table cloth over it. It was data that had existed through the years. I was almost going to complement the South Atlantic Fisheries Management Council and NOAA, but almost is as far as I'll go, okay. This information that was compiled – and I am ignorant of its total package, but I know what it did is it forced South Atlantic Council and the Science and Statistical Committee to actually work with us, industry, to realize that this information that was not necessarily hidden, but not necessarily brought forth, is what gave us from 300,000 pound quota of tile to 668,000 pounds of tile to catch.

But you must realize that the 668 turns into 596 because of the equation of gutted weight, so don't everyone get excited and to get their calculator out with 668. Anyway, I am here to talk about Amendment 18B. This added quota that we are going to get this year, we are all in a perfect derby fishery because we were forced into it. It's got nothing to do with the stocks or any of that. It's got to do with mismanagement; management that pushes us in a situation like all other fisheries that we're experiencing down here in the southeast and the rest of the country. It's corralled us into a little corner and the only way we can react to it right now is with a small 300,000 pound quota and the boats that are fishing it is go catch it. But, something happened two weeks ago. We started catching more and more since the season opened in January. We had a discussion between all fishermen and all fish houses; we do that occasionally. We shut down

fisheries not because of proper management but because of cooperation amongst the fishermen and the fish houses, so we all talked.

We all got on the phones, all the dealers, or most of the dealers talked and cooperated, and most of the dealers talked to their fishermen. I am not going to mention any names or areas, but we almost had it on the table that we were going to do one trip per week, 4,000 pounds per boat of all the boats that are tilefishing. If we had accomplished that cooperation, the two months tile fishery would have turned into – perhaps we could have gotten through Lent. That's industry inter-management. Now, this extra hundred and some or whatever how many thousand it is that will be and should be available in the year 2012, which is this year, I am asking you to be sure that you put all the effort that you possibly can into getting this extra allotment of fish, this extra biological catch that we are going to be allowed to harvest; get that in July 1; at least. Okay, I might have the date wrong. Perhaps industry, through the cooperation of industry, would like a different date. I haven't seen any dates set by you guys. Talking with industry you can probably come up with the right date, because we can all get on the phone because there is only a handful. We've done it.

Anyway, we almost achieved inter-management without council or without NOAA, and we can do it. We get this extra allotment here, then we really need to pay attention to a longer season, and we all need to come up with a solution. It's so amicable, it's a no brainer. That is what we are going to do, because I know you're not going to do it, so we have to do it internally. Thanks to the efforts of all involved that got us more tilefish to catch and thanks to your effort that is going to get this extra allotment open in 2012 and probably July. I think as a fishery that has been somehow taken off of the overfished classification to not overfished with the help of people aforementioned, I think we can make this tile fishery work without catch shares. Now the endorsement approach to this, it looks like a wonderful thing and I approve it, its working. I'm impressed. I am impressed that it didn't move into catch shares. I'm impressed by the participants and the stakeholders that did not allow it to go into catch shares, because for a while everyone was running scared. That's about it; that's all I've got to say.

To summarize what I just said, and ask you a question, what do we do now with this extra allowable biological catch and how can we participate with management that needs to include marketability and getting the fishermen who are involved? There are a selective few, they all have names now. It's not a fishery with a whole bunch of permits. How do we all get together on the same page and open and close this thing with our X amount of fish to catch per year in a way where it is going to benefit the fishermen, benefit the fish houses, benefit the general public to have access to this product; which is a gorgeous product, for the whole stretch of the season without having to shut down prematurely where everyone suffers? My question to you is what can you do to help us achieve that goal?

MR. HARTIG: Number one, I would hope that you could do it without our intervention. I mean anytime you can do something without the government doing it, that's a good thing. You've been able to do it with king mackerel. It is an evolving process with king mackerel and you're doing good this week. You have kept everybody pretty much from fishing this past week and I guess you are going to stretch it, what, to –

MR. BUSSE: The sixth of February.

MR. HARTIG: The sixth of February. That's the model I am looking at, what you guys have accomplished already, and I am very impressed that you have been able to do that. Now I know the details of why the tilefish didn't work. I know the one dealer that opted out. Hopefully we can convince that dealer to get in with the program and convince him that keeping the government out is a good thing in this process. We can come in and we can help you extend the season based on what you want to do, but I would much rather see industry do it without government intervention. That would be my preference. But if that doesn't work, we are here to help you extend your season whichever manner you want to do it. You can look at your quota. You could have a two season if you wanted to. It's big enough now; you could split the seasons. If you want to do that, we can extend it. You could make your trip limit lower in certain areas. I know once you get out of north of this area, it makes it more difficult to go to a differential trip limit. Most of the guys in the southern area are working one-day trips; and then as you move north, they're more two days. Those kinds of things we can consider, but certainly I'm up for working with industry in whatever they want to do with this fishery. What you can do by yourselves, I would encourage you to do that.

MR. BUSSE: Two things that should happen is one person on council, involved in the council, should be appointed to call collectively all of the participants, the stakeholders, and the dealers who deal in tilefish and get everyone's collective thoughts and put that in a form where it is presented to council. The second thing is the South Atlantic Fisheries Management Council should have – it has advisory panels for everything else – it should have an Economic and Marketing Advisory Panel that should be present for every council decision as far as taking fish away or adding fish back to. There should also be an economic – not a study done by government, but an Economic Advisory Panel put together where we are going to tell you don't close it this month because of this reason. We are going to be able to catch the same amount of fish, but to catch them at the right time, because we are catching less and less of them, is very important to the commercial fishing industry because we are fishing for dollars, okay? That's what we're doing. If we catch them at the wrong time, we don't get the dollars. Those are my requests and the recommendations.

MR. HARTIG: That last one is a good idea; I'll bring that up and see what we get out of it.

MR. BUSSE: You buy the gas and I'll drive the bus.

MR. KLOSTERMANN: Joe Klostermann, commercial tile fisherman. I would like to ask a question about Table S-3 on the Tilefish Amendment D. In the recent years, from particularly '02 to '05 in the handline section of it, there are large percentages there that I've never seen before and I've been on the AP Committee for the original tilefish.

MR. HARTIG: I know what he's looking at. Yes, I've seen it. It was new to me, too. It was new to me and all the numbers I've looked at for tilefish, and I've looked at a lot of them. I mean, those were different then what I've seen before. I'll have to ask staff where those numbers came from. Joe, I'll address that now while you're talking about it. We have a problem in dealing with the Science Center in getting numbers that stay the same over time. They are continually updating these numbers and changing them. Even from document to document sometimes the numbers will change based on what comes out of the Science Center. Eventually I hope we get to a system where we get concrete numbers much more quickly than we have now. It creates problems. It depends where you draw your numbers from.

If you get them from the assessment, there are some numbers. If you get them from the ALS NMFS site, there are other numbers. When I went back to look at the longline and hook-and-line contribution over time, the NMFS numbers had it separated out at about right. I mean they had the dates right. From the papers I read and from your information I got from you and from talking to other people, too. they had the numbers right about when the longline fishery started. Then I read some documents from South Carolina documenting their longline fishery and it was about the same time. The numbers in the assessment are actually wrong based on that, just in that part of it. We'll go back and find out why those percentages; and if they are not right we'll correct them.

MR. KLOSTERMANN: Yes, this council will be looking at this for making their recommendations on the amendments and I just wanted to find out where that information came from because I hadn't seen anything like that. I would like to say that I do support the endorsements.

MR. McCOY: My name is Joshua McCoy. I work out here at Port Canaveral at my family's fish market, Cape Canaveral Shrimp Company. I manage a commercial fishing vessel, Top Tuna; it's the last one my Grandfather built. Right now as we speak my boat is out there fishing offshore, fishing for tilefish right now to bring it into our markets and my aunt's restaurant – you heard from her earlier – Dixie Crossroads. I would like to see that when you are all at the next meeting that you use the most latest control date to allow some of the newer participants in that have been currently fishing for the past three years. Like my vessel that just got into the tile fishery the past three years, but we've caught quite a few pounds. We average about 25, 30,000 to 35,000 a year. I hate saying that my boat catches that much for just a two-month period, but the way marine fisheries and this council, I mean there is too much managing of the fishermen going on in a lot of fisheries and not managing of the fish, not managing of the fisheries.

We need to start managing that better, because in anybody in their right sense, 4,000 pounds in and out, in and out, in and out until the quota is caught by February, and you are at two dollar a pound on your large golden tilefish; I've seen kingfish prices higher than that. It is crazy; it is not a proper way to manage a fishery. I spoke with my aunt and she mentioned the same thing. I spoke with a couple people. I think for the first fish week on and week off, the first and third week out of the month, fish, or the second and fourth week out of the month, fish. It would be a lot safer on your captains and crews, your vessel. There wouldn't be this derby fishing. The boat went up on the beach off Vero, fell asleep. You would have time to do maintenance on your boat. The market wouldn't be flooded; everybody would get a higher price. The season would extend longer and it would allow like my aunt's restaurant and other retail markets and many other people we supply here in the state of Florida with fish more than two months out of the year to have it.

Hopefully with the increase in quota and you do measures to manage the fish properly, maybe you could look at getting six to eight-month season instead of a month and a half or two months, or whatever this year is going to be, I hate to see. I am glad to hear that we might get that back opened up in the summertime. That would be a plus. I'm losing my train of thought here; what else was I going to speak on? Oh, and the trawlers, they don't drag around coral unless they just feel like mending – doing net work all day long. With the modern technology we have now, there should be no reason why they can't cross – if they do another closed area, which I don't

want to see, but they should be able to cross because modern technology – air traffic controllers monitor airplanes all the time and they've got tons of airplanes to monitor. They monitor how fast they're going. That is the same thing with trawlers. You've got your dragging speed and your steaming speed. If you can't tell the difference, then you shouldn't be there doing that position. You should go find you another job. Its pretty cut and dried on that. You want to keep trying to get red snapper opened back up too, Ben. I guess that's it for me there. I appreciate it, Ben. Thank you for your time. I know it's getting pretty late here and you have listened to a lot of people, but we do appreciate you coming down here and listening to everybody.

MR. HARTIG: No problem; I'll be here as long as it takes.

MS. THOMPSON: It's nice to be here. We appreciate the opportunity to talk. I am going to address the CE-BA 3 Amendment first. My name is Laurilee Thompson. I am a co-owner of Dixie Crossroads Seafood Restaurant in Titusville, Florida. I also sit on the Brevard County Tourist and Development Council. We agree that the coral habitat needs to be protected. In fact, my family has been involved in protection of the Oculina Coral from day one. My father was instrumental in leading the rock shrimpers to agree to set aside the original Oculina Bank Experimental Closed Area many, many years ago. When the expansion of the Oculina Bank HAPC was proposed, we supported that. We came down, we participated in the public meetings, and we support protecting the coral habitat. We understand that it is a nursery area for rock shrimp as well as an important area for spawning snappers and groupers. As the council moves forward with the considerations of expanding the Oculina HAPC, we would ask that consideration be given to preserving the historic areas where we have been shrimping for 45 years now, since the late 1960s. That is inshore of 220 feet and offshore of 100 meters. It is kind of hard to decipher on the small map that I got off the website. It is more clear on the bigger maps that Roger has.

It appears that the proposed protection area does encroach on historic areas where the fishermen have been working, like I said, for 45 years now. There does appear to be a gulley of some type kind of in the middle on the southern end. I think we would be okay with trading that off and letting that be inside the protected area as long as the offshore and inshore boundaries of the new proposed HAPC don't eliminate historic areas where we've been fishing, so we would be fine with that. That would be inshore of 220 feet and offshore of 100 meters. That would pretty much take care of it. Years ago when the Oculina Bank HAPC was proposed, there was large areas offshore of 100 meters that were included in that HAPC where there are no coral. We would like to see those areas opened up to where we can fish offshore of 100 meters as long as there is no coral there. We believe that there is no coral there and we would like to see those areas reopened up for fishing.

As far as the restriction that boats cannot cross the Oculina HAPC with rock shrimp on board, this is going to create – the expansion to the north of the Oculina HAPC is going to create a serious hardship on the boats that are fishing offshore or they want to cross from the inshore side to the offshore side of the new proposed Oculina HAPC. All of the rock shrimp boats have transmitters. They have vessel monitoring systems on board. They spend a great deal of money buying the transponders and they spend a lot of money paying a monthly fee to the government to have those transponders and have NOAA track the whereabouts of their vessels. The technology exists to determine a vessel's speed by the VMS. To me it seems unnecessary to even have the requirement that boats cannot cross a HAPC with rock shrimp on board since the

federal government, NOAA, has the ability to use the satellite tracking and the speed of the boat to determine whether a boat is fishing or whether a boat is running.

It seems kind of unfair to have this requirement that the boats can't cross a HAPC with rock shrimp on board when you have the technology available to be able to tell whether a boat is fishing or whether it's running. I would like to see that requirement go away, the requirement that boats not cross a HAPC with rock shrimp on board, and that we take advantage of this wonderful technology that exists and that we pay for with our tax dollars as well as with our monthly fees on the boats, that we use that technology and allow boats that are traveling at speeds greater than a trawlable speed to cross the HAPC with rock shrimp on board. If that requirement isn't lifted, then boats that are fishing offshore of the new proposed HAPC will have to go all the way up to St. Augustine or else south of Ft. Pierce in order to come west. They will have to go north or south to go around the HAPC. That would severely impact the fishery at Cape Canaveral – at Port Canaveral because a boat that is fishing off of Cape Canaveral that runs all the way up to St. Augustine, to be able to come west and go around the HAPC is not going to run south again to unload at Cape Canaveral. They are going to take their shrimp into Mayport. We would lose – selfishly, for my restaurant we would lose the ability to be able to control the quality of our product, which we are very proud of. We are very proud that we know exactly what we are selling to our customers, and we would lose that, because the boats are going to go into Mayport. They are not going to run all the way back down again.

Regarding the Stetson-Miami Trace Coral HAPC expansion; again, we just put aside 24 or 26,000 square miles of ocean bottom in the Stetson-Miami Terrace Coral HAPC to protect coral. It seems kind of excessive to ask for another 650 square miles of bottom. We don't have a problem with that except that the proposed expansion covers the northern area where our royal red shrimp boats work. We would ask that as the council deliberates the expansion of the Stetson-Miami Terrace Coral HAPC, that they would set aside the historic area where the royal red shrimp boats have been fishing – we don't fish in coral, we can't fish in coral – and that they would consider leaving the area where the royal red shrimp boats out of the HAPC. If that means that they need to bring it down here, that's okay, but give us our fishing area where we have been fishing, again since the late 1960s.

Then regarding what Dr. Sarah just said, I am a hundred percent in agreement with her. I spend a lot of time going around and speaking to different organizations, anybody that will listen to me, about what it was like when I was growing up in the 1950s and the 1960s, and what our lagoon was like back then. It's really hard for a lot of the people that have moved to Florida to even imagine what the lagoon was like before all the growth and development happened and all the runoffs started occurring. But to me it kind of seems like council, you guys are doing a good job of trying to manage fishery resources; and it's all good, but if we can't do something about the nursery areas, our inshore estuaries that are so critical to everything, really, our quality of life, our economy, to tourism as well as the offshore fisheries, we're really not going anywhere. I agree, I would like to see council step in and get engaged with, however you need to do it, but get engaged with cleaning up our estuaries and getting them restored, too. We can restore fish stocks offshore, but if we don't address where they come from in the inshore estuaries, we will never be able to rebuild things the way that they could be if we would work on the estuaries, too. I appreciate this opportunity to comment. Thank you.

MR. HARTIG: Thank you, Laurilee. I will tell you last week I was in Washington where all the council vice-chairs and chairs and executive directors met, all the councils met with the NOAA heads, and there is a new Habitat Initiative you will be happy to hear. NOAA is renewing their habitat push again. Well, this council embraced that Essential Fish Habitat Mandate; it must have been about a dozen years ago, and now we are actually starting – maybe we'll see some teeth come out of this that will be able to deal with some impacts other than fishing, which I was so disappointed in the first go-round with habitat. Hopefully we will be able to try and do something more with habitat than we have in the past. At least NOAA is putting their cards on the table and saying that is where they are going to find out.

MS. THOMPSON: That's great, they need to. I wanted to say something about the tilefish Amendment 18B, also. It's been a hardship since we have lost snapper totally, red snapper, and we've lost our grouper, and I don't disagree that there needs to be spawning closures on snapper and grouper when they are spawning and we need to protect those fish when they're spawning, but it's made a hardship at my restaurant as far as trying to get a really good fresh fish for my guests. We really depend on tilefish from January until the groupers open up again in April, and we need those tilefish because there is no cobia here then. We like the tilefish; it works out good, but they are filling the quota on tilefish so quickly. What happens is we don't have any tilefish during the busiest time in the season and during Lent. We have no decent, really good, local fresh fish to offer to our guest during the busiest time of tourist season and during the time of Lent.

I understand that my nephew asked you to consider extending the length of time that the tilefish can be caught by fishing a week and then closing for a week and fishing for a week and closing for a week. That doesn't seem like such a bad idea to me, because it would help ease some of the derby fishing that's going on now, and people could work on their boats and actually rest a little bit instead of feeling compelled to go right back out and try and catch as many fish as he can while the quota is being filled. That would also extend the amount of time that we have fresh fish, fresh local ocean fish to offer our guests in our restaurants; because we don't like serving imported fish. We need a supply of fresh local fish and the tilefish work magnificently. Thank you.

MR. HARTIG: One other thing I will address in your shrimp comments. The council is dedicated to sitting down with the Shrimp AP and looking at this coral information and maybe coming up with shrimping avenues that we put in stone like they did with golden crab. The golden crabbers worked with the scientists and with the council, and they have golden crab zones that they are actually allowed to fish in. Maybe we need to do that with shrimp, too, but we will entertain all options at the AP and we will get into this in detail.

MR. PHELAN: My name is Mike Phelan. I am from Stuart, Florida, and I am not representing any organization. I am here to talk about the Comprehensive Ecosystem-Based Amendment, CE-BA 3. I just listened to the overview and have looked over the document. I first want to preface my remarks by saying that the word comprehensive is a really great idea. I think looking at long-term goals planning from a comprehensive point of view is very desirable, has great merit. However, I was impressed negatively by the examples I saw, and it looked like a grab bag of ideas from well-meaning people. Maybe the science wasn't so strong at this point but maybe it will be, but it just looked to me to be very weak to go under the word "comprehensive". What I would like to do very briefly is just try to propose an outline of guiding principles that perhaps

may be adopted for ideas, whether they're the current ones or somebody else is going to have a new proposal in the future to be folded in under this, whether it is coming out of that, and that would be something like this.

If it is going to be comprehensive, it should address broad issues. I think the South Atlantic Fisheries Management Group should articulate in very broad, general terms what it is looking for and proposals should try to as best fit these ideas. It could be some sort of regulation; does it promote aggregation and spawning of a stock that is of interest to the South Atlantic; does it somehow address critical habitat issues? It's not only important to protect the fish that we are interested in promoting or increasing, but maybe its food source, the dwelling habitat that it needs to have in order to sustain itself, and take into consideration whatever site fidelity issues might be associated with that fish. Does it roam a lot or does it stay in an area? What do we need to look at? A third general guiding principle I think that should be included in that would be essential biologic issues. Is there a genetic stock that we want to protect because it is such a narrow basis; in other words, do we need more breeding? Are there genetic issues that need to be addressed? That could be a driving force for a comprehensive plan. There might be migratory pathways associated with certain fish at certain times of the year. If there is already an endangered species designation for the fish, well, then we should do everything possible to complement that decision that has already been made. I think there are some synergistic issues that could also be used as a guiding principle, and that is basically what is the state of Florida and the federal government doing? I think that this pairing needs to be looked at throughout the region, North Carolina, South Carolina, Georgia and Florida.

We need to understand where is it that FWC, in the case of Florida, is trying to go with regards with its fishing concerns. That could be a rationale for being comprehensive. Lastly, I think that all the ideas put forward are reactive, and we are fixing this and the black sea bass is going to hell over here, and the tilefish fell out because we fixed the grouper. I think what we need to do is war gang the whole situation; that we need to really take a very broad long-term look about if we do this, then this is likely to happen, then we need to have a major war game about how can we best address the comprehensive needs of fishermen, both commercial and recreational as well as other people that have concerns, perhaps maybe the diver eco-tourism business as well. That probably doesn't pertain as much to the South Atlantic because it's all deep water, but it may in certain places along the coast. Those are my general comments. I am a supporter of a comprehensive approach, but I would like to maybe see a little bit more structure to the general principles, and then let, whether it's the states, individuals, fishing organizations propose ideas under that and they can use that to try to become truly comprehensive as opposed to just sort of reactive. That's my comments.

MR. HARTIG: I appreciate that, Mike, and you're absolutely right. To me we are using this Comprehensive Ecosystem Amendment as a catchall for things that kind of don't quite fit in other places. I mean, it is scoping. Anything you all have any additions; this is the time to hear it. Any suggestions you have on regulations pertaining to species that are on slate at this time, this is the time to give them in the ecosystem setting. But you are right; I appreciate those comments and see if we can't do that. But as an aside, how is your Goliath grouper work going? Didn't you do that?

MR. PHELAN: Yes, I'm the guy that publishes the annual reports. The counts are up this year, and you can see that both sighting frequency as well as densities at the monitoring sites, one of

which is in federal waters that may interest you; two are in the state. These are off of Jupiter. But the most interesting finding this year was that in doing the size class, total length, four foot, five foot, six foot, seven foot fish, the four foot dropped by 50 percent, and it is my interpretation that the coldwater freezes that occurred in 2010 wiped out the juvenile population in the shallow water lagoons. Now, as those fish age 5 and 6 migrate out onto the reef, they are missing. That is showing up in the numbers this year.

MR. ALMEIDA: Nuno Almeida. I now currently own two active permits in the northern zone for golden crab. I am here today mostly because of the reason when these permits were acquired, they went to the Virginia/North Carolina Border. The northern zone went from the 28 line north all the way to the Virginia Border. It was all taken away from us and they now let us fish pretty much the 29 line. We would like to try and get some of those grounds back. At the time when they did this, we were the only ones there, but now we have another outfit fishing as well and which we've been communicating with each other of where our gear was set, but yet we are still tangling with each other. It's become dangerous. We have guys getting hurt. We have gear being lost, tangled, and chopped up, what have you. Pretty much we are losing a lot of investment in this gear. With that being said, we would like to have a little more ground. We are not asking for it all back, to go all the way back to the original boundaries to Virginia, but at least some of it back to kind of let us have room to grapple our gear and to set it and not be entangled with each other anymore, and hopefully everybody being able to make a living.

MR. HARTIG: Were you able to go to the AP meeting yesterday?

MR. ALMEIDA: Yes sir. Actually two days ago I was in the meeting.

MR. HARTIG: That's right, two days ago. This is news to us and we need to look at this. We need to deal with this if that is happening, because we put all these zones in to get rid of those problems; and if you're still having the problems, then we need to deal with it.

MR. ALMEIDA: I started there in I believe '06, full motion in '07. I was the only one, so I had nothing to worry about. As of last year we had a lot of issues to deal with, with the coral sites, and we've had boxes that we've had to stay out of. With that being said, this fishery, you are either on them or you're not. If you go a little too deep, you are not on them. If you are a little too shallow, you are likely to not have anything as well. We are all pretty much fishing that exact same depth and these trawls being that long, if you're not setting on your fellow fisherman, you will end up landing on them by the time your end line gets to the bottom.

MR. HARTIG: Are you fishing 50 traps in a trawl?

MR. ALMEIDA: Sixty maybe 70 at times; sixty traps and I would say about 150 part, some of them, 300. Everything is grappled.

MR. HARTIG: Thank you, I appreciate that and we will see if we can't do something. It would also help if you would follow up and write just a short letter talking about the gear complex that you had to the council. If you follow up on these things, they tend to get handled better than just a one-time shot. If you do that, just follow up, write a short one-paragraph letter about the problems that you're having, then that will help too. Thank you.

MR. ALMEIDA: Absolutely. I would like to add I would like to be a member on the panel. Is that something I could do through e-mail, maybe get an application, or do you have any type of paperwork that I could probably fill out today?

MR. HARTIG: What panel are you talking about?

MR. ALMEIDA: The Golden Crab.

MR. HARTIG: Advisory Panel?

MR. ALMEIDA: Yes.

MR. HARTIG: Yes, I don't know why you couldn't be on that. Talk to Andrea Grabman; she's right there out front at the table. Ask her for an application and see if we can't get you on there. You certainly need to be.

MS. GILLESPIE: Pam Gillespie with Congressman, Bill Posey, the 15th District of Florida. On behalf of the thousands of commercial and recreational fishermen in my district and across the state, I voice my strong opposition to further proposed limits to the golden tilefish and broad area closures and gear markings for the commercial spiny lobster fishery and a catch share program for the harvest of golden crab unless they are requested, developed, modified or agreed to by the fishing industry working in conjunction with the South Atlantic Fishery Management Council. These measures will impact both commercial and recreational fishermen who fish in federal waters between 3 and 200 miles offshore, ranging from North Carolina to the Florida Keys. It is critical that we work together to create the right kind of balance for golden tilefish, for spiny lobster fisheries and golden crab. The current process often fails to consider the unintended consequences resulting in a disastrous impact on many individuals and businesses such as those commercial and recreational fishermen who may be put out of business.

The South Atlantic Fishery Management Council needs to take into account the social-economic impact of regulations on fishermen and fishing communities as stipulated in the Magnuson-Stevens Act. This provision of the law has been all but ignored in recent federal rulemaking processes. Florida, one of the states hardest hit by the current economic downturn, depends heavily on the fishing and tourism industries to provide employment for our residents and to generate tax dollars for the state. In fact, in Florida alone the saltwater fishing industry contributes more than $5 billion a year of economic output, resulting in nearly $380 million in federal tax revenues per year.

Last year's oil spill in the Gulf negatively impacted the lives of those of Florida who depend on the ocean for their livelihood. Further needless limitations on those same Florida fishermen will further harm our economy. We must continue to secure accurate information on the health and status of these federal-managed species. The council and the National Marine Fisheries Service need to move toward cooperative management by working with the fishing industry to conduct economic impact assessments for the communities affected by further proposed restrictions. Putting fishermen in the unemployment line based on faulty or incomplete science is just simply wrong. These fisheries directly employ several thousands of specialized workers, with many locally based jobs and businesses that depend on these important fishing industries.

Many in our community are struggling to keep their doors open, and it is important that any decisions that adversely affect jobs are made based on sound reasons and the best science. It is important to conserve fish species for the future, but we can and must do it in such a way that also preserves the fishing industry and economic livelihood of many thousands of Floridians. A better line of communication between federal officials at NOAA and the communities, who are suffering, is critical in solving this problem. There has been a lack of attention on the part of the federal government to ensure that they are using solid science, which is a major point of contention. Also, there seems to be a real disconnect, and I don't think federal officials truly understand how devastating their decisions have been to local fishermen, to their family and the economy in general. Hopefully we can work together to reach agreements that satisfy everyone's concerns, but as of right now the current state of management is unacceptable. I ask that the council listen to the views and input from the affected communities and individuals, take those into consideration and work with them to implement wiser policies. Thank you.

MR. HARTIG: Thanks, Pam, and tell Congressman Posey, again, his grasp of the problems is very informed, and I appreciate that from us. Those are some really good comments. The co-management thing is really interesting because we are actually doing that with the golden crab and it would be nice to be able to do that with some of our other fisheries also.

MS. GILLESPIE: Yes, the congressman would like to see us expand that and really listening to those fishermen that are out there and to the recreational fisherman as well. Those are the livelihoods of the charters and they want to stay in business, but they also want to make sure that the fish population stays in effect, that it stays healthy. We do think there are ways that we could get there, and what was in the statement the congressman believes is the best way to get there. Thank you.

MR. BARKER: Pat Barker. I am a recreational fisherman, but I support the Southeastern Fisheries Association and the East Coast Fishing Section. A couple of issues I just wanted to comment on. One was on the expansion of the coral habitat area. I really feel it is not necessary. With all of the historic information, years of data, logs, VMS information, et cetera, I think it's showing that the shrimping areas that have been worked for many years historically do not have much coral in there at all, because otherwise the shrimpers wouldn't have been working in there. I think it is kind of an insult to the industry to make an unrealistic proposal about crossing this area when I have seen the live NOAA computer charts on the VMS action in the Gulf, where it is real time. It shows every single vessel from the Mexican-Texas Border all the way to Key West. Every boat has got two colors. One is based on steaming, one is based on trawling.

This was stuff that the NOAA field investigators used three or four years ago. It clearly shows the color delineation between the speeds of the vessels. For them to kind of not deal with that issue and bring this to scoping and bring it up, I think is kind of an insult or a lack of knowledge of the capabilities within their own departments. I think that there should be more consideration to the historic areas and how shrimpers work to refute other types of comments and/or limited information that there is some coral. On the MPAs, marine protected area, I think quite honestly it's a theory. It is not tested. There is no historical proof that this works; and as we've seen in California, they've already granted an exemption to the MPA for the largest commercial fishing operation in the state of California, which is the Monterey Bay Aquarium.

They produce more revenue on their fishing aquarium than any other type of operation out there, and I think is a money machine that should be classified as commercial fishing since I do not think they contribute anything significantly to the scientific community of the interactions of commercial species. Moving African pompano and some of these smaller species into federal management is going to require ACLs, assessments, et cetera, when the whole issue we have is a lack of proper assessments. When we see the actions of NOAA trying to fund catch share initiatives with $60 million and a good portion of that money came from the Cooperative Research Assessment Programs, it seems very simplistic that the fish are not being assessed properly or counted.

That is why we are going through what we are going through, and I sure wish that the councils would have more input or available years, if you would, in Washington, within the department to get assessments done and drive it. We keep talking about managing all the people and the fisherman when in fact they are not even managing the fish. By definition, to be managing it has to do with a count. When we see such data-poor assessments and nothing being done for two years on major, significant species, it even goes beyond professional negligence. I mean that is willful intent. I think that it is such a misguided initiative for all of us to go through all these meetings, come together, talking about all these different species and whatnot when we don't even have the proper data that typically comes from you all on the council talking about; well, we don't have proper assessment data, it has been determined to be flawed and this is what we have to go by and yet the head of NOAA, which determines all the council members, isn't funding proper assessments. It really is beginning to look to all of us that this is by design.

This is a plan, and we are not in it; we are not part of the plan. We really feel these have become glorified handholding sessions to make us feel better that somebody might be listening, but then when we hear the actions of the council are limited by information you do and do not have, it seems a moot point. When the count isn't being recognized by either side of these arguments as being accurate, that is where it all starts. Ultimately that gets back to I think the change in NOAA by managing people and trying to get into the management of the fishermen instead of letting more market and demand drive what they are doing rather than manage the species and the numbers of what's going to be allowed to fish. There also is absolutely no input on commercial quotas or species management based on market abilities. You know, we had an issue with the Spanish mackerel, no assessment. There was a drop in the '08, '09 that drove a drop in the allocations now; no correlation to the markets.

When we talked to the SSC members about that, they didn't even counter the fishing effort versus catch. Their conclusion was that the lower fish caught for that year means there is less fish. A bunch of fishermen had jumped up here in Canaveral and said, no, we switched to kingfish that year because the Spanish market prices were so low. We've seen Texas manage part of their shrimp fishery based on economics alone, to where the fish went from a small size to a large size, increased the value tremendously, but they don't start until June 1. Fishermen jumping between different species for different markets are based on the price and the economic profile of the fishermen. I think that if the fishermen are searching for ways in which to get a better return for their fish on the limited numbers they can catch, there needs to be some economic component into the management calendar that deals with that properly.

This should fall under the socio-economic portion of MSA. This isn't considered in any of the fisheries. That's the reason why there are commercial fishermen. I think that there needs to be a

little bit more work done in Washington with the NOAA Department as to how they are going to go about all this. We welcome the opportunity for NOAA to be moved to the Department of the Interior. We think that we need to be involved as an industry alongside other industries that deal with natural resources, because it's a world of difference between how the Interior deals with that and how Commerce does. Thank you.

MR. PRESTON: My name is Robert Preston. I have been a Florida fisherman for 36 years, fulltime. I currently have two vessels; one I use for shark fishing and the other one for bottom longlining. I have been a tile fisherman now since 1976. For decades I made a living fulltime, year round, doing tilefish. Of course, we'll be lucky this year if we get six weeks of fishing. New boats have come into the fishery in just the last two years and the amount of fish hitting the market has affected the price, and, of course, the quota is going to be full very soon. If you cut a pie too small, nobody gets a piece, not worth any more than a taste. Definitely I am for the endorsement. As far as the gag grouper goes, one of the problems with the gag grouper is they are being eaten before they have a chance to grow. Gag groupers start their life out in shallow water. Reefs that used to abound with gag grouper now have one or two Jewfish living on them. Last month I anchored up in the Dry Tortugas. I was in 7 feet of water; I had 9 Goliath grouper, none of them under 300 pounds, below my boat.

Divers have told me that reefs that were very prolific now have one Jewfish or two Jewfish living on them. I don't endorse a commercial fishery for Goliath grouper. I think there should be a tagging program strictly for the sports fishermen, but they've upset the balance of nature. Now as far as the coral, all the shrimp boats have VMS. It is obvious that they are avoiding the coral areas. You can't drag over coral with a net; you will destroy your net. The only thing I have to say though is I have seen the rock shrimpers working in 600 feet of water, and that is tilefish grounds. I've seen them go through the snowy and the yellowedge grouper grounds and completely scatter the fish. The fish come in there during the summertime to spawn and it only takes one boat to upset that. I would like to see Oculina left the way it is, but there needs to be some kind of limitation on the depth. You don't want a shrimp boat, a rock shrimp boat working on the tilefish grounds. They totally destroy their habitat. That's just about it.

MR. HUDSON: Rusty Hudson with Directed Sustainable Fisheries, as well as representing the East Coast Fisheries Section of the Southeastern Fisheries Association today. I would like to start with Amendment 18B. Having gotten to see the latest numbers and seeing the conversion and all that type of stuff, having discussed this with a lot of the golden tile fishermen in fish houses, they believe that they would like to see the entire quota increase implemented this summer. Though next year instead of having like a split season, it seems like the consensus was that with the four months spawning season closure for grouper they would just as soon have all the golden tile available in the first four months of the year for the longline. With the bandit fisheries, they also recognize that this is virtually a doubling of the quota. I know that you had mentioned the step-down from back in '92 through '96 or '95, but that step-down was about a third of a million each time until they got down to the million.

Then as we all know, that at the point where it was a million pounds, at a certain point they failed to catch but about a quarter million or so as an average. Since the Oculina Bank original closure as an experiment, the expansion of the Oculina Bank that I opposed getting out into that mud flats from the north end, but they did it, anyway, that probably contributed, as you and I both believe, to a lot of migration of the Sanctuary into some of the areas that they are allowed to fish.

The idea is that being able to fish for the golden tile, we were trying to develop endorsements thinking in terms of the old quota. Now that we have a new quota there is a potential that we could possibly include a couple more boats if they are truly active. I think that is a part of the reality check that we need to go through here. Putting people out of business, as you and I both know, is not a good idea. The idea with regards to the split of the commercial gear types, that has a lot of efficacy for certain areas, particularly south of 27 degrees latitude off Ft. Pierce, because of the prohibition of all bottom longline down that way.

At the same time, you and I were discussing some of the gear type as far as the bandit reels and the electric reels, and stuff like that that the commercial guys normally have to use in those depths. Just like I heard Bob Preston over there talking, there were some areas like right off Cape Canaveral where that northern end of the expanded area is for the Oculina Bank, that we could catch golden tile in as shallow as 450 foot, and that we really didn't have to go out further than 650. It was great for yellowedge, and it was great for some snowies in places as well as the golden tile. Again, they expanded out into the muddy area, and I don't know if that was to make the law enforcement happy or whatever, but with this latest reach in the scoping on CE-BA 3, for instance, there is a potential of – I see that they've got it back inshore away from the 600-foot mark, but being that they got it all in meters, it would be nice to see their stuff in feet in the document so that we can relate to it a little easier as fishermen.

When we are at the meeting in March, let's just see how many people we can keep fishing, based on this latest assessment; I mean, it is not overfished, overfishing is not occurring, and based on the overfishing limit, we have got a lot of margin between that overfishing limit and what we are going to be setting as an acceptable biological catch, as an ABC. We both know that the recreational component overran their allocation bag limit last year, like a triple, quadruple magnitude or something, so there is going to have to be some solution there. Now one of them I saw was the idea with CE-BA 3, I think, of developing a tag system for the recreational to be able to buy into fishing. Like you said, it does get into a gray area when people are using gear that has been normally considered commercial style gear. It is kind of a fine line as to what kind of hat you're wearing except that you are not selling the product, hopefully.

As far as bandit fishing, you and I both know I have a history of bandit fishing since the early seventies; and before I morphed into the bottom longline, I depended on that, but then later I had both bottom longline and bandits. As I said, I feel that at the point when longlines close there are some folks that might want to be able to bandit fish; and if they've got that kind of history, then it would be something else to think about as far as keeping them working. Just like listening to these previous three commenters, they had some great comments. It's telling it like it is here in the countryside, and it's just not good for that to continue on of us putting fishing communities in desperate straits now. I will be submitting a comprehensive written comment before the 15th of February on both Amendment 18B and as well as CE-BA 3, which is in the scoping phase. Also, since I've been riding along today and stuff, it is definitely that this bangstick thing is a problem for a lot of the folks in Florida with regards to being closed out of that business.

The North Carolina guys I believe were the ones that were trying to reach for that; let's just keep it up there. South Carolina did their bangstick thing a while back. If you have to do some other kind of way of recognizing the universe of bangsticks, then do that, too, to be able to identify them. But ultimately, again, as these people have been saying, they like that type of gear to use to catch their fish, to be able to bring it to market. They believe they have a superior product. I

imagine in most cases they are sort of like a dayboat situation. I'd have to dig into the details a bit more as we get into the written comment to present it to you. When dealing with the Oculina Bank HAPC expansion, I have a real problem with some of how that went down, and you and I both already know why. I also believe that when law enforcement gives advice that they want these massive buffers on each side of the stuff, I think that they need to be careful.

I have also personally rock shrimped, and I know that I was able to rock shrimp both inshore of the Big Ledge back on into quite shallower waters in the range of things back in the eighties. Then we would also rock shrimp on the offshore side of the Big Ledge. Now getting over into the areas where what some people call the Pinnacles, what I call the Steeples, you can't shrimp on that bottom. You will lose your gear. You will destroy your gear, and in a similar way some problems like bottom longline, it would get messed up in the Big Ledge. It would get messed up in some of those steeples. We've actually had the bottom longline, except for shark, outside of 300 foot for a while now. But that's going to push a lot of them guys either further to the north or further out to wherever this eastern boundary will be on Oculina Bank expansion.

The Stetson-Miami Terrace HAPC, I've also seen some negative feelings going on with regards to that Coral HAPC, and the expansion of it and lack of identification to the general stakeholders as to where, specifically, these certain mounds of lophelia are or where it is specifically for the Oculina, and that's something that I think that we are going to need to see to be able to make some intelligent decisions. With the MPAs and stuff on the speckled hind and Warsaw grouper, you and I both know that I provided some significant input on speckled hind, and I believe that there are some ways that some of that can be worked out that it will actually benefit the people back inshore, because those animals do come inshore quite a ways. It just depends on the time of the year and stuff like that. Having seen this recent NGO comment on all this Regulatory Amendment 11 that we worked real hard to be able to get people back to fishing and the outside of the 240 foot, it is becoming a problem with trying to protect everything except the fishermen and the fishing community. You need to give some thought to that.

The recreational tag program for the deepwater species, I believe that is probably going to have some usefulness. As to future expansions of their percentages, I don't know how you would do it when it just wasn't a traditional fishery for them. It is more of a new fishery for a lot of them. I have actually personally fished them off of Cape Canaveral area since 1972, and my grandfather back into the fifties. There are a lot of things that can come from the commercial fishermen and have come from the commercial fishermen. We've trained a lot of the recreational by showing them where the bottom is, showing them the technique, and even building inlets and stuff and making it so that it was safer for them to go through. People died at Ponce Inlet until we finished that inlet in '72 as far as putting the jetties there. It made a big difference. Of course, here at Cape Canaveral there wasn't even an inlet here until 1952 when it was built artificially, so a lot of things that we need to do to be able to help people.

Now with the gray triggerfish, some people were a little uneasy about increasing the size, but they said maybe it will be a benefit. There is apparently a fair amount of 12-inch triggerfish that are seen. I guess as long as there is not a huge post-release mortality to it, it will probably help get a lot more of the 14 inch. Putting the African pompano in a jack category, it's a very rare event. Even though my cousin owned the world record for a while, I would say that it sounds appropriate to me. Data reporting, when we are dealing with the electronic reporting, and this year we are supposed to be fully in compliance I guess from the dealer point of view, I really

believe that we can monitor the quotas very well, and so that's important. I don't know, I heard some people next door talking about how do we transit the Oculina Bank? Even if you make it a narrow area where the hard bottom really does exist and keep their shrimping lanes opened inshore and offshore, you have to have transit.

You have to have the ability to deal with all that. There are ideas out there, but right now as has been mentioned they all have VMS, and there is a way to be able to monitor that; because you don't really have a lot of live enforcement out there all the time. It might not be the suitable weather, the Coast Guard cutter might be in a whole different part of the ocean for some other reason, so that just leaves you airplanes, and satellites, and the VMS. In short, that is most of my oral comment today. As I said, the guys want to frontload the quota. They don't want to do a stepping, because when they did the step-down it was a third of a million at a time. Now we are talking about a 300,000 pound increase, maximum. Even if you go and you take the 2015 ABC, that was the lowest one, and that one converted into 584,821 pounds. That is a nice 302,000 pound increase from the current 282,000, but then again we still have that enigma with the recreational and their 1,500 golden tile and overrunning it by, whatever, four or five thousand fish or more. But, anyway, hopefully the debate and then particularly the dialogue will be a positive one when we get into Savannah. I think the public hearing is Thursday, on March the eighth. I believe it is in the afternoon or evening, around 5 o'clock, 5:30, so that will be an important thing. I'll encourage as many people to get there from either ones concerned about in particular the 18B, since it is the one that can be implemented the fastest. As a question to you, is the ability to put that quota and have a second opening in July or something, do you believe the framework process could actually get that done?

MR. HARTIG: It may not – yes, I do, but they are already working on a framework. Roy saw the increases and said we've got to get this back to the fishermen this year, so he's committed to trying to do that, and that's all good. We'll have a framework actually ready for the council meeting in March.

MR. HUDSON: Which gets me to one other thought; with the idea of reinventing the bandit fishery and having a standalone allocation, I mentioned this also about the rollover, because there is a good potentiality there may not be enough bandits there with whatever allocation is settled upon, and I would like to see at least 50 percent of that rolled over for their future use. I don't know how you do it, but again we also – as examining the paperwork, you were talking about seeing the roe already in the golden tile down your way, whereas in the paperwork it talks about April being the big month, and it talks about the spawning going on through September. There is a lot of iffyness there, because I know the recreational component is predominantly a spring and summertime kind of fishery, and our commercial guys are mostly a wintertime fishery. They have to experience a lot of rough weather out there at times in order to make this all work.

But you are going to be capping the participation. That means at least we'll know who the universe is and how to be able to work it for the best success and the best prices for both the boat owners and stuff as well as fish houses being able to have a product to sell when we can't. I still believe a lot of people have mentioned that grouper spawning season closure possibly overreached itself by a month or more, that it possibly didn't need to go that intensively, but again that is the tradeoff and we are having to feel the impact. Thank you.

DR. FRIAS-TORRES: Nice seeing you again. For the record this is Dr. Sarah Frias-Torres with Ocean Research and Conservation Association in Ft. Pierce, Florida. I do research on essential fish habitat, Goliath grouper and fishery spawning aggregations. I would like to talk about two issues. One is about the Amendment 3; and another one is about Essential Fish Habitat, which was not addressed in Amendment 3, but I think the council should think about it, perhaps. Regarding Amendment 3, I do support the HAPC expansion for the deepwater corals, but I will only suggest to the council that they do look carefully into the scientific data, mostly the data provided by the submersible ROVs and AUVs instrumentation, and that they also listen to the fishermen who normally go to these areas and fish. There is some contradiction between areas that are supposed to have deep corals, which fishermen say they don't have deep corals, and also the opposite is true. I think this is a great opportunity for scientists and fishermen to work together maybe through a roundtable consultation, whatever the method.

Also, when it comes to HAPC areas, some of those areas of deepwater corals are areas where fish or spawning aggregations occur, especially for deepwater groupers. Also, that connects with the interest of the speckled hind and Warsaw grouper. We will commend to the council to look into – when they look at the abundance of deepwater groupers, that they do so seasonally, because that will give them an idea. You are going to see a peak when the spawning season comes and that is going to give you a clue of where the spawning aggregations are for these species. In that line, I think protecting the fishery spawning aggregations is vital, because that is where the fish go to spawn, and that is where you are generating the next fish you are going to be catching as a fisherman. This will be a great opportunity. We are aware that spawning aggregation extinction is a problem worldwide. About 80 percent of all fishes spawning aggregation have been fished to extinction. Once they are extinct they are gone forever.

We don't want that to happen in Florida, but at the same time we want to be these processes all inclusive. That means that this will be a great opportunity of cooperative research, scientists, fishermen, divers, all working together. We are in a way lucky, because I can assure you as a member of the IUCN – this is the International Union for the Conservation of Nature – Rupert and Verases Specialist Group, which is a think tank within the IUCN, we have developed a manual for the study and conservation of reef fishes spawning aggregations, which I just have an electronic copy here. It is available through the Society for the Conservation of Reef Fish Aggregations Website, which is scrfa.org, and this is pretty much a toolkit that scientists and fishermen and divers can use, working together, to figure out how to find the spawning aggregations, see if you already know where they are, if not, how to do so. But also once you've found them, how to manage them, how to set up protection measures for those spawning aggregations.

Some people were talking about marine protected areas, and sometimes it is not necessary to set up a marine protected area to protect that fishes spawning aggregation. I just wanted to make that clear. This toolbox is available, and I will provide more information through the written comments section so everybody can access that. Then I wanted to raise, very quickly, an issue about Essential Fish Habitat. That is something that has not been addressed by the council. Water is essential fish habitat. We tend to forget that, but water is essential fish habitat. Even though I am aware that the council is only concerned about fish resources from three miles out to the exclusive economic zone, many of the species the council is concerned about do have juvenile phases that occur in nearshore waters, coastal waters, and estuarine waters. Particularly,

for example, in the case of Florida, the Indian River Lagoon is one of the major nurseries for a lot of the species that the council manages.

I just want to bring the issue to the council some recent research we've done. Here is a map of a portion of the Indian River Lagoon where we are showing pollution levels in the Indian River Lagoon. This is Vero Beach, this is 17th Street, where you can see red is basically toxic water; where you can see blue is clean water. There are more reds and yellows in this map than blues, meaning that the nursery habitats of species the council is interested in are really in bad shape. This is a photograph of a bottlenose dolphin. We just took this photograph recently. This is a bottlenose dolphin in that subsection of the Indian River Lagoon. What you see, this nasty skin is basically a fungal infection. This is eating away the skin of this dolphin into the muscle tissue. This is happening because the immune system of this dolphin has been so depressed due to pollution that any skin disease is eating away into its tissues. If the dolphins are going through this, we wonder what is happening to the fish that are spending five years, eight years of their lives in this nursery habitat.

I would suggest to the council that in future meetings they do seek opportunities to collaborate with whatever institutions, scientific institutions, federal or state institutions to enforce the Clean Water Act. The Clean Water Act, which you might be aware that was set up at the same time the Clean Air Act was set up, has not been fully enforced yet. In the current political and funding situation, there is no monitoring going on at all at least that we know of in the state of Florida. With that in mind, I do invite you as a member of the council and all the council to come and visit us at our institution. We have developed the technology to measure all these water pollution issues, and we would like to have an open conversation about this very important issue. Thank you.

MR. HARTIG: Thank you, Sarah. Would you mind showing that to the public and showing them what you just showed me? I am sure they would be interested; this is their waters.

DR. FRIAS-TORRES: What you are seeing – I am talking to all of you, but I am talking in a microphone so everyone can hear me. What you all see, this is a map of a section of the Indian River Lagoon in Vero Beach. The lower section is 17th Street; and when you see a red color, that is toxic water. The pollution content is so high it is toxic. When you see blue color, it is clean water. So this aggregation from red to yellow to orange, green and blue; that means that we have more red and yellow water, more toxic water than clean water. The relevance for the species in this council is that a lot of the species that the council manages use the Indian River Lagoon as a nursery habitat. If the place where the baby fish are living for quite an extensive amount of their life, sometimes two, three, five or eight years; if it is this toxic, what is going to happen once they move into the adult habitat and they try to develop as adults?

I have to say that a lot of the pollutants in these areas, they are pesticides and herbicides that are affecting the normal endocrine system of the fish, meaning that a lot of the males are being feminized, meaning that they are turning into females. That could over time turn a whole population of species of fish into all females, so with no males there is not going to be any way to reproduce. I just commented to the council that I think the issues of water quality should be addressed at some point, and I do suggest that the council finds a way to do so. Let's not forget that water is essential fish habitat. All these fish you are managing, they live in water, basically. Thank you.

MR. BUSSEN: My name is Scott Bussen. I am a commercial fisherman and charterboat operator here in Port Canaveral. I've been commercial fishing out of Port Canaveral since 1987. From that time it was primarily spearfishing, diving operation, primarily using powerheads, other than lobster diving and that sort of thing. I am really here mainly for the powerhead issue, because I've been to these meetings over the course of the years. We've tried to ban them, we've tried to do this, and we have had so many different options happen. Marine Fisheries finally came and said you know what; this is a good fishery method? It is efficient, it's effective. They really couldn't come up with anything bad to say about it unless you talk to some of these guys that are coming up with the anecdotal data that want to shut it down. Personally I think if I was going to shoot a fish over ten pounds underwater, I want to shoot them with a powerhead because he is not going to swim off. He is not going to get off the spear, he is not going to go swimming down the reef and die later.

I can't tell you how many times I have been diving after a busy holiday weekend and diving public areas and I find fish that are dead on the reef because some sport guy shot him with a spear and it just swam off. I think if you are going to kill a fish, you should kill a fish, it should be dead. You should bring him up and either take it home and eat it or take it in and sell it. As far as I can tell, I have heard this argument that the divers are taking the larger fish out of a specific area. Now, in North Carolina that may be possible with the hogfish, because the hogfish, if you have ever dove, is not a smart creature, generally speaking. As far as grouper go – and Bobby can attest to this – if you go dive for grouper, you are going to see a blackbelly grouper, which is a male grouper, but he is going to be on the edge of his ability and he is going to be either staying out where you can't see him or you are going to see a tail going away from the structure.

Certain times of year we will kill a few in the cold water, but when it is all said and done we're still only killing a very minor fraction of the fish that are actually landed as far as what our quota is for the year, 300,000 pounds or something like that. If you take away the powerhead, you are still going to have individuals going out with a straight shaft shooting fish; me for one because I don't have another option. Like Tim Fletcher said earlier, with a powerhead I can maybe shoot 12 feet, which means I have got to be smart enough to trick that fish to get in close to it. They are like a deer. You hunt deer all your life; you know you are always trying to kill a big buck. Well, it's the same thing. Grouper just doesn't get big by being stupid. I catch them on my bandit gear when I'm bottom fishing; they've got three hooks in their mouth. There is a ton of ways they get big, and one of them is avoiding divers, because obviously there is a dive population from the Carolinas all the way down through central Florida.

The other thing we are running into especially here in central Florida is spearing grouper is damn near the only way we can catch them anymore. I can tell you right now I can bring in five different clients that I took bottom fishing at the end of the year, and they will tell you we went through 150 live baits catching and releasing red snapper just trying to get to the grouper. We need a little balance. I think we are focusing on this tiny little thing with powerheads when we've obviously got this giant issue of the red snappers. Fortunately I've been in touch with Brock Anderson and some of the people from the state of Florida, and hopefully I'll be helping run some of these trips they are going to do with the state of Florida testing gear, which I can already tell is going to be a crap shoot from what they told me they are going to use for gear, you

know, certain hook rigs they are using, stuff they used in the gulf on oil rigs where there are just billions of pounds of red snapper, obviously.

If you've ever seen YouTube, them catching red snappers in the Gulf with 20 hooks on a rig as fast as you can pull it in. I don't know, I've talked to a lot of old timers around here, and nobody has ever seen it like it is right now in so many places. As a king fisherman, obviously you know we quit fishing due to the price. I mean, days we fished up on Chris Benson Reef, even on 8A Reef – one day I fished Chris Benson, I caught 10 red snapper over 10 pounds. I caught three of them with tags in them that I turned back into the state of Florida. I caught fish on a 20-foot cable on a spoon. There are places up there where you cannot king mackerel fish with bait on your gear; even a spoon, they were eating a spoon. I had to go to a rig to catch king mackerels. It is absolutely astonishing the number of fish that are there. And like I said, when it comes to grouper fishing, a lot of places we are unable to fish rod and reel anymore. One other thing I would like to touch base with is it goes along with any diving operation. If you're diving, we are limited by weather, seasonal closures just like everybody else, but when it comes to diving we are also dealing with visibility issues, especially here in central Florida. One other gentleman mentioned dredging and sand refill. Well, out of Canaveral we've got them dredging the channel every year or every other year.

They take just barges full of that purple, nasty, dirty, filthy sand and they take it east/southeast from the port and dump it. Where do you think that goes? It ends up on a reef, you see it. Mark my words that mud is moving down the reef down towards Sebastian. You will see more and more of it through Sebastian because it is slowly spreading its way out. Its moving north and its moving south, but they don't take it that far offshore, but it ends up on the reef; it ends up affecting our visibility. For the scientific lady here that was talking about water quality; there you go. The stuff they take out of that port and the stuff they take out of that channel, anyway it is just another thing as far as divers go that we deal with and then compound the problem with bottom time, like Tim Fletcher said, you are looking at – depending on our depth for the day, we might have anywhere from an hour and twenty minutes to two hours bottom time, period. We have to make the most of it when we can. Truthfully, a shaft with a line on it is a dangerous piece of equipment when you come to shooting a larger fish over 20 pounds. Anyway, that's my statement. There are plenty of other things that everybody else has covered and I've heard my position covered more than once.

MR. HARTIG: I appreciate it, Scott; those are good points, thank you. Thanks for your continued input in this process.

MR. BUSSEN: Either we fight it or we go do something else.

MR. GREEN: For the record, my name is Scott Green, and I am testifying for myself. My comments are regarding the proposed MPA down south in the Keys at Snapper Ledge. To paraphrase my written submission, I would just say that the councils have a lot of tools at their disposal when it comes to fisheries management. From my point of view, the MPA approach is the most draconian and probably the last that should ever be used. To the extent that I'm a recreational fisherman, I feel that if all other measures are tried and they've proved ineffective and we have to go to MPAs, then recreational fishing should only be involved to the extent that recreational fishing caused the problem to begin with, if in fact it did. I've watched this for a long time, and it seems that most of the science behind MPAs and what MPAs are purported to

do has never been scientifically proven. When you have an MPA, the fish seem to stay in it and they call their buddies to come in and join them, and they never leave the MPA because of the excess of fishing pressure that has been forced just outside the MPA.

From a scientific point of view, I have never seen any real basis to it. It's not that I oppose MPAs; I just think that they should be a method of last resort. I would note that the arbitrary exclusion of recreational anglers in many of the MPAs in the past is unwarranted. Even today, if you want the terrestrial-based analogy, we still fish in national parks, refuges, wild and scenic rivers, all sorts of places like that that are held dear to the public, but we still fish there. I see a direct comparison to the land-based experience with parks and whatnot to what we are starting to do on the oceans. I'm opposed to the Snapper Ledge MPA, and I would urge the council to remove it from consideration. That's it, Ben.

MR. HARTIG: Thanks, Scott, I appreciate that. We had a number of comments in Key Largo last night about Snapper Ledge, and one of your compatriots also gave us some information similar to what you did. This is early in the process. It has to go through the Sanctuary process first, and then we'll look at it if it gets to us. That is still in the works.

MR. GREEN: All right, but we will keep out antennae up. Thank you.

MR. GIBSON: Today I am speaking on behalf of my charterboat service, Just in Time Charters, and my two companies, North Swell Media and Consulting, and also I have lost my mind and started a new recreational fishing magazine, A Fly in My Tackle Angler. Terry Gibson, on behalf of those entities I am speaking. I am going to make one comment for the Florida Wildlife Federation, of which I am a board member, on habitat and water quality at the end. Initially I am speaking on behalf of my own businesses. On the expanding the Oculina HAPCs and the other HAPCs, I think that's a great idea, we need to protect as much of that coral out there as we can. We don't really make that stuff anymore, but I would encourage you to work with the shrimping and other fishing interests to make sure that we are protecting the right places and that those people don't have to go through any unnecessary difficulties.

On the powerhead ban, I've shot a lot of fish in my life and I have very mixed feelings about it, but my greatest concern is for the Goliath groupers. So many people think that those things are eating the reefs out of house and home and we know that's not true. I've worked with scientists that have puked up hundreds and hundreds of them, and all they are eating are crabs and blennies and things like that. I would just encourage the council to do greater outreach on the findings of Dr. Koenig and Mike Neuma and others are doing to get the people to understand that the fisheries are better off with those animals and not worse. That is my real concern and maybe that ban could be limited to places like North Carolina where they I guess have a problem – I don't know, I haven't seen the data myself – and southeast Florida in the Keys where we have those Goliath groupers and some yahoos are shooting those fish because they think they are helping the resource, when they aren't.

On the tagging, I'm an avid hunter, I've guided in Alaska, Florida, and South Dakota. I've hunted in probably 20 states. I can't really think of any big game animal besides a pig that doesn't have a tagging system associated with it. I think that the terrestrial strategy, the terrestrial recreational game management strategy is that they've been missing for too long in our marine management. I strongly support the tagging of those deepwater species. I think too that

once we have a better idea of how many animals are coming out of the water, then certainly buffers are going to shrink and we are going to have bigger limits and longer season and all that, so I don't see any logical reason to oppose that. I think it's in everyone's best interest, scientist. manager, angler, and commercial fisher. On the speckled hind and Warsaw issues, I've also dove all over the world on spawning aggregations.

Personally I believe that the great mutton fishery we are enjoying is coming from Riley's Hump. I've dove Riley's Hump, I've swam amongst – I've had to push mutton snappers aside to get to the traps that we were using to catch fish to tag them and put acoustic tags in them. I've known fishermen in Mexico and Cuba and Belize, and even like us here, at first they were opposed to closing some areas. Then they saw the benefits and they wouldn't reopen them, and they would squash any effort to reopen them, because the fishing so much better. My suggestion, with all the issues around Regulatory Amendment 11 and 17B and the deepwater closure is that we convene a committee or some sort of working group, where guys like you, Captain Hartig, and Don DeMaria and me and people that have generations worth of historical knowledge of where these things probably did spawn or aggregate to spawn, find these discrete areas – and again we don't need a marine protected area to do it. We just need to find the discrete areas or times or there is other strategy to protect spawning fish.

I think that we will see species that are in trouble, like red snapper and things recover more quickly. It's not just Warsaw and speckled hinds. As you know, many, many species often go to the same places to reproduce. I think it's also a really important safety buffer, because what I'm seeing diving out in the Stuart area especially really scares me. The lionfish and the sea bass are literally and figuratively occupying the same niches. There is no doubt there is a tremendous amount of competition there, there is no doubt about it. It is really frightening. I was diving Six Mile Reef back in the fall; and literally if there were lionfish in the nooks, there weren't sea bass. If there weren't lionfish in the nooks, there were sea bass. Of course, the sea bass are a little more active. But, anyway, I think that we've got to do whatever we can to maximize reproduction and recruitment. I think that sitting down with the right scientists and several others, Dr. Lindeman and others that are experts in this, we can really figure out a system where we are rebuilding fisheries more quickly. We are not creating substantial hardships for the fishing community by closing vast areas, but by just closing discrete areas. Frankly, I would rather give up a little bottom than a whole lot of time.

Anyway, in conclusion I would like to see the concept of spawning protected areas, spawning aggregation protection areas remain squarely in CE-BA 3. I think we have a chance to really make some history here and have a real great success story. Switching now to water quality and habitat issues, I wish every fisherman in this room is as irate as I am about these canal discharge issues and pollution and so-called beach nourishment. Those things have taken more fish from us than anything else. I'd ask the council to do several things on that front. Ask your legal counsel to explore ways to potentially sue the state of Florida and the federal government if necessary for failing to enforce EPA water quality standards.

Second, I would ask you to send a letter to Governor Scott reminding him what fisheries are worth to the state and demand that he cease and desist with these attacks on the Environmental Protection Agency and using these political strong-arm tactics to try to weaken the water quality standards. Third, I would ask you to play very close attention to the National Ocean Policy implementation. The implementation draft document went out about two weeks ago, I think.

I'm glad to hear that NOAA is doing something on habitat; but just as the federal regulations have more or less required federal and state consistency with fishing regulations, all these states are trying to weaken their own water quality standards, especially in this political morass we are in right now. What really needs to happen is a similar thing where the federal government comes down and says you are going to clean up your water quality and you're going to protect our fishermen, whether they have the most power in Florida or not, and you're going to go consistent with our science-based regulations for water quality.

I'll be happy to help you with that. Last, I've sued once, and I am probably going to do it again to stop these so-called beach nourishment projects, which are massive dredge-and-fill projects. I'm pretty sure we are not going to have a cobia season this year in Martin and St. Lucie counties, because they are going to do two projects concurrently if I understand that correctly. We are not going to be able to see the fish. It is going to be opaque mud from all the dredging during the entire run, which half started a few weeks back. These projects silt over reefs, destroy water quality; just prevent recruitment of reef species that you manage. There is a particularly onerous one coming down the pipe here in Satellite Beach, and one up in the Mid Reach. It is the northernmost of the Warm Reef. If you want to find a really good way to set back rebuilding reef fish populations, destroy the only essential fish habitat on the windward side of the barrier island – besides water – between Sebastian Inlet and New Smyrna. I mean everything settles there. We've got to have it, and they are going to destroy it. They are going to destroy most of it with an engineering project that involves dumping sediment that probably isn't even sand.

I'd ask the council to send a letter to NMFS, both the Protected Resource Division and the Habitat Division, saying that you oppose the Brevard Mid Reach Project and asking them to elevate the project to the council for environmental quality. I'd also ask that you send Brevard County a letter asking them why they are treating their fish habitats that way, and that the surfing, fishing and diving community here has had it with their shenanigans. Thank you.

MR. FLETCHER: I usually don't read pre-prepared things that I'm just going to run through, but I've handed it in to you, anyway. My name is Tim Fletcher, and I live and fish here in central Florida, primarily out of Canaveral, a little bit out of Sebastian. I participate in all the different fisheries, recreational, commercial, and charter for-hire. Commercially, it is primarily king mackerel, grouper snapper, and lobster dive. I also run the Scientific Diving Safety Program for Florida Institute of Technology, so I know a lot of the folks on that side of the fence. Out of all those four different realms, most of the people I talk to I think would agree with most of what I have to say, but I am speaking for myself. Action 1, I actually turned in I do not support this action; but after hearing some of the comments, I am going to change that to undecided. I want to think about it a little bit more.

Action 2, which is the one that means the most to me here, prohibit powerheads in the EEZ off of North Carolina and throughout the South Atlantic, if North Carolina wants to do it, that's fine with me. I think the larger ban through the South Atlantic is a bad idea. I've spoken to a South Atlantic Snapper Grouper AP member and discussed this a little bit with him and basically was told that this came up due to anecdotal observations of hook-and- line fishermen at the docks in North Carolina seeing a lot of large fish being brought in by spear. The other comment I heard was that there were dead fish laying all over the bottom anytime a powerhead fisherman went through there. Speaking personally, I've been diving since 1984, I've been shooting powerheads

probably even a few years after that; predominantly focused in the last ten, fifteen years as a powerhead fisherman, but to me it is just absolute bunk that anybody would say that.

They don't have any clue what's going on if they are making those kinds of comments. Pretty much everybody I know around here that is in this game, they have an unwritten rule. If there is a question whether or not the fish is legal, don't shoot it. By in large, the bycatch – and I'm speaking spear fishermen in general and not just powerheaders – is extremely low. Council data that I've seen in the past I think backs that statement up. They also harvest a very low percentage of the overall catch. I'm speaking primarily about gag grouper, and I think that is what we're talking about here. It's about the only thing left that we can really target anyway. Shooting fish with a powerhead, you have to be a lot closer to a fish with a powerhead than you do with a conventional spear. Anybody that wants to dispute that I'll take them diving anytime they want to, and let them try it for themselves. The fish already have a little bit of an edge. I compare it to archery hunting versus gun hunting.

You are just not going to get as long of a shot with a powerhead. I like a powerhead because it dispatches the fish immediately; he's dead. There is very little fish that tear off and swim away and die later; very little lost gear. You don't hear about the powerhead fisherman bending shafts, losing guns that are attached to a crazy fish, all these things you hear and read about with the conventional spear fisherman. I'm not attacking conventional spear fishermen, but I would like to see powerheads remain. If you look at the closures that are already in place, it used to be for us was March and April, which I believe is when – and pretty much everybody I talk to that's been around forever, we believe that is when the spawn in gag grouper is occurring. The January/February closure stung us even harder. Sure the fish are here, but I don't believe they're spawning. I think they're in a pre-spawn mode.

I think most people would agree with me on that. If you look at all of these different rules that are already in place, the seasonal closures, the outright species closures, red snapper, sea bass, whatever you want to think about, we have very little time anyway. You further compare a diver to a hook-and-line fisherman, a diver that is very aggressive might get two, two and a half hours of bottom time in a twelve hour day. A hook-and line-fisherman, it's as fast as he can get out there and start going at it and stay at it. I have nothing against them either. I'm not trying to pit one against the other, but it's already hard enough. I think this is picking on a very distinct minority of a very distinct minority. I also think that these rules that are being proposed or the rules that are already in place – and again I hate to pit fisherman against fisherman, but when you talk about gag grouper, they already favor the Carolina fishermen.

I'm speaking probably from a commercial perspective here, but the fish that we can't shoot in January through April, they are not up there, anyway, and by the time they are reopened for us in May, they are headed back north. We saw the same thing with the proposals with the red snapper. First we were told red snapper were from here all the way to the Virginia line. Then politicians started screaming in the Carolinas and back down into the Georgia area; and before long, oh no, they're really only in Florida, so the Florida guys were going to get the shaft again. I just see this as another way to pick on a very distinct minority of Florida fishermen. I heard the comments about cold water earlier. Yes, it happens occasionally and perhaps there are fish that are exploitable during those times, but again you are talking about a very small fraction of time when that may occur, may or may not. In the last two years, I haven't seen it if it's been there.

When it does occur, anybody that's got steel enough to go out and dive in those conditions, more power to them as far as I'm concerned.

I think the conditions alone limit people even more. Just finally, and I've kind of just skipped through this stuff, you already have a total allowable catch for gags, so why is the council concerned about who kills them and how they kill them? A dead fish is a dead fish; leave us alone. We are a very small minority, let us be. I don't support that measure in any way, shape, or form. In regards to the other measures, I am not going to talk about them, but establishing marine protected areas, I don't support it. I am against marine protected areas in general; so 3 and 4 I would say I do not support. Developing a recreational tag program, Action 5, I am neutral on it. I don't have enough information to make a decision. Increasing the minimum size limit for hogfish to 18 inches, speaking for people here we hardly ever see them anyway, and when we do if it is already 12 inches by that point it is a little bonus. It is a very rare, rare bonus for us. I guess I don't support it. If there is a problem in other regions of the South Atlantic that need addressing, then I may change my tone on that.

Changing bag and size limit for gray triggerfish to 14 inches; after talking to some folks here, initially I was against it, 14 inches I could probably live with, but again I think the only reason this is up for consideration is that you've closed so many other things that these fish are taking pressure they would not have taken before. If you want to help triggerfish, open up red snapper, open up black sea bass. They are everywhere that I dive and fish right now. Adding African pompano to the appropriate fishery management unit, Action 8, I'm neutral. I need a little more information. Modification to permits and data reporting, again, neutral; I probably need a little more information, but if it's designed to help us as fishermen -- and I heard some discussion in the other room about more timely reporting, possibly extending our season, then great. I just would not want to see a hardship placed on – from a commercial perspective – the fish houses. I think they already have their hands full reporting as it is.

I know when I sit down to fill out a logbook report, I've got every one you could ask for right now. They say its five minutes of your time, it's not. It's a pain in the neck. In general I am probably against it, but I'd like to study it a little bit more. I did hear some dialogue about fish habitat earlier, which I did not discuss in my paper here. I'm all for that, but I would just remind the council that you are a federal agency working on federal waters, and I would hope that your focus remains there. That is what our taxpayer dollars are paying for. I would hope they just didn't lose focus of the things that are really important to us in the federal waters that you are responsible for by focusing on state issues or global issues; and again no disrespect to anyone intended, but keep your focus. That's really all I have to say.

MR. WILLIAMSON: Good afternoon, Mr. Hartig. My name is Tom Williams, and I'm a local hotelier here in Cocoa Beach. I'm also President of the Cocoa Beach Area Hotel and Lodging Association. Let me tell you up front I am not a fisherman. I barely know how to bait a hook. But, I would like to share with you that these measures, these constant measures that have happened over the last few years and the closing of the fisheries and now this latest round is devastating to our tourism economy. Our tourism economy accounts for about $2.9 billion in our little county. I can tell you this year that our hotels overall are budgeting for a down year compared to last year. There is a number of reasons for that, obviously, the ending of the space shuttle, but one of the reasons is the lack of availability of competitive fishing for recreational

fishermen and the lack of access for commercial fishermen. I don't know what the answer is, but I do know the answer is to not slowly choke our tourism economy into nonexistence.

I would just encourage you to listen to these fishermen's suggestions. They know what they're doing. I've heard some suggestions that seemed to make sense to me when it comes to the coral reef problem, about being able to track the speed of the boats so that you know that they are not dragging if you are concerned with that. There seems to me to be some sensible reasonable solutions to this without just a blanket closure of a certain area or of a certain type of fish. I appeal to you to consider that and try to keep this area viable. We have a local restaurant here called Florida Seafood. If this continues, he is going to have to change his name to Foreign Seafood. I would hate to see that happen. We're having to buy fish now from Central and South America and from Southeast Asia. It's very hard to get locally caught fish, which is a crime in our area. I would just appeal to you to keep an open mind and look for solutions that work for everybody.

MR. HARTIG: Tom, thank you very much. You are preaching to the choir here, frankly, as a council member. I've been against most of the regulations that have gone down over the past few years not because they in time wouldn't have worked. It's just because of the economy I think we could have done it a smarter way. We could have been much smarter in the way we've dealt with these issues. We've had our thumb on us from up above, and it's hard to get out from underneath that thumb. To not take into consideration the socio-economic impacts like we should is criminal to me. That's the way I feel about it.

MR. STEARNS: My name is Walt Stearns. I am an avid fisherman and diver. I've been doing it since, going all the way back to the seventies. The person that introduced me to it was my father, who has been at it since the fifties. To back up a little bit, part of my career choice has been a photo journalist for over 25 years with a number of fishing and diving publications, and in that process I have had a chance to visit quite a number of places throughout the Caribbean, Latin America, and the Pacific, including Indo-Pacific. One of the things I always see that kind of brings to mind, which has been the core of the discussion here tonight by a lot of people, is the one of two ways you can collapse a fishery is take out the breeding stock or take out the nursery. The reason we have more fish here than a lot of other places is because of management, but at the same time we seem to go around and round in circles how to best manage it instead of looking at the core problems, which has been water quality, destruction of habitat for nursery grounds, which is vital for future generation development, and management of breeding stocks; namely, spawning aggregations and spawning seasons of said species.

Those two areas we need to take a more active role and try to do something to manage this a little bit smarter instead of going around and round and round on stock quotas and everything else, because all we are doing is putting a Band-Aid on the actual wound and not treating the cause. That is something I would like to see go into, because I've talked to enough fishermen, divers, biologists, environmentalists, and the ones that get it see those are the two cores that we have to address. That's where we will probably make our best headway on. I'm just going to keep it short and sweet on that, and that is where I'm going to end it off on that note. I've heard quite a bit of it today, and I think there are quite a few people in this room that do get it. The shrimpers were talking about the Oculina Reefs environment out there, where, yes, they don't oppose having those reefs protected. It doesn't suit them to shrimp over it anyway, because it's loss of gear. They know the importance as a nursery ground. We need to work with them to find

out where those zones are instead of some of the maps I've seen where some biologist likes to put things in a square line because he likes a square line, but the problem is the reef line doesn't follow a straight line, it follows the coast. I think we need to work with them on that, and I think that would be able to get a mutual agreement in that area, just that alone. That's one small sample where we can go.

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4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 31, 2012

YOUR NAME (PLEASE PRINT): Pamela Gillespie for Cong. Posey

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PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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Cocoa Beach, FL	January 31, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
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Cocoa Beach, FL	January 31, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
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YOUR NAME (PLEASE PRINT): Darcia Bair

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PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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Cocoa Beach, FL	January 31, 2012

YOUR NAME (PLEASE PRINT): Brent L. ZirLott

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YOUR NAME (PLEASE PRINT): David WINSTON

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PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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YOUR NAME (PLEASE PRINT): John Williams

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YOUR NAME (PLEASE PRINT): DAVID TREFFER

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
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MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
321 Oak Fern Cir., Ormond Beach, FL 32174

EMAIL ADDRESS (IF APPLICABLE)
ctownsend24@cfl.rr.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Dixie Crossroads Restaurant

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Jeffrey M. Steen	321-427-5426

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
3011 Sandgate ct Cocoa FL 32926

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Chances R Fisheries

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [ ] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [x] SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT): David Stead

TELEPHONE NUMBER (& AREA CODE): 696-1388

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 6365 69th St Vero Bch 32967

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [ ] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [x] Golden Crab Amend 6
- [x] SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT): Jerry Smith

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 15 Indian River Dr #100 2 Cocoa Fl

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT): Robert Raber

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 630 Adams Av Cape Canaveral 32920

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): A.L. Millken

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT) Mark E. Radler

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
1775 Dogwood Dr. Merritt Island, Fl. 32953

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Profesnal Waterman

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT): RICHARD REID

TELEPHONE NUMBER (& AREA CODE): (321) 960 - 3257

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 3165 SOUTH ST. #203 TITUSVILLE, FL 32780

EMAIL ADDRESS (IF APPLICABLE): SAME

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☑ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☑ SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT): Kate Quigley

TELEPHONE NUMBER (& AREA CODE): 843-327-1114

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE): PO Box 80938, Charleston, SC 29416

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): SAFA

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): LINDA L Page

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 11220 CREDO CT ORLANDO FL 32837

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): CFOA

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT): John Paiva

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 8560 Rion

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☒ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
BRIAN SCOTT MOSBLECH	321-536-8986

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
245 CANAVERAL BEACH BLVD. CAPE CANAVERAL FL 32931

EMAIL ADDRESS (IF APPLICABLE)
BMOSBLICH @ CFL.RR.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
CHANCES "R" FISHERIES INC

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☒ SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Timothy Milliken	321-508-1877

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
145 West PASCO CW Cocoa Beach FLA 32931

EMAIL ADDRESS (IF APPLICABLE)
Milliken145@GMAIL.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT): JAY Moon

TELEPHONE NUMBER (& AREA CODE): 321-872-0431

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE): 1161 W. Harbor City Blvd Melb FL 32904

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Moon's SEAFOOD

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT): JEANNA MEDLIFFELD

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 1595 S. CARPENTER Rd, Titusville, FL 32796

EMAIL ADDRESS (IF APPLICABLE): jeannam@wildoceanmarket.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Wild Ocean Seafood

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
TIM FLETCHER	321-432-5875

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
2866 WATKINS DR. MELBOURNE, FL 32901

EMAIL ADDRESS (IF APPLICABLE)
tfletcher@fit.edu

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
COOL BEANS CHARTERS / RED DAWG INC.

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): J. Scott Crosby

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 932 Indian Hammock Dr.

EMAIL ADDRESS (IF APPLICABLE): scott@flmd.biz

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT: Snapper Grouper NMFA

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Laurilee Thompson

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): PO Box 307 Mims, FL 32754

EMAIL ADDRESS (IF APPLICABLE): laurileethompson@aol.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Dixie Crossroads Restaurant - Brevard Cty Tourist Development Council

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [x] SG Amend 18B (golden tilfish)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT) DR. SARAH FRIAS-TORRES

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
ORCA, 1420 SEAWAY DRIVE, FORT PIERCE, FL, 34949

EMAIL ADDRESS (IF APPLICABLE) sfrias-torres@teamorca.org

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
OCEAN RESEARCH & CONSERVATION ASSOCIATION (ORCA)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Dave Heil

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 2324 Lee Rd WP 32789

EMAIL ADDRESS (IF APPLICABLE): Dheil331@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Florida Saltwater Anglers, Inc

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [x] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [x] SG Amend 18B (golden tilfish)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Mike Phelan

TELEPHONE NUMBER (& AREA CODE): 772 283-2598

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4465 SE Graham DR. STUART FL 34997

EMAIL ADDRESS (IF APPLICABLE): Fish-id @ Comcast.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): SELF

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Terry Gibson	772-285-7683

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
Terry.Gibson@Northswellmedia.com

EMAIL ADDRESS (IF APPLICABLE)
2060 NE 23rd Ft Jensen Beach, FL 34957

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Just-in-Time Charters / North Swell Media, LLC

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:
(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Tom Williamson

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 765 Pine Place Marathon Island, FL 33052

EMAIL ADDRESS (IF APPLICABLE): tom@oceanpartnersfb.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Tourism Industry

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [ ] CE-BA 3
- [x] Shrimp Amend 9
- [x] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): BROCK ANDERSON

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4320 HORSESHOE BEND MERRITT ISL. FL 32953

EMAIL ADDRESS (IF APPLICABLE): BOTTOMDOLLARC@CFL.RR.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): BOTTOM DOLLAR CHARTER FISHING

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Mike Merrifield

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 688 S. Park Ave Titusville, FL 32796

EMAIL ADDRESS (IF APPLICABLE): mikem@wildoceanmarket.com

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

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [x] SG Amend 18B (golden tilfish)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT) Brian Milliken

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
145 West Pasco Ln Cocoa Beach FLA 32931

EMAIL ADDRESS (IF APPLICABLE)
BM11321@GMail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
A.L. Milliken

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): CHARLES / JANET LONG

TELEPHONE NUMBER (& AREA CODE): 321-783-3687

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE): 387 NORTH 2ND ST COCOA BEACH FL 32931

EMAIL ADDRESS (IF APPLICABLE): N/A

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): F/V DONALD LEE

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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

PUBLIC COMMENT ATTENDANCE RECORD

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 31, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Mike Leonard	910-366-6672

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
5160 Green Heron Dr. Sw N.C. 28470

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT): Jim Lemieux

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4825 Valdine Ave Cocoa FL 32926

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): None

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
JAMES THOMAS LEAK	386-566-2789

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
1714 RIVERSIDE DRIVE HOLLY HILL FL 32117

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
D & D FISHERIES

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [X] CE-BA 3
- [X] Shrimp Amend 9
- [X] Spiny Lobster Amend 11
- [X] Golden Crab Amend 6
- [X] SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Joe Klostermann

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 251 Bimini Dr

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Fisherman

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☑ SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Russell Hudson

TELEPHONE NUMBER (& AREA CODE): 386-239-0946

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): PO Box 9351 Daytona Beach, FL 32120-9351

EMAIL ADDRESS (IF APPLICABLE): DSF2009@aol.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): DSF & SFA ECFS

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [x] SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): BRYAN HATFIELD

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 104 SATURN CT INDIALANTIC, FL 32903

EMAIL ADDRESS (IF APPLICABLE): bhatfield@CFL.RR.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): CCA SPACE COAST

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 31, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
TONY ORILLO	407-697-8798

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
103 MAJESTIC BAY AVE CAPE CANAVERAL FL. 32920

EMAIL ADDRESS (IF APPLICABLE)
CAPTAINTONYORILLO@YAHOO.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 31, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
ANTONIO GIAMBANCO	321-890-6281

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
4850 CATHEDRAL WAY TITUSVILLE FL 32780

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Commercial Fisherman

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:
(ATTACH A WRITTEN COPY IF AVAILABLE)

- [ ] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [x] SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT): GERARD P. FLOYD II

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 320 NEWFOUND HARBOR DRIVE

EMAIL ADDRESS (IF APPLICABLE): GPFLOYD@HOTMAIL.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [ ] CE-BA 3
- [ ] Shrimp Amend 9
- [x] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Neil DelBoccio	321-427-0808

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
4805 riverside rd Melbourne FL 32935

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): David DelBoccio

TELEPHONE NUMBER (& AREA CODE): 321 693 3283

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4805 Riverside Rd Melbourne Fl 32931

EMAIL ADDRESS (IF APPLICABLE): SilentDelBoccio@GMAIL.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Claudia Dennis

TELEPHONE NUMBER (& AREA CODE): 386 427 6562

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): PO Box 2025

EMAIL ADDRESS (IF APPLICABLE): Claudia.Dennis@noaa.gov

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): NOAA Fisheries

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT): Barrett Colby

TELEPHONE NUMBER (& AREA CODE):

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

EMAIL ADDRESS (IF APPLICABLE): Merritt Island

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Fishman

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT): Robert Carroll

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 5106 Palm drive Ft. P FC

EMAIL ADDRESS (IF APPLICABLE): —

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): —

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [x] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [x] SG Amend 18B (golden tilfish)

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

TELEPHONE NUMBER (& AREA CODE): 321-499-8329

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 106 diane circle, Indialantic FL

EMAIL ADDRESS (IF APPLICABLE): 106 Diane Circle, Indialantic FL

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Your dog

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [x] Shrimp Amend 9
- [x] Spiny Lobster Amend 11
- [x] Golden Crab Amend 6
- [x] SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Alisha Crabtree	321-255-9355

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
865 Oak Park Drive

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Balanced Marketing and PR

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): JIM BUSSE

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4065 TANBERG AVE COCOA FLA 32927

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Seafood Atlantic

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☒ SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Ray Brown

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 3815 N US 1 STE 65 Cocoa Fl 32926

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Ray Brown A/C

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Andrea Bowers

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 208 Via Havarre, Merritt Isl. FL 32953

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Chances R Fisheries, Inc

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Scott Fussen

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 2793 GLENRIDGE CIR, MI FL 32953

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): RELENTLESS OFFSHORE ADVENTURES, INC

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Donna Balancia	321-698-8387

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
106 Diane Circle Indialantic FL 32903

EMAIL ADDRESS (IF APPLICABLE)
donnabalancia@hotmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
SPACE COAST Office of Tourism

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Nuno Almeida

TELEPHONE NUMBER (& AREA CODE):

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

EMAIL ADDRESS (IF APPLICABLE): transport pb@yahoo.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☒ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
CHRIS ADAMS	321-446-4723

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
1360 ANCHOR Ln - MERRITT ISLAND FLA 32952

EMAIL ADDRESS (IF APPLICABLE)
mrchrisadams@aol.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
D+D. FISHERIES

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [x] Shrimp Amend 9
- [x] Spiny Lobster Amend 11
- [x] Golden Crab Amend 6
- [x] SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Sherri McCoy	321-960-1663

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
715 N Tropical Trail Merritt Island, Fl. 32953

EMAIL ADDRESS (IF APPLICABLE)
sherrim@wildoceanmarket.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Cape Canaveral Shrimp Co / Wild Ocean Seafood Market

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:
(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Joshua McCoy	321 760-4885

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
807 Hampton Way Merritt Island FL 32953

EMAIL ADDRESS (IF APPLICABLE)

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

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:
(ATTACH A WRITTEN COPY IF AVAILABLE)

- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☑ SG Amend 18B (golden tilfish)

Jim Bussey – no Cord

Joey Klostermann) – Early 2000's –

Scott Bussey) –

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Walt Stearns	561-715 3164

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
313 Kelsey Park Circle, PBG, FL 33410

EMAIL ADDRESS (IF APPLICABLE)
wstearns@uwjournal.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Underwater Journal www.underwaterjournal.com

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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

PUBLIC COMMENT ATTENDANCE RECORD

Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 31, 2012

YOUR NAME (PLEASE PRINT): PAT BARKER

TELEPHONE NUMBER (& AREA CODE):

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

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [ ] CE-BA 3
- [x] Shrimp Amend 9
- [ ] Spiny Lobster Amend 11
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PUBLIC COMMENT ATTENDANCE RECORD

Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 31, 2012

YOUR NAME (PLEASE PRINT): JEFF PAGE

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): CENTRAL FLORIDA OFFSHORE ANGLERS

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
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PUBLIC COMMENT ATTENDANCE RECORD

Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Cocoa Beach, FL	January 31, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Robert Preston	321-427-0867

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

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Chances R Fisheries Inc.

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- [x] CE-BA 3
- [ ] Shrimp Amend 9
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
JACKSONVILLE, FLORIDA
CROWNE PLAZA JACKSONVILLE RIVERFRONT

PUBLIC HEARING

FEBRUARY 1, 2012

MR. HOLT: I'm Charles Holt. I live at 616 Terra Farms Drive, Middleburg, Florida. I am a recreational fisherman and member of CCA, and I'm here to talk about MPAs, Marine Protected Areas. Your Amendment 3 is talking about possibly putting one in the Keys in a prime fishing area, which is where you usually put them and take away a resource from the citizens of the state and the country. You are taking away things that already belong to us and doing it unnecessarily. If you are unable to manage these fisheries without the marine protected areas, if you have got to have it to protect a spawning aggregation and that's the only way to do it, then a marine protected area may be necessary. But, in a fishery that you're already able to manage without it, it doesn't make sense to close the best fishing areas, which is what you usually try to do is target the areas where there are concentrations of fish. It's not logical.

I talked next door with some of your folks and a suggestion I had was if you reach the point where you've got to have a marine protected area because a fishery is in trouble and you feel like that's the only way you can protect it, then you establish these areas that later just continue into perpetuity, and it's very difficult for you to take it away. You don't have a good system of eliminating that marine protected area when it's not needed anymore and the original need may have been necessary. If you establish one, put an expiration date on it, and don't put an expiration date that says we need to do further review at such and such a date to see if we ought to eliminate this MPA. Just make the silly thing expire, because you expect the fisheries to come back after a certain amount of time. That's your goal. That is what you're trying to do with this Magnuson-Stevens Act is target dates that you're going to have the fisheries back into shape.

Well, on that date that you expect that to be not a problem anymore and the thing not to be needed any more, make it expire. The council can always extend it if necessary, but it is very difficult for you – it takes a lot of work for you to eliminate it. If you've got to do it, put an expiration date on it and just a clear-cut, that's the end of it date, not a review date like they have done in the past. We really have to get the council paying attention to the needs of the fisherman. You're starting to listen, I think, but we don't need a council full of fish huggers that don't want us to poke holes in the fish's mouth. There is a concern that the tree huggers have turned into fish huggers, and the idea is to protect the fish and not to be able to harvest them at all. That is not the purpose of the council. I don't believe that's your purpose; I hope it is not your intent. Thanks for listening.

MR. HARTIG: It's an interesting way to look at the MPAs, the time-certain deadline for when they would reopen. Like you say, you could review it, and we have reviewed the Oculina Bank. We have had a review of that and we extended the closure on that. Thank you.

MR. SOLORZANO: My name is Damien Solórzano, and I'm the son of Marilyn. I've worked on my mother's boats and my brother's boats for almost 15 years. Well, I was raised on them. They don't drag over coral. In the areas that you propose to close, there is very little coral, especially in the HAPC area they propose to close. Coral destroys our nets and I've worked on the back deck and I've never seen any pieces of coral. We don't drag on it, it tears up our nets, and it is counterproductive. I don't think that the areas need to be closed; there is enough regulation. A lot of the area that is closed now is dragable. Also, I believe that there needs to be the issue of transit across from the royal red bottom to the rock shrimp bottom needs to be addressed, because it is costly. There is a safety concern, too, if somebody is hurt or if we need to save fuel. It's just not reasonable. They know the speeds we drag at are two and a half, three knots. They can obviously tell the difference between a running speed of around eight knots. But, I do want to stress that the bottom doesn't need to be extended, the Oculina Bank. We have where the coral is and we don't drag it. That's the bottom line, we don't. We would destroy our nets and the shrimp is not in the coral, and that's mainly it.

MR. HAGAN: My name is Dave Hagan. I own the Big Jean, and I fish under a Corporate South Atlantic Still Crazy 10. I am here tonight specifically to talk about powerheading. I have this nice little chart here that shows this nice pie graph where the powerhead and spear fishermen represent 2 percent of the total population of the fisheries, and we harvest 2 percent by weight of the fish in the EEZ. I can't believe that the council would actually waste its time to do something with 2 percent. Yes, again, I have this little article that I garnered from the Keynoter in the Keys, and they had a fisheries meeting down there that said that another option that they were considering was a special fishing license endorsement for powerheading fish or even endorsement for spearfishing. I'm not necessarily against that but we need to find out what kind of criteria we would have to get this endorsement, because I have two sons that spearfish and they would like to – one of them at least would like to follow in my footsteps.

It says, and I quote – this is from the Keynoter – "The rationale is the release of undersized fish or protected species is not an option once speared as it is with the hook and line." Now I can tell you that I've been powerheading since 1974, and I have been numerous times selected to be on the supplemental discard list. Two years ago in the entire year I never had a fish that I had to throw back because he was undersized. Nobody that I know in the commercial industry would shoot a protected species whatsoever. I mean, these permits are astronomically expensive, and you are not going to do anything to break the law to risk a fine and/or a revocation of your license. It says, "So the diver needs to be sure of the target and he knows the rules, size limits, closed seasons." Any commercial fisherman knows all of that stuff. It says, "Powerhead fishermen generally target large, slow-growing fish, which may limit the species growth." The fish that the powerheaders typically harvest are amberjack and grouper because we can't harvest red snapper anymore.

You can't target mangos, they are more like a bycatch, and African pompano is like a bycatch. You just go out there and you scrap up whatever you can get. If you have to you'll jing a few triggerfish just to make a dive. Most of the divers are making three tank dives a day. You're getting 15 minutes of tank on the bottom; that's 45 minutes a day to harvest these fish. I mean, come on, amberjack, the TAC has never been met. We were given a 20 percent increase in our trip limit. We went from a thousand pound trip limit now to a 1,200 pound trip limit, as you told me over there in the other room, Ben, that the TAC on the grouper had been met this year for the first time. Grouper are closed four months out of the year for spawning. That only leaves us

eight months out of the year. I don't think, even though you mentioned that down at the Oculina Bank that the thing maybe you should run the Oculina Bank MAP, or whatever that is, MPA, change the dimensions on that so that these fish, if they got out of it, they would still be in a protected zone. That is a very good thing to think about. If you've got a localized problem, stretch the limits a little bit further so that them boys can't powerhead all them fish. Powerheaders only harvest sellable fish. Like I say, we didn't know nothing about any protected species stuff. I have again been selected again this year for supplemental discard. Because there is nothing to powerhead right now, we've been just straight hook and lining. And in my first two trips this year on B-liners, I have captured 165 red snapper from 8 ounces to 30 pounds. I've had to leave nine spots because the red snapper are so thick. Hopefully, some day this will all come back and we can start harvesting some red snapper again.

Powerheading is by far, by far the cleanest fishery out there. You have to individually select each fish, ascertain if he's legal size-wise, if he's in season and you harvest him one at a time. They make a big thing out of – I can tell you that them 165 snapper that I caught in them two trips, there is a mortality release rate. I don't know what it is, but it's there. There is no mortality release rate in powerheading, because we only powerhead fish that we can sell that are legal and of legal size. You just don't powerhead fish that aren't legal. You have such limited time on the bottom, it doesn't take you long to figure out what's what. When you're diving, powerheads are also a matter of safety. Even if you do that, I am sure that we'll still carry them for safety purposes. Another thing, I just happen to have this fine book, this little blue book, the Magnuson-Stevens Fisheries Conservation and Management Act published by the Department of Commerce for the National Oceanographic and Atmospheric Administration National Marine Fisheries Services.

If I open this nice little book to Page 58, it says National Fisheries Management Program, Section 301, National Standards for Fishery Conservation and Management, and I read through them, lo and behold, 98-623, the first one says, "Conservation and management measures shall prevent overfishing while achieving on a continuing basis the optimum yield for each fishery for the United States Fishing Industry." Now, if you take away my powerheading, that violates that one right there. Section 2 of that same thing, "Conservation management measures shall be based upon the best scientific information available." All the scientific information that I've got from the National Marine Fisheries says that powerheading and spearfishing in general is the cleanest fishery going. The cleanest supplemental discard for the last ten years have proven that. We've dropped down to 104-297, Rule 5; "Conservation and management measures shall, where practical, consider efficiency in the utilization of the fishery resource." Well, powerheading is by far the fastest way to harvest a fish when you are down 150 feet. That would violate that standard.

If we move to 104-297, Rule 9 says, "Conservation and management issues shall, to the extent practicable, minimize bycatch." Spearfishing and powerheading has zero bycatch. We are the cleanest fishery out there, by far. We don't powerhead fish that aren't legal. We don't powerhead fish that are undersized. There is no death from us due to mortality release rate. It also says, Section B, "To the extent bycatch cannot be avoided, minimize the mortality of such bycatch." That means you ought to just outlaw the fishermen because they are out there catching these red snapper. 104-9710, "Conservation and management measures shall, to the extent practical, promote the safety of human life at sea." That's powerheading. When I'm down there – you probably ain't been bit by a shark, but I have – that powerhead, it will take them sharks

out, just like anything else. It is totally ludicrous for me to even have to be up here today to talk about this. I thought we had it hammered out in 2000. Now the little people up there in North Carolina want to bring this up again. What they actually have is not going to solve the problem, because the boats aren't powerheading, they are pronging those fish.

I've got two other things I'd like to talk about. One has to do with the permits itself. I've been talking with St. Pete down there, and we've got a problem with fishermen that are selling their permits, and the people that buy the permits, for whatever reason, they don't have a boat or whatever, they are holding on to these permits and that causes the permits to languish around, and they can't be taken off the vessels and they can't put other permits on the vessels. We need to see about some kind of a rule where when you sell your permit, that you could turn in a notarized statement to St. Pete, so that those permits could be taken off your vessel so that other permits could be placed on the vessel. The people are selling their boats and want to put different permits on them, but they can't until the original permits have been transferred off. If they don't have a boat to put them on, they just hold on to them.

My favorite topic is I read this week where the Supreme Court of the United States admonished law enforcement for putting GPS devices on automobiles to see if, in fact, they were breaking the law. Read into that VMS. A VMS is nothing more than an electronic bracelet. It is put on your boat by law to find out if you're breaking the law. The Supreme Court admonished law enforcement, and they said when it does come before this court, the Supreme Court, that they are leaning towards striking that down. If you are thinking about doing anything on the east coast with VMSs, you ought to wait until the Supreme Court tells you that you can't do it. Seriously, I like that smile; that was good. I certainly appreciate the time to speak my mind. Thank you so much. Any questions there, Ben?

MR. HARTIG: Thank you David. You covered everything in great detail, and I appreciate that. To the point of looking at what the previous hearing said – well, I would add one thing. The powerhead endorsement and the speargun endorsement, that is something that could be introduced. The council can look at that, bring it back out to you to see if it's a good idea. It didn't come from the council; it came from the fishermen. That is what scoping is about. If you think you see another way to try and deal with this fishery, well, maybe the endorsement might work.

MR. HAGAN: Just like with the Oculina Banks, push the boundaries in some more if you have to, to protect those fish. I certainly believe that all fish should be given a chance to spawn. If they don't spawn, they are not going to be there eight or ten years from now. But, anyway, I would go for an endorsement. Like I said, we need to know what the criteria for the endorsement would be, and, of course, they would have to be. Just like the trap endorsement, the sea bass trap endorsement, they would have to be transferable. There would be X amount of them, whatever, you know, say 50 given out, that there is an option.

MR. HARTIG: Like I say, we're not there yet.

MR. HAGAN: Don't make me waste my money on a lawyer.

MR. KALAKAUSKIS: Ed Kalakauskis. I reside at 1207 Aruba Court, Jacksonville, Florida; local artificial reef builder. First of all, let me tell you if the shrimpers tell you something, you

could take it to the bank. Currently I am working with the shrimpers on creating habitat nearshore, and these people are very knowledgeable of what they do. Second of all, there is the issue about creating habitat offshore. Well, we have MPAs offshore Jacksonville, which if you look at it, you will find out the Navy intrudes in their training zones on that MPA. Saying that, I can't understand why the South Atlantic Marine Fishery Council doesn't take it to heart that habitat is the way off fisheries and start creating their own habitat. Then you can MPA, SMZ areas you want if you create your habitat. Find an area that is not being fished or utilized by any user groups, create your habitat, and then create your boundaries, what you want to put on it. If you want to put an MPA on it or SMZ to user groups; I would just throw caution to you in the sense that these are our tax dollars that you're looking at creating these habitats, and they should be opened to all user groups. Thank you.

MR. HARTIG: Thank you, Ed. I've also had similar ideas and approached the council before about creating areas. For every area we put out for fishing, have one area that you put out where you don't fish so you can even out some of this problem of aggregating fish in certain areas.

MR. KALAKAUSKIS: That's the question, if it's an aggregate it will create biomass; and that's an argument that is going to be out there for a while. But that argument can be really settled real easy with creating an MPA or an SMZ and putting the habitats out there and doing your study. Tax dollars being used on artificial reefs; the Jacksonville Offshore Sports Fishing Club has been doing this for over 50 years. There is basically three reefs off Jacksonville economically I would say. There is the in-kind reef, which is basically local community industry that donates their material for enhancement purposes, and then there is also the one that is a federal grant that we don't get all the time, usually one time a year. That is coming from Wallop-Breaux funding that the state applies for, and the state usually tries to match it and the city tries to match it. Then there is the opportunity reef, which means that there is somebody that's got to get rid of something.

That is usually about 90 percent of what we've got offshore Jacksonville, is an opportunity reef. There is a derelict vessel somebody has to get rid of or they are rebuilding a bridge somewhere and they've got to get rid of concrete. As far as tax dollars and the user, as far as who is paying the bill; the local community, as far as the fishing clubs, the kingfish tournament, private donors; tax dollars are usually, at the minimum, maybe once a year, if that. I am not trying to make this a user group, but I want everybody to understand that everything offshore Jacksonville is not afforded by tax dollars, it is a community effort. It is a community effort that is done by local fishermen and dive groups. We have dive groups involved as well that do these reefs. It is not federal tax dollars. But I will say this; if federal tax dollars do get involved, then I will say this, it should not be limited to user groups.

MR. BURDETTE: I'm Gary Burdette with the Northeast Chapter of the Coastal Conservation Association. Just to reflect on the comments that Charles had just made, we actively support the use of time and area closures. No fishing zone should be considered as a last resort after all other less drastic fishery management measures have proven not to work. As it is, like the latest proposed closures at Snapper Ledge, there has been no justification for it at all or even a statement of what we are trying to accomplish. I know they have hogfish there. We are worried about some of the other species, but we need a clearer idea of why we would close that, where just south of there there are SPAs for divers and people are utilizing the resource. In fact, it is very close to that. CCA does not oppose marine protected areas. We do oppose the arbitrary

exclusion of recreational anglers from our nation's renewable fishery resources. Proponents have also suggested that marine reserves will help fishermen. However, there is little if any science that demonstrates that more fish can be taken from an ecosystem if part of that ecosystem is permanently closed to fishing. For species that migrate wildly, the temporary protection they might receive when they are in the reserve would have little if any conservation value. However, the displacement of fishermen caused by a marine protected area would intensify fishing efforts in open area, and is very likely to impose added cost on both the commercial industry and the recreational fisherman. Thank you for your time.

MR. HARTIG: We heard from a number of your compatriots in Key West and the Cape, too, with a number of these same concerns. Thanks.

MR. WEBER: Hubert Weber, commercial fishing vessel Bottom Dollar. I've been in this fishery for 23 years. I've been at numerous council meetings. Lord, what can I say after David, absolutely nothing other than ditto. You brought up the point that these problems are coming up now because of North Carolina's shooting the larger gag, and that is why we have this issue. If you look through the records of 2000 when this issue came to forefront and unanimously all 13 council members agreed with us that no action should be taken and to leave us alone, because like David said, we are 2 percent. The issue of this larger species of grouper over 30 pounds being the spawning grouper, frankly are in 150 feet of water and it is not accessible to us. If we do see them, there are very few that we ever harvest. I mean myself have one two or three times a year over 30 pounds. I don't see where that would be a problem. If it's a problem in North Carolina, then that should be addressed in North Carolina. Just like when we have issues here, we don't bring our problems to North Carolina and North Carolina shouldn't bring their problems to us. Then make a blanket statement that all powerheads should be in the entire EEZ eliminated, like David said that's ludicrous.

We have the documentation; we've had the support in 2000. Nothing has changed since then other than maybe you're having an issue up there with the larger species. Put a size limit on them. We suggested that 12 years ago and nothing was done. We don't need to harvest 30, 40 pound gags. We can go out and get two 20 pounders just as easy. We're selective, like David said. We are not an issue, never have been, but for some reason we keep coming back to this table, spending thousands of our dollars, not only of ours but yours, to bring this issue up continuously. It is ridiculous. You have no evidence on the contrary to say that we are overharvesting. You are saying that the TAC limit on gag has been reached this year. Well, it's not that we are overharvesting gags; it is that you eliminated 50 percent of our species to harvest. You eliminated snapper. What else is there left for us to harvest?

If you eliminate us from harvesting snapper, of course, the gags are going to be targeted more. I mean you created your own problems. We were doing fine before all this started. The biggest issue I think the council needs to take, for those council members who have been on the board for years and know this issue, revisit 2000. We have documentations four inches thick – I've got it at home – that came from your council members where it was all organized, the minutes and everything. It was addressed about the larger size fish. Look at it again. For those new council members that are not aware of this issue, the other ones should bring them up to speed; because this is not a fight you all want to take on again. We've had 12 years to get ready for it again. We do not want to throw the first stone, but we're not going to take it either. Look at the larger fish

if that is an issue, but don't put a blanket law against all of us because of a few up in North Carolina. Thank you.

I'm going to have to start taking blood pressure medicine when I come to these things. SMZs, I want to address recreational to comment. In 2000 this entire issue came up as two user groups were in conflict with each other. The sport fishermen, the party boats, they didn't like us out there on their artificial reefs. Well, I live in Jacksonville, also. My tax dollars, my money went also to place those artificial reefs out there. I'm a little older than Janie; I'm about 42 now, so I can't dive 120, 30, 40 feet like I used to twenty years ago. The 80 foot, 90 foot water is my only option at this point. It's a health issue, safety issue for me. I agree with doing SMZs. Find a spot that nobody goes to and create your own. Don't take something that we've all enjoyed for all these years and we've helped place out there. We spent our money and our issues to go on there. I agree with Ed; it is for everybody, not one single user group, and you should not discriminate from one to the other just because they think it's their place.

I'd be glad to take some of these artificial reefs that you placed out there and use them for that. I'll be glad to fish natural bottom as soon as Ed can go back out there and take the artificial reefs that he placed on a natural bottom and takes them off of there. Remove the artificial reefs that you placed on natural bottom. Back in 2000 this was addressed. I showed the council in detailed maps where these artificial reefs are and where they were sitting opposed to natural bottom. I did an overlay, and over 50 percent of the natural bottom had an artificial reef within a hundred feet of it. No, what exists out there is for everybody. I think it's a great idea what Ed said about making your own SMZs out there and restricting everybody. This issue was brought up 12 years ago and nothing has been done since. This ought to be looked into again. As far as if you have a problem with the coral, has anybody looked into what the Gulf of Mexico Oil Spill has done to our side?

MR. HARTIG: We have a number of research cruises that looks at the deepwater corals. Whether or not they're monitoring, I think they do core samples around those corals and they actually take some of the coral itself, so they could look at core X problems with what they use.

MR. WEBER: Well, you'd have to have samples prior to the spill to compare.

MR. HARTIG: True, and they do have samples prior.

MR. WEBER: Okay, because I know when it happened, that was a great concern on this side that oil was coming this way. Whether it came or not, I am not aware of it. But if there is a problem with the coral, I really doubt it if powerheaders were the issue. We're not shooting coral; not intentionally, anyway.

MR. HARTIG: We don't say you are, and we don't have any regulations against powerheaders interacting with coral.

MR. WEBER: Again, what really concerns me is Rick coming up here with his SMZs and trying to eliminate – we did not draw first blood the last time. George Strait and them guys in the Florida Times Union did. We don't want to go down this road again and make it a user group battle. I think we addressed that issue 12 years ago and everybody agreed that is what it

was, not a conservation issue, and we've proven it. Two percent, that's all we are. I don't see how we're a problem. Thank you.

David brought up an issue about the permits, about people buying these licenses and hanging on to them. I've been approached on a yearly basis, three to four times a year by brokers who do not enter the fishery, who do not fish, who do not own boats purchasing these permits, for what end I'm not sure; to resell them, buy two and then make a profit off it, or just to hang onto it and dwindle our numbers in our fishery? I don't know, but I am approached all the time by brokers, and that issue needs to be addressed.

MR. HARTIG: Yes, I am too and I don't know how that works. The permit is attached to a vessel. You can't have a permit without a vessel. How do these people –

MR. WEBER: Well, somebody needs to look into it, because the first thing that comes out of my mouth when I got somebody to call me is do you own a vessel or are you a broker? I know there are a couple brokers over in Tallahassee, that's where they're coming from, or a couple of them I know. Maybe when we're approached, those of us who hold the licenses and are approached, maybe we start forwarding to you guys the information of who these people are?

MR. HARTIG: They don't keep it secret, believe me. We can find the permit brokers pretty easily. But I want to know the same question you're asking, and we'll find out. I appreciate you bringing it up.

MR. WEBER: It's at a point where it is becoming a regular thing. All right, thank you.

MS. THOMAS: You'll have to bear with me because I can't see too good what I'm going to tell you. Janie Thomas, 95289 Nassau River Road, Fernandina Beach, Florida; I support the shrimping industry. I have for the total 40 years of my life. If you didn't know it, I'm 40. I read something lately and it said, "Counting the shrimp is tricky" – and it relates to the council decisions and proposals – "Because marine biologists can't count all the shrimp in the sea, they often rely on the amount of shrimp brought to the dock for sale. By determining why some shrimpers aren't shrimping, or doing so less than often, precariously involves gauging whether it's because of the low shrimp harvest, poor shrimp demand, or high operating expenses such as increased oil and grocery costs. Diesel costs which contribute to about 30 percent of inshore shrimpers operating expenses spiked in 2008 and 2011 to nearly four dollars a gallon, but were as low as two dollars a gallon in 2009." That's the end of that.

You have Shrimp Advisory Panels to advise you on necessary changes. I happen to be vice-chair of the Shrimp Advisory Panel. Marilyn is on the Shrimp Advisory Panel; she is also on the Deepwater Advisory Panel. You are talking to people that really do know what is going on. Now shrimpers – and I'll remind you again – of the commercial fishing industry all of us are the best environmentalists that you have in the world, because we are not going to destroy the habitat. I was on the Habitat Advisory Panel for several years, and I know how it works. But when I go against something, they don't want to hear that. I think we got somebody good in your position. I really do support you being on the council, might as well tell you to your face. Now, I want to say no, and we do say no to any kind of an EEZ closures, and I'm referring to the temperature and all this. We do not need closures off of the state of Florida. I'm not sure you need it off of Georgia. We just need to protect the habitat.

Florida, of course, you know does not take samples and they don't even have the money to do it to begin with. We just don't think that closing the EEZ should be in Shrimp Amendment 9. On the Oculina Bank, no to extending the boundaries; and another thing, no to catch limits. I don't even want to see catch limits on anything. I think especially with the shrimp, it's a renewable resource and we all know that. It boils down to protecting the habitat and the habitat within the state waters. The folks at EDF and Pew and Ocean Conservancy and the CCA, they are never satisfied. They need to concentrate on the oil drilling rig that is right between Key West and Cuba. As we speak, they just started drilling. I understand that is a Chinese oil rig and it is released by an Italian, and he's paying $500,000 a day for that rig to be there; but I don't know who he's paying it to. I hope the federal government is getting something out of it. Just leave our commercial fishermen alone. We've given, we've taken from, and enough is enough. I appreciate you all hearing my comments, and I will attend the council meeting and I will attend the AP meeting. Thank you.

MR. HARTIG: Thank you, Janie, I appreciate that. Certainly, we look forward to working with the AP on this. I think we had a map presented to us last night at the Cape, and that was a good step forward by the industry, and we'll take that and we'll move forward with that. I think we'll make headway and come to some kind of cooperative agreement on this.

MS. THOMAS: Will we be able to see everybody's comments later on or will they be included in the agenda for the council meeting?

MR. HARTIG: From the summary from these hearings tonight? We get audio files for them so we can listen to all of them. We get a synopsis of the comments at the council level at the meeting. It won't be verbatim.

MS. THOMAS: I tell you, I'd like to suggest to you that anything that was commented on the shrimp at all, give us a written report so we can have it for our advisory panel.

MR. HARTIG: Yes, I'll talk to our administrative officer and see if that can be done.

MS. THOMAS: I think that would be a very good idea and then we wouldn't miss anything.

MR. HARTIG: I'll talk to Mike; I'll make a note of it right now.

MR. VOGELSONG: My name is Jason Vogelsong. I'm here on the shrimp amendment. I am against any of the closure to the Oculina Bank. The way I see it is we wouldn't go out there and drag over it to tear our equipment up. It would be the equivalent I guess of taking a $50,000 car and driving it through the woods. Nobody in their right mind would do that. I've been doing it for 19 years, I have 3-D imagery. I have the sonar equipment on the boat, I read the chromoscope, and I know where I'm putting my stuff out. I guess as far as the transit stuff, I mean we want to be able to transit through there in case of any kind of emergencies that come about when we are working in the areas. I have never seen any coral. I've never caught any coral or hung up on any coral. That would be kind of defeating the purpose of me going out there to work to make money. I guess that is probably about it.

I just didn't have enough stuff with me, and I wasn't formally notified about this meeting or anything. I didn't get any type of proper notification for it, because I do spend a lot of my time out there working. We don't always have internet to be able to check e-mails and stuff like that. As far as anything mailed to my house, I have received nothing. I would just like to be formally notified in a better manner the way this goes about. Of course, my mother over there, Marilyn, my brother Lee, my father, we've all been doing it for a good while, my grandfather also. That's three generations that we have on hand the data. I mean, we're there all the time, we're working all the time and I don't see how someone can justify going out there one or two days out of the year and saying its theirs when we are there probably 300 days out of the year. I mean it just probably needs to be looked at a little better.

MR. HARTIG: We will, Jason. Like I said, this is early in the process, this is something that came before us. We bring it up to you all, you all give your comments to it, and we'll bring it before the AP. Is any of your family on the AP, on the advisory panel? Good, good, because I thought I recognized your mother before. But that is good that one of you all are on the AP, so we'll get your input and look forward to working with you in a cooperative effort to try and solve this problem.

MR. VOGELSONG: Yes, but another thing, though, it's more to it than you all are saying it's being overfished or fished or the fishermen are tearing it up. I mean there are more things that kill coral than fishermen. I mean algae is a problem. When they took all the lime rock from Lake Okeechobee from 1947 to 1950, when they were digging it all up to I guess build up the higher population, you have more runoff, more environmental, pesticides or whatever. It could have been filtered out through lime rock but now it's not because they moved a lot of lime rock to dig the canals out I guess to go out through Port St. Lucie and all; so we are getting a lot more of bacteria, algae, stuff like that that gets out there into the ocean.

MR. VOGELSONG: My name is Lee Vogelsong. I'm the son of Marilyn, that's my mother also, but I'm here to pretty much say the same comment she said about the shrimping. I just think that I am totally against any closure of any of the bottom that you all recommend closing. I would also like to say something on the transit part, about that they need to do something about the transit, because I work a lot of red shrimp, and I do a lot of that and I transit inshore and offshore quite often. It needs to be talked about. Also, I would like to bring up the comment about some of the stuff that is already closed. If they would actually give us some of the dragging back especially on the south end, because, I would like to, for the record, say that anything outside of about say 330 foot, there is no coral. It is all good soft bottom all the way out to the red shrimp bottom. It's all good. Pretty much basically the same comment that my Mom had; I'm behind pretty much what she said. Pretty much that's it.

MR. HARTIG: I appreciate it, Lee, and I appreciated your comments next door, too. Those were really good, the questions you were asking and the opening up the areas, that is something we can certainly consider, so I appreciate that.

MS. SOLORZANO: My name is Marilyn Solórzano. I am from Jacksonville, Florida. I'm in the shrimping industry. I have shrimp boats. I am here on behalf of the proposed amendment on the HAPC for rock shrimp closure. I'm against any expansions to the Bank, to the closure, the reason being we trawl in those areas quite often. We make a lot of money there when we can. We don't need these areas closed, because we've already got enough regulations as it is. We

listened to the president make a speech the other day in the state of the union, address the nation and say we are overregulated. Now we are going to have more, which we need less regulations so people can get to work and continue being productive in this country. This is another reason to put people out of work and close industries. Rock shrimp are pretty much indigenous to the coast of Florida. If you take away more of the area that's less production that we can bring in of rock shrimp, which means less people have availability to them, we don't want to see anymore areas closed. Your studies were based on a couple of, what, on June 20 you went out and did one week long trip, a couple of dives, some map studies. We have a history of hands on experience that's gone on for – I have generations that precede me that have been in the shrimping industry. I come from a long history of it, family history. Based on the data that you guys are using, and our hands-on daily data that goes for months and months at a time, we know where the coral is and we don't drag in coral. We would self-destruct ourselves if we did. It would cost us a fortune, it would be dangerous.

It's just something we wouldn't do to ourselves or to the environment, the habitat you are speaking of. We don't drag in it. We drag in a hard bottom, but mostly a mud bottom. We don't drag in coral. You have your VMS data out there that clearly shows where we work at. We would like to be able to continue keeping all of our shrimp areas open so that we can utilize them to the fullest of our ability. Having anything closed is just devastating to us. We need no more closures of any kind. I understand that coral needs to be protected. We are not your problem to coral. Shrimpers are not trawling on coral. We don't do it. We have very good equipment on our vessels, a lot of technology, sonar and computers. You've got some VMS data from, what, the last seven or eight years? We've got mental data, paper plot data from 30 years, 40 years. I myself have 30 years of it. I'm not that old, but I'm only 40, I started when I was like 5. I'm really not that old, I told on myself there. I myself have that much.

It is crazy to come in and have a couple of dives and some map formatting, and say corals here, here, here and here. We can tell you where it is and where it isn't. We're not dragging in it. We just ask that you don't close anything else. We need no more regulations. We ask that you actually give us some of it back. Down on the south end there is a lot of area that's closed, and I know you can't officially give it back, but give us allowable trawl areas in some of the closed areas. Also. we have some questions about transiting. Getting from royal red bottom; you know sometimes we go out and we fish more than one fishery. Maybe we've started rock shrimping and the guys that are rock shrimping decide, well, I'm going to go offshore and red shrimp. They can't transit across these banks with rock shrimp on board because they are holding a rock shrimp permit. They spend a lot of unnecessary waste of fuel, time – time is money, as we all know – to get from one point to the next. We would like to be able to be allowed to transit. Since we are paying the government for our VMSs, this should allow them to monitor our speeds as to how fast we're going. They can tell when we're dragging and when we're not. If we have a problem we get into these closed areas, we tend to call my son and then we'll call John and say, hey, we broke down, we got somebody hurt, we got an engine equipment failure, whatever. We're going to be in the area, and we may drift into it because we are out of power, and they understand that. But we need to transit across the areas, too. There are a lot of things that we need to address in the shrimp industry, but regulating and closing anymore bottom is just not needed. We just have too much technology, too much history to come in with a couple of coral questions and say let's close it all up, let's just put a big box around it and say nobody goes in it and does anything anymore because there might be some coral. Anyway, that's pretty much the end of my comment, I think.

MR. HARTIG: Those were good for being first. You were nervous but you did a good job. The one thing I will tell you is council is looking forward to cooperatively working with the shrimp industry at the AP meeting in April, to look at these, to look at the tracks where you fish, where the coral is, maybe identify zones where trawling areas – whatever comes out of that meeting, we are dedicated to working with you all on that. Thank you.

MR. DAVIDS: My name is Matthew Davids, and I am here on behalf of CCA Florida, Mid-Coast Chapter, which is Daytona Beach. We're here to speak out against the proposed MPAs. CCA's position is that marine protected areas are one of the many tools available to fisheries managers. CCA will support MPAs when they are necessary and have been developed in accordance with full public participation as mandated by law. CCA will continue to oppose marine protected areas that prevent recreational fishermen from using public fishery resources unless recreational fishermen have contributed significantly to a conservation problem in the proposed area and other fishery management tools have been proven ineffective. CCA does not generally oppose marine protected areas; however, we oppose the arbitrary exclusion of recreational anglers from our nation's renewable fishery resource.

We note that recreational fishing is allowed in all national parks, national wildlife refuges, national wilderness areas, and on wild and scenic rivers. CCA does not support the establishment of any MPAs by executive order. We believe that the public process and opportunities for congressional oversight that are contained within the Magnuson-Stevens Act and the Marine Sanctuaries Act represent sound public policy. Since most MPAs are likely to cause a displacement of fishing effort to other areas of the ocean or other times of the year, we believe that compliance with the National Environmental Policy Act is essential. We also support the recommendation of the National Academy of Sciences to involve recreational fishermen in the decision-making process. Proponents have also suggested that marine reserves will help fishermen. There is, however, little if any science that demonstrates that more fish can be taken from an ecosystem if part of that ecosystem is permanently closed to fishing.

For species that migrate widely, the temporary protection they might receive while in the reserve would have little, if any, conservation value. However, the displacement of fishermen caused by the marine protected area will intensify fishing effort in open area, and is likely to impose added cost on both the commercial industry and the recreational fishermen. This increased fishing pressure in the open areas will likely increase and intensifies user group conflicts. For this reason reserves will likely require more and not less regulation to be applied to those parts of the ocean that remain open to fishing. CCA supports our citizens' freedom to use our nation's renewable fishery resources and we support all reasonable, cost-effective efforts to increase the value of those resources to the nation. We remain skeptical that by simply closing off areas to all forms of fishing for all species that there will be a corresponding increase in the amount of fish that may be harvested on a sustainable basis. We are concerned that closing areas invariably results in displacement of fishing effort to the open area, which could reduce abundance in those areas, increase conflict among and between fishermen, cast doubt on the entire U.S. Fishery Management System, and manages people rather than the resource. CCA supports the use of time and area closures to address specific problems in a given fishery, but arbitrary blanket closures to all forms of recreational fishing are unjustified. CCA opposed regulations that prohibit recreational fishing access and recreational freedom to fish unless it can be scientifically

determined that recreational fishermen are the cause of the specific conservation problem and traditional conservation measures are inadequate to solve the problem. Thank you.

MR. RAUDENBUSH: Good afternoon, my name is Paul Raudenbush and just a couple of brief comments here on the Comprehensive Ecosystem-Based Amendment 3. I just want to go on record as saying I oppose the expansion of the HAPCs on the Oculina Bank or just the proliferation of these things, because I don't think there is enough data to support either the results or the need for a closure. I think that the council really needs to improve data collection on a lot of the species that they've already put limits on, snapper, vermilion, some of the things we're doing with grouper. We need to prove those things out with better data before we expand some of these closures. I also believe that there really should be better information to just license holders on when these protected areas are put in place. I didn't know until really this week about the protected area off Jacksonville. I think that was mentioned earlier.

I have a saltwater license; I've had it for 20 years in the state of Florida. There is no reason why they couldn't send me a postcard, plus I'm on your mailing list, and I don't think we got a notice on that. I think you ought to improve your data collection before we proliferate these closure areas. On Action 2 regarding the prohibiting of powerheads, generally I agree with the closure of powerheads, but I think, too – and Rick Ryals mentioned this – the states probably ought to be the ones that create those rules. In terms of a spearfishing endorsement overall, I certainly wouldn't endorse that. Action 3; the establishment of a marine protected area across the mid-shelf region, I oppose that. Again, I don't think that this is the right approach for protecting the speckled hind and Warsaw grouper, and I think that more study ought to be put into that. There is other ways to control those catches. Action 4; I oppose that. Again, it's just another closure of what is already part of the Marine Sanctuary, if I understand this correctly.

MR. HARTIG: It's going to go through the Sanctuary process and then it will come to us. It's a ways off.

MR. RAUDENBUSH: It seems redundant and it seems like the council could place their efforts in more appropriate areas. A couple things I do support, the increased minimum size limits for hogfish. It is not a big stretch; I think that would probably be good for the stocks and good for the fishermen. The bag and size limits, Action 7, I agree with that. Action 8, adding African pompano to the fisheries management there, I don't have any argument with that, so I think you are doing the right thing in those cases. But generally I think the council's actions on red snapper and vermilion snapper are off the mark, and I just see these closures as really infringing on the rights of fishermen, recreational fishermen in particular. I am a recreational fisherman and not a commercial fisherman. On our commercial and charterboat people trying to make a living, and on the state in particular in terms of the dollars created from fishermen, sport fishermen, tourists, I think we need to get better data on all these programs before we enforce these closure areas. Thank you.

MR. RYALS: Ben, there are a couple of things I'd like to address. First off, way before your time in – Rick Ryals, I'm with Florida Sportsmen Magazine – in 1988 we had got so frustrated with the powerheading issue here in town that Charlie Hammocker and myself went to Jim King, who introduced a bill to the Florida Senate that went all the way to the floor to ban powerheads from the commercial industry in Florida. The sale of a powerheaded fish was going to be prima fascia evidence that that fish had been shot in state waters and was not available for sale. The

bill stalled in committee and didn't happen, and we've had an awful lot of fish shot since then. Robert makes an excellent point that I tend to agree with. If Captain Hagan is operating under an ACL, it is not up to me to say how he harvests his fish, but what I would like to see is a removal of the commercial industry from the artificial reef system in Northeast Florida through a special management zone. It's been done in South Carolina; it's been done in other places. The artificial reefs that the citizens of Jacksonville have worked so hard to put out there are for the citizens of Jacksonville and should be under recreational limit. No problem with Captain Hagan coming in there, but he should be under the same limit that I am.

I feel like powerheads should be removed. I think this could most easily be done through a depth limit to where powerheads cannot be used in the commercial snapper grouper fishery – gosh, I guess you would have to do it for the recreational snapper grouper fishery also – within 100 feet, 120 feet would be my preference. I would like to see our artificial reefs become special management zones where they are not open to commercial harvest. I also wholeheartedly support the increase in the size limit of grey triggerfish to 14 inches and have no problem reducing the bag limit to five. I have maintained for a long time that if we had a bag limit of five vermilions, five sea bass, five triggerfish, one snapper, one grouper with a closed season for a grouper spawn; because I agree with the council that the gag grouper – you and I don't agree on sea bass, we don't agree on vermilions, we don't agree on red snapper. We agree that gag grouper are under very, very serious overharvest. If we went to smaller bag limits and a year-round fishery we wouldn't need to be at council meetings anymore. Thank you.

MR. HARTIG: Thank you, Rick. I would tell you about gags; this was the first year the commercial quota was reached on gag. That's a good thing. That means that the stock is catching up with the rebuilding plan. We see some anecdotal evidence over the last couple of years of more significant movement to the south that I haven't seen in the past 15, so there is some improvement in the gag resource. But you're right, it needed some help.

MR. JOHNSON: Robert Johnson, Jodie Lynn Charters in St. Augustine. I've got a couple boats, one which has a federal snapper grouper permit on it. I'm going to comment about pretty much everything, Ben. Snapper Grouper Amendment 18B; I sat next door and listened to how there is going to be an increase in this golden tile ACL, which we knew was going to happen because it was not undergoing overfishing and not overfished. My one question is, is the council going to look – I don't fish for golden tile, you know that, but I've heard a lot of people at a lot of meetings that are going to be put out of this fishery. Are they going to look at allowing some of those additional boats into this fishery that have been participating in the last couple years with the increase in the ACL?

MR. HARTIG: Well, one way to look at it, Robert – you asked me a direct question and I'm going to answer you – one way to look at it is right now you've got a little less than 300,000 pounds is being caught in two and a half months. If you double the quota to 600,000 with the same number of fishermen, you get five months. That's just the reality of what's happening.

MR. JOHNSON: There's going to be an increase in the recreational ACL also?

MR. HARTIG: We need to consider that.

MR. JOHNSON: All right, I'll move right along to Spiny Lobster Amendment 11. I don't much about lobster fishing. I like to eat them, got some friends in the room that give me some from time to time. But my concern is when you start closing down areas in federal waters to protect coral, we're all about protecting coral, but I just want to make sure that is not going to take those traps and put them in there in state waters, if that's been given any thought. They are going to put them somewhere, so where are they going to go? If you move them out of one area, unless you are going to limit the number of traps; I'm not sure what the council – how they're going to look at that. Moving on to the Golden Crab Amendment 6; have we done a stock assessment on golden crab?

MR. HARTIG: Not a real assessment, no.

MR. JOHNSON: I'm wondering, okay so who is screaming for a catch share program in golden crab? Is it the boats that are participating; are they seeing this as a chance to solidify their hold on a resource that is a public resource? My understanding is some of those boats are funded by foreign countries. I know that they have U.S. companies. I know I was told at a meeting that the Chinese had actually purchased a vessel that was engaged in that fishery. I've got a real problem with that. I mean, we are going to go into a catch share program on a crab that we know nothing about, no stock assessment, at the request of a few boats that are fishing in it? I think the council needs to go very slow on that.

Shrimp Amendment 9; there was some confusion on my part about that. My understanding is that was just – the uniformity is just going to be in the way they shut down the fisheries, but this is no way intended to shut down shrimping in Florida. That's my understanding, so I'm okay with that. Now the big one, powerhead gear, Florida already has a ban on powerheads in state waters except for personal protection. You can dive in state waters and carry a powerhead; they just don't want you to shoot a fish with it. My question – I've given this a lot of thought – what is the purpose of the ban? Is it just to keep them from shooting fish? That obviously sounds like the purpose. The facts are the fish that they're harvesting are coming from ACLs that haven't been filled, amberjacks and grouper, for the most part. Don't get me wrong, I don't like powerheads. I think this can be addressed a little different though than an outright ban.

I know this was mainly intended for North Carolina waters. I talked to Mac Currin today, and he said they never intended this to carry on into Florida, but I know there are a lot of people that would like to see it in Florida. I think maybe a better compromise would be to look at doing some SMZs here in the state of Florida; because I think the concern of most of these people are these fish are being shot on these nearshore reefs at 80, 90 feet of water, especially in the fall. These fish are small; they are 10 to 14 pounds on average. I'm not even sure – they are all female, obviously – I'm not even sure if they've had enough time to spawn. I think the council might need to look at some of that versus an outright ban.

Deepwater Habitat Areas of Particular Concern; is the council looking for an open checkbook there, so to say, just to establish these wherever they find this Oculina coral? I know they found some off of St. Augustine, last year I think it was. We've already got the Oculina Bank. I mean, how many of these areas are we going to close? Are they going to be closed just to bottom trawling, longlining, all fishing; what is the intent? It is sort of vague, so I'm not saying I'm against it, but I would like to have some clarification on what they are going to do there. Okay, the MPAs to protect Warsaw and speckled hind; I don't know many people in this room, maybe

there are more than I think, are aware that there is an MPA off of Jacksonville. Its east/northeast of the Casa Blanca. The 30/19 runs up to 30/29 and goes from 80/14 on the west side to 80/02 on the east side. That was put in place to protect deepwater species. My question would be as a council, has there been any kind of sampling done in that MPA? Is it working, has there been an increase in speckled hind or Warsaw grouper there?

But the main thing is that the council needs to establish some kind of program where they educate the public. I don't care if you have to put fliers in the courthouses where they buy their license, the fish houses, the bait and tackle stores, these people need to know these things are there. You can't enforce something or expect to enforce it if people aren't even aware it exists. They haven't done a very good job in educating the public on that. Recreational tag program for deepwater species; I oppose any kind of lottery system. I think it's a waste of the resource; you are going to have people putting in for it and getting it and not using it. I think a better way is in the state of Florida here we already have a snook and a lobster stamp. I don't know if it would have to be a federal permit or a state permit, but the people that want to go out and catch snowy grouper and golden tile, make them buy a separate endorsement on their license.

Don't make it two dollars or five dollars, because then everybody and their brother will want to get one. Make it expensive enough that only the people that really are serious about going out and doing that type of fishing will get it. That way that will narrow down your sampling universe. They'll be able to track the landings a lot easier, because you'll know exactly who is permitted to do it. If they don't have the permit they can't do it, so there is no reason to give them a call or require any kind of reporting. Increase the minimum size of hogfish; I have no problem supporting that action. I think everybody in this room knows that size limits work. We've got lots of red snapper out here because of bag and size limits. I support adding African pompano to the FMU. I would like to see the council adopt Florida's law on African pompano, which is one fish per person, two fish maximum per boat. We need some uniformity. We didn't get it in the cobia and I hope the council will revisit that sometime in the future, also, because Georgia, South Carolina, North Carolina bag limits on cobia are a lot more liberal than Florida, and I don't think that's right.

The last one, modify permits and data reporting to ensure ACLs are not exceeded; I don't know what modify permit means. That is a little bit vague. If you are talking about requiring people to have a federal permit to report, the commercial industry already has to report, the recreational industry doesn't have any kind of reporting, but the for-hire industry should have mandatory reporting just like the commercial industry. But let's get realistic here; we are in the 21st century. These logbooks and the U.S. mail is not the way to do this. We need to be electronic. Everybody owns a computer and it just makes sense. If you are trying to track landings to keep from exceeding ACLs, why in the world are we using the federal mail? They've found mail that has been lost for 60 years all the time, so I mean really it is mind boggling to me that the council is still doing it that way. All of your dealers in the state of Florida, when you sell fish to them, they report electronically to the state. There needs to be some kind of data sharing on a state/federal level, and you could have those landings within hours, literally, of when they're sold. That's all I got, thank you.

In response to a sale of permit, you've got these fisheries that are being restricted through endorsements; and as these people get older, I mean if they don't sell their permit, the way it is set up, there is going to be a sale of permits. I mean people are going to buy and sell permits.

That is just the way this thing is structured. That is going to have to happen or in 75 years there is not going to be anybody fishing at all. I don't have a problem with that. I think the council left a loophole open when they had corporate permits, because the whole idea of the permitting process was to take the fishery and reduce it. You had to buy two permits to make one to get in the fishery. Just like a county only has so many liquor licenses, they only wanted to have so many fishermen. But when they left that loophole open for the corporate, now that permit can only be – it's just like buying two. I think that was a real error on the council's part there.

To address the MPA issue again. as far as Warsaw and speckled hind go, I guess this is more of a question than a statement; is that establishment of a set number of MPAs, is that going to have to happen before they rescind this deepwater closure because right now you can't fish in 240 foot or deeper. Even though the council voted to rescind that, our wonderful Secretary of Commerce and our current administration has decided just to leave it in place for some odd reason. They are really quick to close stuff, but they are not real quick to reopen it. Now, in your opinion, is that going to be something these MPAs are going to have to happen before they reopen the deepwater?

MR. HARTIG: Well, that wasn't the intent. We were hoping Regulatory Amendment 11 would be able to go through. Since that time there has been some significant pushback from the environmental community that they want everything to stay in place until we do the – however we approach this, however we do MPAs for speckled hind and Warsaw. Basically, the agency doesn't want to be sued and lose. What they've been trying to do is put enough record together to thwart the comments of the environmental groups; and if they have a better than 50/50 chance of winning the lawsuit, they'll approve it. If they don't, they won't so wait and see. They've got to make a decision pretty quick. I've got into this and I've provided a bunch of information to try and get Regulatory Amendment 11 approved, because I think some of the snowy we can still catch at least in the southern end. It is an economic incentive for us to catch snowies while we are catching other fish.

MR. JOHNSON: Well, I guess the question to that point, Ben, is why is the council so concerned about being sued by the NGOs, but they are really not concerned about the opinions – you said they got a lot of pushback from the environmentalists. Well, good gosh, have you gotten some pushback from the fishermen?

MR. HARTIG: We've gotten pushback from the fishermen, also, and I told the Regional Office. Frankly I said, well, this is where the rubber meets the road. This is one of the ones where you show us where your support is. Is it for the environmental community and for their questions or is it for fishermen who have supported this? I made that a question, so we'll see. I will be disappointed if Regulation Amendment 11 doesn't pass. I understand if you've read the National Resource Defense Council's arguments; some of them are pretty compelling.

MR. JOHNSON: I already did read them. Somebody sent them to me and I did read them.

MR. HARTIG: I have to bite my tongue through some of them, but some of them are compelling.

MR. JOHNSON: But we have compelling arguments, also. It seems like to me that the council is more concerned about being sued by them then are about the fishermen.

MR. HARTIG: Now, it's not the council. The council passed the amendment, sent it on to the regional office and the Secretary of Commerce.

MR. JOHNSON: I rescind my statement; I know it's not you all.

MR. HARTIG: You do have to separate at least us out of that. We support the fishermen in trying to do this. We support the long-term effort of fishermen co-working with the council to develop a system of MPAs to protect Warsaw and speckled hind. My concern in all of this is when we get a speckled hind assessment, that speckled hind is going to look pretty bad based on the information that I've seen from MARMAP and what I've seen from the thesis that was done by Ziskin. It doesn't look very good, so if we ever get an assessment done there is going to be some real problems and possibly choke species. You can only catch so many of them per year, and if you went over that number you'd have to close the bottom. I mean, speckled hind is up for listing now by the environmental community. We just thwarted a Warsaw list. NMFS did an excellent job in addressing the environmental communities concern with Warsaw grouper; however, speckled hind, with the new information from the thesis, we don't know how that one is going to come out.

My fear is that if ever any one of these get listed, buddy, you're looking at some really serious, serious closures in the deepwater complex and possibly into the mid-shelf into the shallow waters where those juveniles occur. We are trying to do in my mind a significant amount of work and a significant amount of closed area to deal with this. My goal is to make sure we never get to the point where we list either one of these species and we have those kinds of closure interactions. The goal is to work with the fishermen and the scientific community to find out these centers of abundance and the areas where these fish are more concentrated. Now having said that, I think we need to look at a little bit broader than just that; I mean a little bit bigger area. I'm not looking at real specific type areas, I'm looking broader. Now I may be in the minority, but that is how I'm looking at it. Chris Koenig wrote a letter – did you see Chris' letter?

MR. JOHNSON: Yes, I did,

MR. HARTIG: He was talking about 50 percent of the high relief habitats. The way I look at it, we just had 100 percent of them closed. If we can get o somewhere in between where we can still fish in those areas and still protect those species – and I'm looking, too, at having access to those – if we close enough area, we can have access to those two species I think outside in the area where you can fish. If you close enough area, I think you can have access, maybe not in the beginning but in time. You can actually catch those species; get some data collected from them that would help them in this process.

MR. JOHNSON: They're doing an assessment on speckled hind and Warsaw grouper; are they using fisheries independent for that?

MR. HARTIG: No, Erik said he's got enough information he thinks on speckled hind to do an assessment. For the other species, it wouldn't be a full-blown stock assessment. It would be some other way to look at the landings over time and the sizes. I see as many Warsaw as ever. I've probably caught as many Warsaw as anybody in the South Atlantic and continue to do so. I

interact with them in the amberjack fishery. I see as many Warsaw as I've ever seen; I just don't see the 300 pounders anymore. Somehow we need to have some area set aside where those animals can grow to be 300 pounds again like they were when I first started targeting these areas. We still see evidence of big fish occasionally. There are still a few there, but not the numbers that there were when I first started catching those animals.

I appreciate your input; you've been involved. We've got a number of e-mails from Robert about this topic, and he'll be involved, and any of you that want to be involved in this Warsaw and speckled hind also can get involved in setting aside an area, give us your information on where you think these animals congregate, especially from the dive community, and the area you guys cover. That's really good information, that you have actually seen maybe adult speckled hind, because we haven't seen them. In the sampling that we're doing, we haven't seen them – not what we're doing, but MARMAP.

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	February 1, 2012

YOUR NAME (PLEASE PRINT): Maynor Solorzano

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4061 Starratt rd

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Miss Marilyn louise inc

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- ☐ CE-BA 3
- ☐ Shrimp Amend 9
- ☐ Spiny Lobster Amend 11
- ☐ Golden Crab Amend 6
- ☐ SG Amend 18B (golden tilfish)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Susan Shipman	912-222-9206

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

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Steve Swann

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 332 3rd St, Atlantic Beach, FL 32233

EMAIL ADDRESS (IF APPLICABLE): SCSWANN@Gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): —

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): GARY BURDETTE

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 24315 MOSS CREEK LANE, PONTE VEDRA, FL 32082

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): CCA

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
- [ ] Shrimp Amend 9
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
ANNA DELOACH	904-7376558

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
1861 CORNELL ROAD JACKSONVILLE, FL 32207

EMAIL ADDRESS (IF APPLICABLE)

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NEW WORLD PUBLICATIONS

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Damien Solorzano

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4061 Starratt rd

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Miss Marilyn louise inc.

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- [x] CE-BA 3
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	February 1, 2012

YOUR NAME (PLEASE PRINT): MARILYN SOLORZANO

TELEPHONE NUMBER (& AREA CODE): 904-219-0697

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4061 Starratt Rd Jax FL 32226

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Miss Marilyn Cruise Inc, Aransas

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- [x] CE-BA 3
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Lee Vogelsong (Vogel song -)

TELEPHONE NUMBER (& AREA CODE): (904) 504-2168

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4044 Starrott Rd Jacksonville FL 32226

EMAIL ADDRESS (IF APPLICABLE): Lee Vogelsong@AOL.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Miss Carmore Nicole Inc

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- [x] CE-BA 3
- [x] Shrimp Amend 9
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
CHARLES T. HOLT	904-384-3331

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
616 TARA FARMS DR. MIDDLEBURG, FL 32068

EMAIL ADDRESS (IF APPLICABLE)
CHARLESANDGEORGE@BELLSOUTH.NET

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
CCA

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- [x] CE-BA 3
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YOUR NAME (PLEASE PRINT): Robert Johnson

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

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

EMAIL ADDRESS (IF APPLICABLE): JLFISHING@bellsouth.net

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

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- [x] CE-BA 3
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
JASON M Vogelsong	904 838-5838

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
4061 Starratt Rd Jacksonville FL 32226

EMAIL ADDRESS (IF APPLICABLE)
CaptJandV03@yahoo.Com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Captain J+V Seafood INC

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- [x] CE-BA 3
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): JANIE THOMAS

TELEPHONE NUMBER (& AREA CODE):

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

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): SHRIMP

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- ☐ CE-BA 3
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Rick Kyals

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 9020 Heckscher Dr. Jax, Fla 32226

EMAIL ADDRESS (IF APPLICABLE): Rick@FloridaSportsman.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Florida Sportsman

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- [x] CE-BA 3
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): PAUL RAUDENBUSH

TELEPHONE NUMBER (& AREA CODE): Raudenbush

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4346 COQUINA DRIVE JACKSONVILLE FL 32250

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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- [ ] Shrimp Amend 9
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT): Ned DeLoach

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 1861 Cornell Rd

EMAIL ADDRESS (IF APPLICABLE): Ned@fishid.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): New World Publications

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	February 1, 2012

YOUR NAME (PLEASE PRINT): Jim Freeman

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 3 Oceans West Blvd unit 7C3 Daytona Beach Fl

EMAIL ADDRESS (IF APPLICABLE): Cfreeman23@Bellsouth.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	February 1, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Crystal Freeman	(386) 882-6151

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EMAIL ADDRESS (IF APPLICABLE)
cfreeman23@bellsouth.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
MIKE WINDELL	(904) 568-9357

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
1736 LILLY ROAD EAST

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MUWSR@BELLSOUTH.NET

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SELF

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
ROGER WALKER	904-249-2380

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
1416 PINEWOOD RD.

EMAIL ADDRESS (IF APPLICABLE)
STREAKERRW@COMCAST.NET

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
JOSFC

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	February 1, 2012

YOUR NAME (PLEASE PRINT): Jodie Lynn Johnson

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

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 804 Shore DR

EMAIL ADDRESS (IF APPLICABLE): JLFISHING@bellsouth.net

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

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	February 1, 2012

YOUR NAME (PLEASE PRINT): Steve Orman

TELEPHONE NUMBER (& AREA CODE): 904-262-9929

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 11809 Wordsworth Ct Jacksonville, FL

EMAIL ADDRESS (IF APPLICABLE): SCORMAN9929@AOL.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	February 1, 2012

YOUR NAME (PLEASE PRINT): LISA K DAVIDS

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 4 CANDLE COURT SOUTH DAYTONA FL 32119

EMAIL ADDRESS (IF APPLICABLE): m_davids01@hotmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): CCA

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- ☐ CE-BA 3
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Greg Craddock	904-398.1237

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*)
1363 Morvenwood Rd

EMAIL ADDRESS (IF APPLICABLE)
Jacksonville FL 32207

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
CCA

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- [x] CE-BA 3
- [ ] Shrimp Amend 9
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- [ ] Golden Crab Amend 6
- [ ] SG Amend 18B (golden tilfish)

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

PUBLIC COMMENT ATTENDANCE RECORD

Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	February 1, 2012

YOUR NAME (PLEASE PRINT): HUBERT WEBER

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 95498 SANTA JUANA RD, FERNANDINA BCH, FL

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	February 1, 2012

YOUR NAME (PLEASE PRINT): ALAN BATSON

TELEPHONE NUMBER (& AREA CODE):

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PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	February 1, 2012

YOUR NAME (PLEASE PRINT): DAVID C. HAGAN

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

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EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Monkey

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- ☐ CE-BA 3
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	February 1, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
MATTHEW DAVIDS	386-756-3215

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4 CANDLE CT S. DAYTONA FL 32119

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
CCA Florida

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:
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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	February 1, 2012

YOUR NAME (PLEASE PRINT): Ed. KALAKAUSKIS JR

TELEPHONE NUMBER (& AREA CODE): Kalus King

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PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Jacksonville, FL	February 1, 2012

YOUR NAME (PLEASE PRINT): Kenneth Lee Vogelsong

TELEPHONE NUMBER (& AREA CODE): 904-838-5638

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE): 4438 Apollo

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Twin Lakes Grove Inc m/v nicodemus

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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- [x] CE-BA 3
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
POOLER, GEORGIA
MIGHTY EIGHTH AIR FORCE MUSEUM

PUBLIC HEARING

FEBRUARY 2, 2012

MR. VENDETTI: My name is Richard Vendetti. I'm with the Southern Shrimp Alliance, and I'm here to speak on CE-BA Amendment 3. As a Shrimp AP member, I found it quite disappointing that we are going to scoping meetings on something which we had not had access to the scientific data. The fundamental truth cannot be escaped or explained away is that one stakeholder group was not only preferentially provided with an opportunity to receive a detailed presentation of the scientific information in advance of both the scoping process and the March council meeting during which the council will begin to shape the action, but that stakeholder group was actually provided the opportunity to define the scoping document itself. In contrast, neither the Shrimp AP nor the Deepwater Shrimp AP will be provided with any such opportunity, and we will only have a set of charts on which to comment throughout this scoping meeting process and at the March council meeting.

In other words, we will not receive a briefing on the underlying scientific details until after the council has already begun to shape the amendment. As such, we have not been provided with an equitable or even reasonable opportunity to participate in this process. This is disingenuous and will only serve to create mistrust and undermine the spirit and atmosphere of cooperation and collaboration that will be needed for this process to succeed. Finally, it is truly unfair that the council begin to shape this amendment at the March meeting based solely on the Coral AP recommendation and the scoping comments as there is actually no meaningful information provided to the public in the scoping process related to this amendment; especially by what appeared to be a most impacted industry represented by the Shrimp and Deepwater Shrimp APs. For these reasons and those mentioned in our earlier comments submitted on January 24, 2012, we respectfully request that the council suspend all consideration of CE-BA 3, Action 1, until after the Shrimp AP and Deepwater Shrimp AP have met, reviewed this same science that the Coral AP was provided and have had an opportunity to comment. Sincerely, Richard Vendetti. Thank you.

MR. VESICAR: As far as the CE-BA issues – my name is Todd Resicar – the powerhead issue I just wanted to comment a few things on that. I question about how the powerheads are not highly regarded by the public. That's kind of a broad statement. I'd like to see more, obviously, surveys on that. I think you are getting into an age-old argument between hook-and-line fishermen and spear fishermen and trying to differentiate the use of a powerhead versus the use of a traditional spearhead. I think you can get lost in the weeds there especially if it's an issue of how the public regards a powerhead. The quality of the meat, powerhead versus traditional spearhead, I don't see how that's something that can be enforced. Then you get into the discussion between the hook-and-line fishermen, yes, a fish is probably dead when you shoot it underwater. It is possible that it could be undersized, but is that one mistake worth closing a type of fishery versus a hook-and-line fishery that might catch 30, 40, 50, 60, 70 fish from depth and

release those because they were not the right species or undersized? A lot of those discards end up dead on the bottom. I wouldn't be a fan of prohibiting the use of powerheads or any type of spearing equipment. That's all I wanted to talk about with these issues.

I had one more thing that I wanted to go over with just my overall opinions about certain fishery regulation practices, if you don't mind. For the record, let me make it clear that I speak on behalf of myself and do not represent the opinions of my employer. I have been operating government research vessels for around ten years. I've closely interacted with scientists in many fields of oceanographic and biological research as I hold a genuine interest in the research that is being conducted. My background education ends with a Bachelor of Sciences in Biology with an emphasis on marine biology. I am a sport fisherman, a meat fisherman, I dive some for sport and more for research, and I'm a firm believer in the connection that growing up with the proper respect for the balance of nature and being an outdoorsman makes a more independent, self-sufficient, well-balanced person; something I would like my son and others to experience.

I feel that the South Atlantic Fishery Management Council's use of best available data, or I like to use the acronym BAD, to manage our fisheries is a fatally flawed process that can only be described as scientific jargon for guess work. I say fatally flawed because I am witnessing people's livelihoods, ways of life and the ability for families to get together and provide for themselves; fatally flawed because these dreams and hopes are dying or dead because of scientific guesswork resulting in poor management decisions. Best available data doesn't mean complete data. It doesn't mean not bad but good enough for government work. It possibly means we don't have the resources to get more data but we're in a rush to make drastic decisions and base livelihoods on them. During these closures, no government subsidization has been offered, no programs to offset lost revenues, no alternatives to those affected, just massive closures based on BAD.

I know the quality of research is reduced when the monies and resources available are slim, and they are. It is unacceptable decision-making based on government mandates that have left no room for compromise. An entire regional closure of black sea bass, kneejerk; whatever happened to closures based on a percentage of fishing pressures applied; sub-regions of the entire South Atlantic coast line. Take a day off and go dive the reefs of Georgia and you will find no shortage of sea bass. This was true before the closures as well. As we speak, the abundance of sea bass is probably devouring the juvenile grouper and snapper we so push to protect. I ask the council not only listen to what the divers and fishermen are telling you, but actually utilize the information in such a way that South Atlantic Fishery Management Council can manage with compromise and not manage based on rushed timeline politics.

Incorporate more information from the eyes and ears that are out there daily and have been for decades. If the council would show a legitimate effort to subsidize lost revenues due to last-minute management actions, I think you will be on the right track in gaining recognition as an effective management group from all parties involved. The more you move towards the direction of environmental overlords stifling the wishes of the fishermen, the more you show that you are not willing to educate ethical practices, support the cause of getting people outdoors, and show that there is a middle ground where we can agree on. We know overfishing occurs in many regions around the world. Proper research and regulation has shown effectiveness in recovering certain fisheries. However, if you shut down our shores one piece at a time, you are

feeding the efforts overseas to import fisheries into our restaurants and supermarkets; overseas fisheries that don't practice near as much environmental respect that ours do.

It may be out of sight out of mind, but it doesn't make it right to ignore. Quantifying our ocean's bounty is a monumental task. Quantifying it with limited budgets is near impossible. Let's let our real eyes and ears of the fishery, the fishermen, contribute to the fish density barometer. If the species of fish is being caught at severely reduced numbers, the fishermen will speak and then the government can lend a hand. The cod fishery, the people spoke. The red fish fishery, the people spoke, the Goliath grouper and others. When the fishermen tell you that there are more black sea bass and red snapper than they have seen in decades, don't close the fisheries. When the fishermen tell you I haven't caught a large snapper or kingfish in a while, then act. The fish will not go extinct immediately; there is too much habitat. Breeders will still exist to rebound the population. This is the Atlantic Ocean we are talking about.

The scientific sampling of recreational species doesn't account for every fish of its kind in the ocean. They will rebound, but ask the fishermen to speak up when fish activity has slowed. My suggestion to the council; if the data is not conclusive, i.e. if other experts disagree, users disagree, do not move forward with extreme regulation measures until more and sufficient data can be obtained. Also, please mange within your region, but do not treat it as the same, i.e. snapper or sea bass. Rather manage by smaller sub-regions that are affected by the specific pressures at hand. I am not anti-science and anti-regulation. I am for practical, thorough, effective science and not partial theoretical science forced into use by forced mandates. Thank you for your time.

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

PUBLIC COMMENT ATTENDANCE RECORD

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Pooler, GA	February 2, 2012

YOUR NAME (PLEASE PRINT): TODD RECICAR

TELEPHONE NUMBER (& AREA CODE):

MAILING ADDRESS (PLEASE INCLUDE *STREET OR BOX NO., CITY, STATE, & ZIP CODE*): 36 E. 66th St, Savannah, GA 31405

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Myself

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

(ATTACH A WRITTEN COPY IF AVAILABLE)

- [x] CE-BA 3
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YOUR NAME (PLEASE PRINT): Richard Vendetti

TELEPHONE NUMBER (& AREA CODE):

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

EMAIL ADDRESS (IF APPLICABLE):

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE):

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Sera Drevenak	910-685-5705

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20 Bacon Dr. Bryson City, NC 28713

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[redacted] sdrevenak@pewtrusts.org

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Pew Environment Group

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Pooler, GA	February 2, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Wendell Harper	912-437-8200

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Pooler, GA	February 2, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Micheal Chanclor	912-617-1962

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
Out there Charters

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Pooler, GA	February 2, 2012

YOUR NAME (PLEASE PRINT): Dawn Franco

TELEPHONE NUMBER (& AREA CODE):

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): GA DNR CRD

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Pooler, GA	February 2, 2012

YOUR NAME (PLEASE PRINT): DAVID NEWLIN

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Capt. David Newlin Charters

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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LOCATION OF MEETING (CITY & STATE)	DATE OF MEETING
Pooler, GA	February 2, 2012

YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Lindsey Parker	912-617-7054

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
FRANK REDMOND	404 313 3145

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108 MADDOX DR.

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)
U.S. SENATOR JOHNNY ISAKSON GA.

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:
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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Susan Shipman	912·222-9206

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Pooler, GA	February 2, 2012

YOUR NAME (PLEASE PRINT): Gene Miles

TELEPHONE NUMBER (& AREA CODE):

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PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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YOUR NAME (PLEASE PRINT)	TELEPHONE NUMBER (& AREA CODE)
Sydney Epton	912-223-3956

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

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Pooler, GA	February 2, 2012

YOUR NAME (PLEASE PRINT): ALAN BROTHERS

TELEPHONE NUMBER (& AREA CODE):

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE): Angling Trust UK, + self.

PLEASE CHECK APPROPRIATE BOX IF YOU WISH TO MAKE A STATEMENT:

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