

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

FULL COUNCIL SESSION

**Renaissance Orlando Airport Hotel
Orlando, FL**

June 12-13, 2008

SUMMARY MINUTES

Council Members:

George Geiger, Chairman
Robert H. Boyles, Jr.
Dr. Wilson Laney
David Cupka
Anthony Iarocci
Lt. Brian Sullivan
John Wallace
Bill Sharp

Duane Harris, Vice Chair
Dr. Brian Chevront
Dr. Roy Crabtree
Mac Currin
Rita Merritt
Susan Shipman
Tom Swatzel

Council Staff:

Bob Mahood
Mike Collins
Rick DeVictor
Kim Iverson
Julie O'Dell
Kate Quigley

Gregg Waugh
John Carmichael
Dr. Andi Stephens
Myra Brouwer
Roger Pugliese
Gregg Swanson

Observers/Participants:

Monica Smit-Brunello
Kay Williams
Dr. Bonnie Ponwith
Tracy Dunn
Otha Easley
Dick Brame
Dr. Steve Holiman
Dr. George Sedberry
Chris Rilling
Dave Allison
Buffy Baumann

Dr. Jack McGovern
Dr. Joe Kimmel
Dr. Tom Jamir
Hal Robbins
Libby Fetherston
Kate Michie
Margot Stiles
Randy Blankenship
Sera Drevenak
Eileen Dougherty

TABLE OF CONTENTS

Call to Order	4
Adoption of Agenda.....	4
Approval of March 2007 Minutes.....	4
Public Comment on Amendment 15B	6
Public Comment on Amendment 16.....	12
Public Comment on Interim Rule	36
HMS Briefing.....	49
Allocation Committee Report	60
Snapper Grouper Committee Report	63
LAPP Committee Report	90
AP Selection Committee Report.....	91
Shrimp Committee Report	93
Ecosystem-Based Management Committee Report.....	99
Spiny Lobster Committee Report	104
SOPPs Committee Report.....	105
SEDAR Committee Report.....	105
SSC Selection Committee Report.....	107
Review Experimental Fishing Permit	108
Review of CCC Meeting.....	109
Status Reports	109
Update on Amendment 13C Litigation.....	110
NMFS SEFSC Status Reports.....	111

Agency and Liaison Reports112

Adjournment118

The South Atlantic Fishery Management Council convened in the Vienna Ballroom of the Renaissance Orlando Airport Hotel, Orlando, Florida, Thursday afternoon, June 12, 2008, and was called to order at 4:15 o'clock p.m. by Chairman George Geiger.

Mr. Geiger: I would like to call to order the meeting of the South Atlantic Fishery Management Council and welcome everybody to Orlando, Florida. I think we've had a very productive week so far. The first order of business is the Adoption of the Agenda. Are there any additions or deletions or corrections to the agenda? I would ask that you give me the leeway to make modifications as we proceed, to try and keep us on schedule or possibly even move ahead a little bit faster. Are there any objections to the agenda? Seeing none, the agenda carries. We have, as part of our briefing book, the minutes from the last council meeting. Are there any additions or corrections?

Mr. Swatzel: I have a correction and it's on page 8. It would be the third paragraph from the bottom and it's where we're talking about recreational size and bag limits, relating to I think vermilion snapper in Amendment 16, and the bottom part of that sentence, where it says "We'll dissent on the vote here", it should be "I'll dissent on the vote here".

Mr. Geiger: So noted. Any other corrections or additions to the minutes? Seeing none, the minutes are approved as modified. If we could, let's do a voice recognition also, before we get into the action here, and we'll start with Dr. Tom Jamir.

Dr. Jamir: Tom Jamir with the Southeast Fisheries Science Center.

Dr. Ponwith: Bonnie Ponwith, Southeast Fisheries Science Center.

Dr. Crabtree: Roy Crabtree, National Marine Fisheries Service.

Ms. Smit-Brunello: Monica Smit-Brunello, NOAA General Counsel.

Mr. Otha Easley: Otha Easley, NOAA Enforcement.

Lt. Sullivan: Brian Sullivan, United States Coast Guard.

Mr. Robbins: Hal Robbins, Office of Law Enforcement.

Ms. Shipman: Susan Shipman, council member, Georgia.

Mr. Wallace: John Wallace, council member, Georgia.

Mr. Mahood: Bob Mahood, council staff.

Mr. Currin: Mac Currin, North Carolina.

Mr. Geiger: George Geiger, Florida.

Mr. Harris: Duane Harris, Georgia.

Mr. Swatzel: Tom Swatzel, council member, South Carolina.

Mr. Cupka: David Cupka, South Carolina.

Mr. Sharp: Bill Sharp, Florida.

Mr. Boyles: Robert Boyles, council member, South Carolina.

Dr. Chevront: Brian Chevront, council member, North Carolina.

Ms. Merritt: Rita Merritt, council member, North Carolina.

Mr. Iarocci: Tony Iarocci, council member, Florida.

Ms. Williams: Kay Williams, Gulf Council liaison.

Dr. Laney: Wilson Laney, U.S. Fish and Wildlife Service, proxy for the Regional Director.

Mr. Geiger: Thank you very much and for the record, to my right is our Administrative Officer, Mike Collins. I have just a couple of administrative announcements. I would like to officially -- I think we welcomed Wilson to our last meeting, but this time he's officially I know, on official orders, and so Dr. Wilson Laney from the Fish and Wildlife Service. Wilson, thank you very much for your participation this week thus far and I look forward to your continued participation and thank you, sir.

Bill Sharp from Florida is standing in for Mark Robson, who had to leave to attend a Fish and Wildlife Conservation Commission meeting in Fort Lauderdale. Bill, welcome and thank you for your participation. We also have with us Kay Williams from the Gulf Council. Kay is a distinguished council person. Kay has served a full nine-year term and is now back on her first term of what will probably prove to be another nine-year term, a glutton.

Ms. Williams: Thank you, Mr. Chairman. I must be a glutton for punishment, but I really do enjoy coming back and meeting new people and seeing all of the wonderful friends that I have known from my past nine years here at the South Atlantic and thank you.

Mr. Geiger: You're a trooper and certainly you've worked hard for the protection of resources and we appreciate it and thanks very much. Last but not least, Bob Mahood, our own distinguished Executive Director. This is Bob's 103rd meeting. We lost count of the hundredth meeting and so we'll recognize him on his 103rd. That doesn't count -- He reminds when he was a council member. He was a state representative from Georgia and North Carolina. If I could ask Tracy Dunn, who is in the audience -- Tracy, come up on up here a second, would you, please? Special Agent Tracy Dunn or are you Special Agent in Charge Tracy Dunn?

Mr. Dunn: Not yet.

Mr. Geiger: This plaque is to recognize your outstanding service, Tracy, on our Law Enforcement AP and as the Special Agent in Charge of Southeast operations. That's correct, isn't it?

Mr. Dunn: Not really, but it's close.

Mr. Geiger: South Atlantic, how's that? South Atlantic operations. This plaque is awarded upon your departure and moving over to the Gulf and taking charge of the Gulf operations.

Mr. Dunn: Thank you very much. This is what you get for just showing up.

Mr. Geiger: That's not true, because Tracy took the bull by the horns and solved a big law enforcement dilemma we had at the Oculina Bank and during his tenure, we took significant steps to step up enforcement in that area and we appreciate that particular aspect of your service, Tracy. With that, I'll turn it over to my distinguished chairman of the Snapper Grouper Committee, Mr. Mac Currin. Are you ready?

Mr. Currin: Not quite.

Mr. Geiger: Give us just a second. I think we're waiting on comments from our legal counsel. What we're going to do, for the benefit of the public who are here tonight, we're going to have public comment. I'm sure you all have an agenda that we're going to take public comment on Amendment 15B and 16 and a couple other actions that have been taken by the council and committee during the course of this week.

One of the things that we're going to do this time that's a little different than our last public comment or any public hearing we've conducted in the South Atlantic is we're going to go to a timer system. We found that to be necessary because everybody needs to have a fair opportunity to speak and if you don't have a time system, it seems like some people want to dominate the conversation and it's unfair to the people that have to sit and wait their turn.

In the interest of everybody getting an opportunity, we've exercised our options here to establish a timing system. The green light will go on and you'll have three minutes to comment. When the yellow light goes on, you've got one minute. We're going to ask you to wrap your comments up before or when the red light goes on.

One of the things we will do, however, is we're going to request that when you come forward and speak on an issue, come forward and speak on the first issue. If it's 15B, keep your comments specifically on 15B. You'll get three minutes to talk about that. If you come back to talk about Amendment 16, we're going to give you another three minutes. If you choose to come back and talk about the interim rule we're going to propose here at full council, we'll give you another three minutes to talk about that. We're going to take these issues in sequence, starting with Amendment 15B.

PUBLIC COMMENTS ON AMENDMENT 15B

Mr. Currin: Thank you, Mr. Chairman. I have so many papers here that I hope I can keep them straight. I think George outlined the procedure as we will conduct the public input for this evening. I believe we have cards that indicate you would like to speak on either one or all of the issues.

I will go through them as I have received them. As you come up, let's please conduct it as George suggested. We will start with your comments on Amendment 15B and then we will move to your comments on Amendment 16 and then the comments on what was Amendment 18, but has now changed into what's proposed, by the committee at least, an interim rule for measures on red snapper and other species.

Just for your information regarding Amendment 15B, there was a change suggested by the committee. Again, keep in mind these have not been approved by the council, but the committee passed a change in one of the preferred alternatives and I would like to read it to you, so that you can understand it before you provide your comments.

It reads as follows: The South Atlantic snapper grouper harvested or possessed in the EEZ onboard a vessel that does not have a valid federal commercial permit for South Atlantic snapper grouper or a South Atlantic snapper grouper possessed under the bag limits may not be sold or purchased. A person aboard a vessel with both a for-hire vessel permit and a federal commercial snapper grouper permit is considered to be fishing as for-hire when fishing as described in 50 Code of Federal Regulations 622.2. Snapper grouper harvested or possessed on such a trip may not be sold or purchased, regardless of where it is harvested.

I know that's a mouthful and if I can boil it down simply for you, if you are fishing under a charter/headboat permit and fishing in either federal or state waters, this regulation, if passed, would prohibit you from selling your bag limit of fish. On Amendment 16 --

Mr. Geiger: The important thing about Amendment 16 is we're not taking final action on Amendment 16 at this meeting. We're deferring it to the September meeting for final action.

Mr. Currin: Yes, there were a few alternatives added, at the suggestion of the AP, our advisory panel. Those will have to be analyzed by staff and then brought back to the committee at our next meeting, where we anticipate taking final action on that. The interim rule, as I indicated, Amendment 18 has been rolled into Amendment 17 of the snapper grouper plan.

In addition to that, there was a motion by the committee to send a letter to the Regional Administrator, requesting the Regional Office develop an interim rule closing the harvest of red snapper and implementing reductions in fishing mortality as specified in the preferred alternatives in Amendment 16 for the following species: gag grouper, vermilion snapper, black grouper, and red grouper. That's just to clarify that before you make your comments and I apologize, but this just happened today.

I will call your name and if you would, come up to the microphone and state your name for the record and any organization that you represent. We will notify you if you don't notice when the

lights change and, again, you'll have three minutes to provide comments to us on each of the three issues or amendments, if you so choose.

At Bob's suggestion, and I think it probably will be cleaner, all the comments will be collated for the council's consideration. As I call your name, we will first take comments on 15B. Our first speaker is Joshua Giordano-Silliman and our next speaker, if you will come up at least to the front and be prepared to come to the microphone and be ready, it will be Charles West. Again, just initially your comments on 15B. If you indicated that you wanted to speak on the others, we will call your name again.

Mr. Giordano-Silliman: My name is Joshua Giordano-Silliman and I'm twenty-nine years old and I'm from Charleston, South Carolina. I'm here to comment on Amendment 15B. I support the Alternative 3, which allows the continual sales of grouper snapper on headboats that have a federal commercial permit, but I would amend that to stipulate that the sales need to be directed towards federally permitted snapper grouper wholesalers as well. Thank you.

Mr. Currin: Thank you. Mr. Charles West is next and on deck is Jack Riddell. Mr. Riddell, if you will ease up to the front, so that you will be prepared to enter the chair.

Mr. West: My name is Charles West and I'm a resident of Orlando, Florida, at 6314 Green Gate Drive. I'm here to comment on Amendment 15B, which is the recreational sale of snapper grouper in the South Atlantic EEZ. I've been a fisherman out of Orlando, to the port over there, for a good number of years.

I ride on the Double O, which is a party boat out of Port Canaveral, two to three times a week. I have a restricted species endorsement on my Florida SPL, which is a saltwater products license, which allows me to sell recreational snapper grouper under the bag limit. Currently, I wholesale the fish myself and I'm also a wholesale dealer licensed in the State of Florida and if this amendment were to be passed, it would just eliminate my business, period. I would not be able to ride on the party boats, which provides income for the owners, as well as the captain and crew of the party boats. I'm in favor of letting it continue as it is written now and that's all. Thank you.

Mr. Currin: Thank you, sir. David Allison, you did not indicate whether you would like to speak to the council or not. Dave Allison? No comment? Thank you. Our next speaker is Ben Hartig and the next speaker will be Dennis O'Hern.

Mr. Hartig: Thank you, Mr. Chairman. Thank you for the opportunity to address you all this afternoon and I'll keep it very brief on Amendment 15B. My name is Ben Hartig and I'm a commercial hook and line fisherman from Hobe Sound, Florida. I also was chairman of the Snapper Grouper Advisory in my past and am current chairman of the Mackerel Advisory Committee now. I would just ask you to remain firm in your commitment to your preferred alternative and I'll leave it at that. Can I have a time increase for my next one?

Mr. Currin: Mr. Dennis O'Hern is next and then Captain Bill Kelly is on deck.

Mr. O'Hern: Thank you, council members. My name is Dennis O'Hern and I'm Executive Director of the Fishing Rights Alliance. I'm the one who submitted the paper on natural mortality estimators by Dr. Kenchington, which I'll comment more on in 16. In 15B, I just have a couple of broad concerns. One is whose fish are those when they get caught on a charterboat and then sold into the commercial fishery?

A lot of my constituents, both commercial and recreational, have a great deal of concern about how that fish is going to be divided up, because it's double counted and if you guys back down into it, that's one fish, or one pound of fish, and which side does it go on and which quota is it going to get applied to and moreover, who gets the historical credit for it? I haven't really heard that in all the deliberations. It seemed to slip by me.

Another thing is the economic impacts don't appear to be very well stated. There's some pretty understated stuff there, which I've had a lot of experience with the economic impact statements, like saying a \$10,000 State of Florida impact for a grouper closure. That was in a previous grouper closure.

Also, I noticed that you're considering walking down the preemption path, where the federal permit rules and the state doesn't have any right to say what goes on in its waters if a person has a federal permit. We're facing that in the Gulf of Mexico right now and I would like to make one more comment off of 15B, but there doesn't appear to be a place for me to make it and that's with regards to the spearfishing rules that you're being asked to, I believe, approve for Gray's Reef National Marine Sanctuary.

I went through that fight five years ago and I've looked at the information and nothing has changed, except they've got a few late studies that don't even apply to the Sanctuary actually or to spearfishing in the United States.

There is no powerheading activity on Gray's Reef and there are no fish on Gray's Reef that even are worth going after with a powerhead and there's not that much spearfishing activity out there, but it just really smacks of some sort of exclusion of a specific type of gear. If you want to limit the gear in there, you need to limit all fishing gear, because if you limit just spearfishing gear, in my opinion that's not right. It wasn't right five years ago and they backed off of it then and so I hope you'll consider that and thank you very much.

Mr. Currin: Thank you. Captain Bill Kelly and then Christy Clow.

Mr. Kelly: Mr. Chairman and members of the council, my name is Bill Kelly and I represent the Islamorada Charterboat Association and the South Atlantic Charterboat Association. With regard to Amendment 15B, I would like to comment on this.

I very much welcome the changing face of fisheries management. I want to thank all of you for taking the steps to recognize the for-hire sector as a separate and distinct industry. I think it's going to help very much as we move down the road here, particularly with the SSC committee keeping separate data, as well as the Allocation Committee finally determining an allocation that would apply to the charter/headboat or for-hire sector.

I want to thank you as well for your compromise on circle hooks. I think there's a natural movement in that direction by all fishermen, because they work. If they do work as much as we think they will, we won't have to sell them and they will sell themselves. With regard to data collection, it's always an issue, but I see two very positive steps.

I think the recognition of the for-hire sector will be of tremendous help as we gather that information individually and reflect what's going on in that industry. Also yesterday, I believe the National Marine Fisheries Service made a proposal for a national saltwater fishing license, which will gather more accurate data for all recreational anglers, and that will go into effect in January of 2009.

I hope with this recognition of the charter/headboat or for-hire sector that you would also require across-the-board mandatory reporting. Also with regard to Amendment 15B, bag limit sales, you have all seen my position papers on that, representing a large portion of the industry. As a member of the AP, Snapper Grouper AP, I made several motions yesterday to try and maintain that effort.

They shot me full of holes on one side and they turned me over and shot me full of holes on the other side in an advisory panel that is dominated by the commercial sector. There are twelve members commercial and five that are for-hire and charter and the biggest issue there was where is the allocation going to come from that we would use for bag limit sales.

I think that will resolve itself down the line, as we develop an allocation for the industry, and I hope that the council will consider bag limit sales for the for-hire sector within that allocation and we'll discuss that as we move on down the road. I look forward to additional comments on 16 and thank you very much for your attention this week. I appreciate it.

Mr. Currin: Thank you, Bill. Ms. Clow and next is Dave Heil.

Ms. Clow: First, I would like to thank you for allowing me to comment today. I would like to go ahead and comment on -- My name is Christy Clow, with Angler Conservation and Education. I agree with the council for their preferred amendment for Alternative 2, to require all vessels with a commercial and for-hire snapper grouper vessel permit to immediately release incidentally-caught smalltooth sawfish, have a copy of the document "Careful Release Protocols for Sea Turtle Release with Minimal Injury", post the NMFS provided sea turtle handling and release guideline placard and tend to incidentally-caught sea turtles in a manner consistent with the protocols specified in 50 CFR 635.21.

I also recommend that the vessels do carry sea turtle release equipment. In my experience, I've been fortunate to have been an education outreach instructor for the NOAA Fisheries Highly Migratory Species Protected Species Safe Handling, Release, and Identification Workshops that have begun in November of 2006 and continue to date.

I've had the opportunity to work first hand with nearly a thousand fishermen thus far who now have the ability to properly release sea turtles, smalltooth sawfish, and other bycatch with

dehookers. I believe education and outreach is needed to teach fishermen proper handling and release techniques and I have seen the benefit of these HMS workshops firsthand and I'm very glad to be a part of the program. Thank you again for allowing me to comment on these very important issues.

Mr. Currin: Thank you. Next is Dave Heil and then John Barber.

Mr. Heil: My name is David Heil and I'm here speaking on behalf of the Central Florida Offshore Anglers. We are a group of approximately 150 families that are members, approximately 800 members total. We fish primarily out of Port Canaveral, but also out of Ponce and Sebastian. In regard to Amendment 15B, we feel first of all that this council does not have any reliable data to make any recommendations on any fishing management at this point in time.

The data that this council is working under is so critically flawed that it is totally useless to any knowledgeable management process. That being said, in regards to this, the position of our group, which does have not only recreational, but also captains that would be affected by this regulation, is that we do believe that the sale should be permitted. However, any fish that are sold through these permits must be counted as commercial caught fish and not as recreational. Thank you.

Mr. Currin: Thank you. The last name I have indicating a desire to speak on Amendment 15B is Allen Leary.

Mr. Leary: I'm Allen Leary and I represent some headboats in Charleston, South Carolina. I drove down here today and I was under the impression that the meeting started at 4:15 and so I was a little bit late and so this is kind of going to be a two-part thing. I do want somebody to elaborate on the interim rule that you all went through right before I came in here and is that possible?

Mr. Currin: We can do that, Allen. I can read the motion to you. I'll read it again before we begin taking comments on that issue.

Mr. Leary: Okay. As far as Amendment 15B goes, I didn't write a statement. I went to the meetings in Charleston, South Carolina and attended those. I didn't get a chance to speak and I wrote a statement on Amendment 16. As far as Amendment 15B goes, I think that you all have seen that the sale of recreational-caught fish in the for-hire sector is pretty miniscule in comparison to the commercial catch now.

I know that you all have had some problems with double reporting, but I think that that can just be relieved by some paperwork. Some of the guys that work in the for-hire sector, be it captains and sometimes crew, do use this as part of their income. Being with the fuel prices the way that they are and the amount of money that some of us can charge for trips, we try and use any resource possible that we can in order to help pay the employees that work for us.

They still are underneath the regulations that all the recreational people are and so I don't think

that it's a big problem and a big issue as far as the amount of fish that you all think will be going onto the market, because I know from you all's studies, your preliminary study as a matter of a fact, only showed that there was about 1 percent. You all came up with a little bit more after that, but it's not that much.

The sale of recreationally-caught fish, I believe, is negligible and you're not going to really be doing anything for the fishery if you stop it. You can help some people out with their livelihoods if you keep it going.

The second thing is -- I believe this is a part of Amendment 15B and if it's not, I apologize. The ability for somebody who works on a for-hire vessel to keep their fish I believe should be their right and as you all would say, it's not a right, but it's you all's privilege that you all would bestow on them, but it should be their privilege, because of the fact that anybody fishing in the industry, whether it be recreational or commercial or whatnot, has the ability to catch fish and take it home and provide for their families and eat it, if they want to. I don't believe that keeping them from keeping fish, snapper grouper species to take home and eat, should be allowed. If that's not a part of Amendment 15B, I apologize and that's it.

PUBLIC COMMENTS ON AMENDMENT 16

Mr. Currin: Thank you very much. As I indicated, those are all the sheets that I have from people who have indicated on the ones we received that they wished to speak on Amendment 15B and so I will move into those who indicated they wished to speak on Amendment 16. First is Joshua Giordano-Silliman and up next is Charles West. Again, I remind you to please state your name and if you're representing an organization, enter that into the record as well.

Mr. Giordano-Silliman: My name is Joshua Giordano-Silliman and I'm commenting on Amendment 16, the snapper grouper amendment. The terms of the interim gag allocation alternatives and resulting commercial quota and recreational allocation, I do not support any of the alternatives that are presented for management reasons.

I support a 50 percent recreational, a 30 percent commercial, and a 20 percent for-hire, which comes from the 50 percent of the commercial and the fairness and equality of that. I do support a closure of the fishing season once the for-hire sector has reached the 20 percent. That closure would include the recreational aspect and the for-hire aspect, which allows the commercial aspect to continue to maintain their workload.

Of the management alternatives for gag grouper, I do not by any means support Alternative 2. To me, it directly conflicts with the tenth standard of the Magnuson-Stevens Act, which is safety at sea. During the winter months off Charleston, South Carolina, you have to travel twenty or thirty miles to get out there to the fishing grounds to go fishing. You do that in the summer months, there's a good chance you're going to get hurt on the way back in, during an afternoon pop-up thunderstorm.

If you insist on having a closure, then you need to coincide and develop a federal harvest tag system, which would allow one legal harvest during that closure time, one that will actually give

you a better view of what the recreational industry is doing, because I'm not too sure where you get this 31 percent reduction by having that closure.

Of the Alternative 5 in 5A, I do support the reduction from a five aggregate bag limit to a three aggregate bag limit. I do not support the reduction of one gag or black grouper to the two to one. I don't support that. I think two gags is fine. Black grouper, no one really catches them and it's really, really hard to sit there and say that you just need to go down to one.

Of the vermilion allocations, it mirrors the gag allocations, which is a 50 percent recreational, a 30 percent commercial, and a 20 percent for-hire. The recreational and for-hire will adhere to the closure, once for-hire has actually attained 20 percent. Moving it up to fourteen inches, that's fine. You can move it up to sixteen inches. I can still go out there today and I'm legal. I don't run into very small vermilion snapper when I fish outside of Charleston. I don't know about other people in other parts of the country, but for me, you don't.

Moving it down from ten to four or ten to three or ten to whatever, if you have to move it up to seventeen inches to make it five vermilion per person, the simplicity of the reduction in the regulation will help. That will make more sense for a lot more people, be it for the for-hire or even just for the individuals who go out there on a regular basis.

In the reduction of bycatch of the snapper grouper species, I do support the use of venting tools and dehooking tools. I do not support the use of circle hooks. I love triggerfish and I've yet to catch one on a circle hook, period. I've yet to catch a sheepshead on a circle hook and so the venting tools -- My dad worked on headboats in the eighties and they knew about venting then. The fact that it hasn't been required since then, that's shameful.

Of the action on the adjustments to the vermilion, I think we just need to go ahead and let the SEDAR assessment come out and then make our decisions with that, with public input. That's all I have to say and thank you.

Mr. Currin: Thank you very much. For your information and everyone else in the audience, the committee, again, took action today regarding the circle hook issue and recommended that circle hooks not be required, that simply dehooking tools and venting tools be required. Again, that's the recommendation from the committee. The council has not voted on that yet. Mr. West, Charles West, and then Clayton Doerr.

Mr. West: My name is Charles West and I'm a resident of Orlando and I live at 6314 Green Gate Drive. I'm here to comment on Amendment 16, which is the snapper grouper amendment. The only concerns I have at the time is that if you decide to close the grouper fishery four months out of the year in the State of Florida, it's going to literally decimate the recreational fishing sector of this state, as well as the for-hire vessels. Folks are just not going to go out there and spend the money to go fishing and not be able to catch snapper or grouper.

Currently, the two-month closure for the commercial section seems to be working very well. I fish out of the Port two to three times a week, at Port Canaveral. Gag grouper are not distressed in the South Atlantic off the Florida coast that I can see. I've been a fisherman over there for a

number of years and it just seems that the data that they're using to support these measures is inaccurate and that's all I have to say about that. Thank you so much.

Mr. Currin: Thank you, sir.

Mr. Iarocci: Excuse me, Mr. West. Could I ask you a question on the record, please? Could you give me a little detail on your daily -- You fish two to three days, full trips on a headboat out of Canaveral?

Mr. West: Yes, it is. It's an eight-hour trip. We leave at eight o'clock in the morning and come back at four in the afternoon.

Mr. Iarocci: Can you give me an estimate of what you catch at the end of the day, an average, if you could, what species and how many pounds?

Mr. West: During what we call the grouper season, which begins in November and usually runs through late March, a limit of two is not uncommon. As far as the snapper goes, there hasn't been as many red snapper as there is now. It's just incredible, the amount of throwbacks that we get every day. I'm there and I'm out there fishing and I'm not sitting behind a table looking at numbers and all I know is what we see and the fishery off Port Canaveral is not distressed.

Mr. Currin: Thank you. Clayton Doerr and next up is Dennis Young.

Mr. Doerr: Clayton Doerr, from St. Augustine, Florida. This is my fishing license. I've had it since I was sixty-two and I'm heading for eighty-six right now and if somebody wants to go fishing and they call me, I say when and where do we meet and we go fishing. The snapper grouper fish are not overfished and I go with charter captains who wouldn't even think of keeping a fish that's undersized and they all go back and they all have venting tools and I fish because being retired and a limited income, it's important to me that -- Since we eat fish two or three times every week, that I'm allowed to catch these fish.

I go with captains that are without a doubt some of the best in the country, who would have no intention whatsoever of keeping a fish that's not legal and I brought some figures, but some of the comments that have been made have already covered what I had to say, but you're going to take the living away from a lot of people.

I also give fish to people that like to eat them and need the help and I think that the possibility of closing the season on snapper grouper for the period of time that I've heard about would be sacrilegious. I don't know where it's coming from, because of the abundance of fish that are available, and the people that know where to go to catch them and work hard to make a living, very hard to make a living, should not be affected by these pending rules. Thank you.

Mr. Currin: Thank you, Mr. Doerr. Mr. Young, Dennis Young, and Dave Allison, do you have comments? You indicated neither yes or no. Okay. Next up is Scott Zimmerman, then.

Mr. Young: I'm Captain Dennis Young, Sea Adventure Charters in Jacksonville, Florida. I'm

also the General Manager for Jacksonville Marina in Jacksonville, Florida. This is a double-edged sword for both my charter business and also our marina. With the cost of fuel the way it is today and apparently it's going to increase, compared to what it has been over the past five years, to levels around five-dollars a gallon -- Our diesel fuel right now is at \$5.30 and it's anticipated to go to \$5.80 by the end of the year and it's a very expensive toy to play with.

If you're a recreational fisherman, it's going to cost you a lot of money to go out to catch a fish. If you're a commercial fisherman, it's going to cost you a lot more off your bottom line. In my particular business, as a marina operator, we see an impending peril for the marina. The cost of fuel and the ability of a person to not go out and be able to catch a fish and bring it back is going to slam the door on the marina operations.

I have done a poll on our marina, just to verify that, and I would lose over 50 to 55 percent of the clientele we have there now if this rule comes down. That's door-closing figures and not just that, but the bait and tackle stores, your outboard engine manufacturers, your electronics salesmen, the boat manufactures, this is going to go back on those folks pretty hard.

As far as my business goes, what I see on a day-to-day basis, I have yet to understand where your numbers come from. I handle them every day and we throw back fish like you won't believe the numbers and I can tell this gentleman right here if you would like me to. The figures are astronomical, particularly on red snapper.

Let's stay with the b-liners. I agree with your closure on the grouper. I think it should go further than what it is, to enhance the population. I think you need to put a closure on spearfishing with powerheads for grouper in federal waters, period. They're devastating to grouper on a ledge, because the divers go down and they'll take everything that swims. A fisherman takes what bites. B-liners, our population right now off the coast of Jacksonville has never been higher and never been larger. We see it every day and that's all I have to say. Thank you.

Mr. Currin: Thank you, Mr. Young. Scott Zimmerman and next up is Ben Hartig.

Mr. Zimmerman: Good afternoon. My name is Scott Zimmerman and I'm the Executive Director of the Florida Keys Commercial Fishermen's Association. On behalf of our membership, I would like to thank the council for giving us the opportunity to provide staff with our opinion regarding management options in Amendment 16. We respect the council's intention of wanting to protect spawning populations, but by applying the practice is not as simple as closing down a fishery for four months.

A four-month spawning closure would be detrimental to Monroe County's economy during our peak fishing season. In addition to the four-month closure, I can assure you that the compounding effects of hurricanes, operating costs, and imports make such a closure look even more devastating.

Before I move on, I would like to make an additional point about a four-month spawning closure. In Australia, the reef fish spawning closures take place in October, November, and December, over nine-day periods coinciding with the new moons. This is dramatically different than a four-

month closure.

If we really want to protect fish in the act of spawning, we need distinct knowledge of the spawning dynamics and specific measures to provide appropriate protections. In 2001, Monroe County had 36 percent of the snapper grouper Class 1 permits and 42 percent of the Class 2 permits, for an overall total of 34 percent of the snapper grouper permits available. According to FWRI commercial trip ticket data, Monroe County lands 25 percent of the South Atlantic shallow-water groupers and only 1 percent of its gag grouper.

Our commercially-significant groupers, such as red and black grouper, constitute 42 and 35 percent of Monroe County's fishery and so closing grouper fisheries we depend on to protect a species we hardly ever see is not conservation. It's bad management.

The fact is that no SEDAR stock assessment has been conducted for these species and so we do not know if there's a need to reduce their fishing mortality. In order to comply with mandates to end overfishing and reduce bycatch in grouper fisheries, we propose an alternative to the four-month closure. It would be a six-month to one-year closure on gag grouper alone, which would offset any bycatch mortality that may occur while fishing for blacks and reds.

Along with the council, we also believe that the proposal in Amendment 16 to eliminate the use of j-hooks will dramatically affect the capacity of our fishermen to harvest their historical quantities of fish. It's obvious that the socioeconomic effects of mandating circle hooks in the commercial yellowtail and gray snapper fisheries has not been adequately evaluated in Amendment 16 and so we thank you for making that adjustment.

Amendment 16 has made one particular issue very clear, that South Atlantic snapper grouper fisheries must be regionalized. This is why we, along with the Snapper Grouper AP, urge the council to adopt a regional approach, by creating management boundaries at the Monroe/Dade County line. The council needs to take a closer look at this option.

In conclusion, closing Monroe County's grouper fishery during its peak season of economic importance will be devastating to our economy. Closing the entire grouper fishery to offset the bycatch mortality of one fish, which is only a minor component of our fishery, is far too burdensome and given the lack of social and economic impact analysis, such a measure may be in violation of the Magnuson-Stevens Act. Thank you for your time.

Mr. Currin: Thank you, Scott. Ben Hartig and next up will be Dennis O'Hern.

Mr. Hartig: My name is Ben Hartig and I'm a commercial hook and line fisherman from Hobe Sound, Florida. Wouldn't it be cool if we could do that, what Scott said, close the lunar phases on gag grouper spawning for a week or ten days at a time? That would be really cool. That would do it. You could really do that and I know it's not in here, but it would be cool. It's been done in other parts of the world and that's a unique way to deal with it.

I'm going to confine my comments to the extension of the gag spawning season closure, January through April, and I would like to apologize for coming in here at the eleventh hour with what I

have. As some of you know, I've been pretty busy doing some other things, two stock assessments and the LAPPs program, and I haven't dedicated the time to this amendment that I should have.

I worked closely with the council to develop the initial spawning season closure, two-month spawning season closure, and supported that decision. Closing an additional two months will severely impact Florida's commercial and recreational participation in this fishery. It would be different if Florida had year-round access to the same proportion of gags on a monthly basis. Gags migrate to south Florida on a seasonal spawning migration.

We usually see gag returning around Christmas in south Florida and they usually stay until about mid-April. Florida commercial fishermen have already given up a significant part of their landings in the first two-month closure. Giving up an additional 33 percent in January and February is unacceptable.

The proportional impacts are sufficiently different for the states to the north. You're asking Florida to give up twice as many gags as either North or South Carolina and compounding problems occur with the projected quota closures. The projection for the quota closure with the four-month closure, additional two months, is November. November is the month when the quota is projected to be caught.

This means that Florida will experience a November through April or six-month closure, which will further decrease commercial landings in Florida by 55 percent. I would suggest three alternatives which would allow Florida continued participation in the gag grouper fishery.

Let the quota drive your reductions in the fishing mortality. This is the fairest option to all states involved, as it will allow Florida's fishermen continued access to the gag grouper resource, while shifting some of the significant mortality reductions that Florida has already experienced to the states to the north.

If you are really concerned with spawning, I would ask that you limit your closure to February and March, which at least in south Florida are the peak spawning months. In over thirty-five years of observing gonad development for the species, I have never seen hydrated eggs in January or April and in fact, most years the fish do not arrive in south Florida until mid-January, in south Florida.

Thirdly, if we could fish in April, it would allow about a two-week window where we could participate in the gag grouper fishery at a time when our options are limited, with Spanish mackerel having just left, king mackerel not yet arrived, and greater amberjacks closed. I thank you.

Mr. Currin: Thank you, Ben, very much. A question, Ben. Hold on one second, Roy has a question for you.

Dr. Crabtree: Ben, I appreciate your comments. We added the recommendation of the AP today to the amendment, which was to shift the fishing year to start May 1, a 1,000 pound trip limit,

and the existing two-month closure remains in place. I wonder, would that help address some of your concerns?

Mr. Hartig: The problem with the May 1 is you're still going to close the fishery at least probably by November. You're still going to have a significant closure occurring in Florida, at a time when that's the only access we have to those fish, is in that January/February/March/April timeframe. Any closure additional to what we've already given up, and willingly so, will severely impact especially south Florida.

Dr. Crabtree: Your view is just let it open January 1 and close it down when the quota is closed?

Mr. Hartig: Close it when the quota is caught. That way, you'll spread that F out over some of the other states that we've already given up.

Ms. Shipman: Following up on what Dr. Crabtree was asking you, would you also though still retain a spawning season closure?

Mr. Hartig: Yes, we would keep the two months we already have, but I would change April into -- It's March and April now and it would be February and March. I would move the spawning season one month forward, which would continue a two-month spawning season closure.

Ms. Shipman: Still open January 1, so that you would only be open a month and then the two months?

Mr. Hartig: Yes. That way, we would be able to get some of April. We would be able to get two weeks in April, which would help -- My concern, with conservation in mind, is by being able to allow the fish to spawn, that the fishery be closed at least in the months when they're actually spawning. I know we had this conversation before when we talked about gag grouper. February is a month where I have seen hydrated eggs to the north, in the deeper water, in gag groupers. In the southern part, I've only seen it in March, in the shallower waters.

Mr. Currin: Dennis O'Hern is next and then Scott Reynolds is on deck.

Mr. O'Hern: Once again, thank you for your time, council members. Dennis O'Hern, Executive Director, Fishing Rights Alliance. With regards to gag grouper mortality rates, I hate to sound like I'm beating a dead horse and I know you guys are just getting exposed to the real concerns right now with the natural mortality estimator paper.

I'll encourage you all to flip back three pages of that when you get a chance. Basically what that is, it's a mini natural mortality workshop that Dr. Kenchington put together, which the Gulf Council had asked to be conducted on a wider scale and I agree needs to be done. I know your own SSC is looking at it.

He looked at a lot of different natural mortality methods for developing M and it's got some pretty interesting things in it. Essentially, what it tells you is that 0.15 is exceptionally low, extremely precautionary, and causes this assessment to be very, very pessimistic. The Lorenzen

curve was scaled back when they did the assessment and so what I'll encourage you all to do is set your catches as high as you can.

The Gulf Council recognized this last week and set their catches towards MSY instead of OY, because OY is 25 percent less and they felt that they didn't need the extra precaution. When you get so precautionary, we're going to walk right into economic destruction. I hear a lot of people that are looking at losing their businesses and they're going to be going to Washington and telling their legislators that hey, man, we're getting legislated right out and there's fish all over the place and there's a concern about the stock assessment procedures.

I know nothing is set in stone and nothing is perfect, but this stock assessment is very, very pessimistic and that, coupled with the fact that effort is way down, beyond what MRFSS is showing you -- I understand that the fuel costs are really driving effort, in the recreational and the commercial sector and the for-hire sector. They don't go as far and they don't fish as long, all of us.

I own a private boat and I only go on half the length of trips and so I'm going to catch a smaller fish on my given trip. CPUE is going to show that I'm catching smaller fish and it's going to be considered biologically bad, when in fact it's probably better. The bigger fish are staying offshore. I understand that we can't even put our research ships out on their cruises, because we don't have fuel for them. If the government can't put gas in their own boats, how do you guys think the private angler, the commercial guy, and the charter guy are going to be able to fuel theirs? Effort is way down, people.

Also, another comment is the accountability measures you're looking at -- If the fishery is as healthy as I might think it is, healthier than the stock assessment shows, and you set your ACLs -
- The accountability measures are going to kick in really hard and fast. Think about it. We're fishing a healthy fishery and we assumed it wasn't as healthy and our catch rate should be as high and it's going to explode.

Dr. Crabtree is going to have his hands tied and he's going to look at me and say, sorry, Dennis, but it's what MRFSS says. Yes, MRFSS. You remember MRFSS. He's going to take his things in June, after Wave 3, and have to make a decision on whether he's going to shut the fishery down, the recreational fishery. Now, 2007 MRFSS data I think just got completed and reviewed in the past week. It's about six months behind the year being completed. You're going to be working on incomplete data to shut this down. I urge you to look at that when you set your catch levels.

One other thing I would like to say is I know you're pushing for the universal angler registration. I used to be opposed to that, but I do support it. We need better data and I'm on the bandwagon for that. I'm working hard and I'm sitting on the MRIP data workshop committee and we're trying to develop a new MRFSS, a better reporting system. My members believe we're not just -
- We don't want to just point out the problems, but we want to be part of the solution too and I hope you'll all be here that and thank you for your time.

Mr. Currin: Thank you, Mr. O'Hern. There's a question for you.

Dr. Crabtree: I just want to state, for the record, that the Gulf Council on their gag amendment is reducing to the FOY level.

Mr. O'Hern: Since when?

Dr. Crabtree: That's the preferred alternative.

Mr. Currin: Next up is Scott Reynolds and on deck is Kristin Raybee.

Mr. Reynolds: My name is Captain Scott Reynolds, with the King Neptune and Mayport Charterboat. We're a headboat located in Jacksonville, Florida. First, I would like to address the vermilion snapper. You're talking about taking it down from ten to four per person and it's something that we're not really in favor of, but however it's something we could live with.

You're looking at a possible closure in October through May and we don't feel like that's even necessary, since you've already taken down 60 percent of the possible catch. October through February at best -- I've looked over the last three years and we're averaging seven trips per month per year. We're not even in the ocean enough to even make really any amount of damage.

Another thing that is going to happen, you've already heard before, is the cost of this fuel rising and everything, the days with us fishing fifteen or twenty passengers, it's over. We can't stock \$1,300 gross revenue and run \$750 through my exhaust. I can't do it and so there's going to be a lot of changes coming in the near future in party boats in general.

We'll probably be breaking down into a lot of weekend fishing only to begin with. However, we would -- There again, when we're talking about the red snapper, going from two to zero, possibly, is totally unacceptable for us. One per person should be adequate. That's already a 50 percent reduction and our people -- Since 1992, we implemented this twenty-inch minimum and that time, I was thinking I had a better chance of finding a unicorn than a twenty-inch snapper and so I didn't care.

Since then, the people have been good sports and our customers have supported us and they've gone along with the throwbacks, acknowledging that this is all in trying to replenish the stocks of fish. We've had banner years the last several years and now that we've got the fish, now I get to tell them, sorry, folks, but you can't keep them and I just don't even see where that's fair to anybody, to our residents or to visitors alike. A lot of people are depending on these fish and quite frankly, people are not going to pay \$70 to go fishing if I can't catch a red snapper and keep it. I think that's about all I have to say.

Mr. Currin: Thank you, Scott. I didn't cut you off and I let you go ahead and provide comments on red snapper now and so unless you've got something else to say -- I'll call your name when we get to the red snapper issue, which is next, and if you've got something else, we'll give you a short period to comment on that. Kristin, come on up, please, and then Captain Bill Kelly is on deck.

Ms. Raybee: My name is Kristin Raybee and I'm Director of Education and Outreach for Aquatic Release Conservation. I would like to thank the council for this opportunity to comment on such important management measures and I hope my comments will assist the council in their decision making process to properly manage our fisheries.

ARC is a company committed to educating the youth and adults in ethical angling practices, safe handling, venting and releasing skills, and techniques in both salt and freshwater, in order to significantly increase post-release survival of any and all aquatic life caught in the hook and line fishery.

I'm here to comment on Amendment 16. Under 2.1.3, reduce bycatch of snapper grouper species, ARC recommends Preferred Alternative 2C or 3, if it got changed to 3, requiring the use of venting tools and dehooking devices. If circle hooks are in there or not, I'm not sure. That got changed today.

Recent regulatory measures by the Gulf of Mexico Gulf Reef Fish Amendment 14/27, under 50 CFR 622.41, gives a description of dehooking device and venting tool. Amendment 16 in the South Atlantic is consistent with 14/27 in the Gulf of Mexico, which are both consistent with Amendment 18A in the Gulf of Mexico and proposed 15B in the South Atlantic for safe release of sea turtles.

This type of gear technology transference represents a significant effort to increase post-release survival of sea turtles, reef fish, and other economic and regulatory discards within these fisheries. Significantly increasing post-release survival in hook and line fisheries is extremely important in order for any successful, sustainable conservation and management regime to be effective and work. ARC is aware of the numerous actions that are being taken by NOAA Fisheries, the commissions, and the councils to address bycatch, post-release mortality problems, and to develop viable post-release survival solutions.

Based on the current best available data, the immediate implementation, proper use and education, and outreach of NMFS-approved and minimal design standard dehooking devices and venting tools could significantly decrease post-release mortality by an estimated 55 to 95 percent of not only all released reef fish species, but all hook and line caught and released species domestically and globally.

In order to obtain the highest level of post-release survival possible, it is critical to use proper NMFS-approved and minimal design standard dehookers and venting tools for that specific fishery. It's also important to properly instruct fishery participants on their proper and safe use, through workshops and protocols.

ARC highly recommends that NOAA Fisheries and the councils specifically describe and designate which dehookers and venting tools that will meet NOAA Fisheries minimal design standards and that are NMFS approved, in order to gain the maximum probability of survival within the shortest period of time, as well as being consistent across the fisheries.

Consistent and comparable NMFS minimal design standard and approved dehookers and venting tools will benefit research, enforcement, education, outreach, and transference of technologies from angler to angler, fishery to fishery, and from region to region. There are numerous types and styles of dehookers and venting tools available for fishery participants. Not all of them work as effectively as others.

In fact, use of improper dehookers and venting tools, like pliers and ice picks, could cause additional injury to the released fish and the angler. It's important that dehookers and venting tools be comprehensively described and meet NMFS minimal design standards and be NMFS approved. I would like to also submit a twenty-minute DVD that shows how these NMFS-approved devices work and please be considered with my comments. If you have any questions, I will answer them for you.

Mr. Currin: Questions? Thank you, Ms. Raybee. You may leave the DVD with Kim or whoever is at the desk right there. Captain Bill Kelly and then Libby Fetherston.

Mr. Kelly: Good evening again. I'm Billy Kelly with the Islamorada Charterboat Association and the South Atlantic Charterboat Association, to talk about Amendment 16 and talk about it from the advisory panel point of view, because I am on the Snapper Grouper AP.

One of the things that we had discussed several years ago was problems that would be associated with across-the-board closures for snapper grouper and other species, using indicator species and other species within those groups as management tools. We're starting to see the problems now, as we face a gag grouper closure, as well as a closure on other types of groupers, so that we can reduce bycatch.

It's going to present enormous problems for us in south Florida and, effectively, a January through April closure, as you have already heard this evening, shuts down the grouper fishery in south Florida and the Florida Keys. We had encouraged the council to take a regional management approach to this and in September, in Myrtle Beach, I actually authored the motion that we draw a line between Miami-Dade/Monroe County northward, through the Carolinas, to reflect the distinct difference in the fishery between there and the Florida Keys, which much more mimics the Gulf coastal catches.

That motion was then changed by the council and amended to read North Carolina/South Carolina and Georgia/Florida as the dividing line. At our recent meeting yesterday, we again tried to point out to the council the differences in the fisheries here, the drastic differences between the coastal fishery and the tropical fishery in the Florida Keys, and we asked to reinstate that dividing line, using the Miami-Dade/Monroe County line, which is a dividing point for many different species and recognized as effective for mackerel, Spanish mackerel, snook, and other species under your purvey.

Dr. Crabtree today mentioned -- He said we don't want to apply that to such a small area, but that small area is distinct, so very much distinct. It's as different as Orlando and Cleveland and yet, the Florida Keys is an area that's too small, but an area of Florida and Georgia is much too large, because of the impact it would have on our neighbors to the north that are under your

jurisdiction.

Now we look at a four-month closure that puts out of business, essentially, for grouper of all types, to protect gag grouper, yet conveniently opens on May 1st and only, coincidentally, to benefit our neighbors to the north when the grouper fishery becomes much more active. We really ask that you take a deeper look at these regional closures. It's not just state-by-state. There are very important dividing lines that should be made note of.

Also, I only see a minute left and it's issues like this that yesterday drove some very dedicated members of the Snapper Grouper AP to resign from the committee. I'm talking about Danny Hooks, Dan Kipnis, Jim Gray, Scott Zimmerman, and Jeff Oden.

These guys have given decades of management efforts to the council to help preserve these fisheries and they cited utter frustration with the system and what was going on and they felt that in some cases, after serving twelve to thirteen years, that they had accomplished absolutely nothing and that's really a sad state of affairs for us to have to address and we're going to miss those gentlemen. I hope the council will certainly take note of that and remember that -- I may have said this in a previous paper to you. When these guys are seeing different results in the field that contrast so sharply with what you see in numbers in papers, we really need to take a closer look at things. Thank you very much.

Mr. Currin: Thank you, Bill. Hold on one second. George has a question.

Mr. Geiger: Thank you for your comments, Bill, and we appreciate all the work you've done on the circle hook issue and all the time you've taken and the studies you've done in trying to provide us with information to make proper decisions. Thank you. A question I have for you, however, is in regard to species that are endemic to the Keys or localized to the Keys, like yellowtail and for the most part black grouper.

Is there any opposition or would there be genuine support amongst your group down there and amongst Keys residents to have Florida take over responsibility for managing those species that occur generally in the Keys?

Mr. Kelly: I don't think there would be any aversion to Florida managing those species. Florida has a very distinguished record of managing their fisheries on a state level and a very contentious effort and a very capable Florida Fish and Wildlife Commission. At first glance, I see no problem with that.

Mr. Geiger: Don't take this and run with it as something that we're going to do, because some of these species are jointly managed between the Gulf and South Atlantic and there would have to be a cooperation between the Gulf Council and the South Atlantic Council to accomplish this.

Mr. Kelly: I might add this from my experience that I think the South Atlantic Council, in the seven years that I've worked on the AP and also worked on marine protected areas, has been most accommodating and understanding in listening to the things that we've had to discuss. Our marine protected areas, of course, were a very important issue and Mr. Iarocci and I welcome the

participation here with the council.

I think a better relationship and a better understanding of what we're trying to say and having AP members physically -- The chairman of the AP committee come in here and be physically present during your meetings, so he can fine tune and interpret those motions that we made, would give you a better understanding of what we're trying to convey to you. I would make that mandatory for all the APs that the AP chairman would come to the council the next day and make sure that he's there to clarify issues for you.

Mr. Currin: Thank you, Bill. Libby Fetherston and Dave Heil is next.

Ms. Fetherston: Good evening, everybody. Thanks for entertaining all of us who want to speak today. My name is Libby Fetherston and I'm here on behalf of the Ocean Conservancy. I'm going to try to keep this brief, because you guys have to deal with me all week and I'll leave some time for other folks.

I just want to say thanks to the Snapper Grouper Committee for all their work on this tough issue and we certainly appreciate the committee and the council's desire to accommodate the comments from the AP yesterday. We're obviously a little concerned about the timeline, but I know that it's very important when comments are made from the AP to give those their due consideration.

We would sort of hope in the future that we could avoid these timing issues and avoid having substantive comments come in from a very important advisory panel right as we're sort of poised to take final action and look forward to sort of working out the kinks in that timing, so we don't run afoul of our important timeline and congressional mandated obligations.

We submitted this particular comment letter in May that details our general support for this document and a number of the preferred alternatives contained within it and I would be happy to reproduce copies of that for anyone who cares to reread that.

I just want to specifically note, as I have every time I've talked with you about gag grouper and managing this important species and vermilion snapper, the importance of setting your target catch rates at the fishing rate for optimum yield. That's sort of a new step for us, but it's an important one and I just want to thank you guys for keeping that in mind and keeping that in your document, as I think we've seen the Gulf of Mexico do with their recent amendments on the same topic.

I see I'll have some time to discuss the interim rule in just a moment, but I also appreciate your consideration for getting management for these important species in for January 1, 2009. Thank you for all your work and especially my thanks to the staff who work on these documents.

Mr. Currin: Thank you, Libby. Dave Heil and then John Barber.

Mr. Barber: My name is John Barber and I live in Orlando and I fish off the east coast of Florida and I've fished for over twenty years. I am more or less representing about 400 angler

families from the Deep Blue Sea Island angling and fishing community. Specifically, what I would like to talk to about this amendment is the context of the recreational limits and cuts on bag limits or closures and specifically the MRFSS data.

The closures and bag limit reductions in the recreational sector are irresponsible, because there's virtually no data on recreational harvest or fishing pressure. Actual recreational data intercepts from the MRFSS system average 24.8 per day for the entire South Atlantic. Florida alone is estimated to have twenty-two million angler days a year. To say that the data represents the recreational angler in Florida, with a sample rate of less than 0.03 percent, is a gross misuse of your common term "best available science".

Yet, if you take the data at the face value, MRFSS shows that survey intercepts from anglers fishing ten or more miles offshore have dropped off dramatically in the last two years, which corresponds with drastic increases in fuel costs and correlates with what the FWC has said publicly about the boating and angling activity decreasing 30 to 50 percent over the last year.

Even John Carmichael's, the Science and Statistics Program Manager, own admission at a public scoping hearing at Port Canaveral is the data is very thin and the MRFSS data is being used by the fisheries in a manner that it was never designed for. In his own words, MRFSS was designed to determine trends over broad geographic areas over time and not to determine snapshots of current fishing pressure.

No one knows, with any degree of certainty, what current recreational angler pressure in the South Atlantic is. What we do know is it's significantly less than it was two years ago and the trend is continuing to drop. The fisheries has crossed the line from best available science into irresponsible management and now is the time to take a step back from unprecedented draconian closures and bag limits onto recreational anglers and on a decreasing, shrinking, offshore recreational angler.

The current economic conditions, in particular fuel prices, have already cut fishing pressure by 30 to 60 percent, depending on who is your source. Talk to FWC, the Coast Guard, or some of your other agencies about their observations in the boating public in the last twelve months and fishing pressure outside of ten miles has decreased drastically in the last six months.

Check your own enforcement measures and look at your own MRFSS data from last year, where it lists where the angling activities were taking place on the intercepts. There is no fishery by species, geographically -- There's no fishery by species or geographically that is in serious danger which is exclusively utilized by the recreational sector. If species are overfished, simply cut the commercial pressure. This is a method that's been used with many other species and has worked to restore them.

I'm not going to be able to get through this. I'll submit the rest of my comments in writing. The South Atlantic Marine Fishery Council depends on a partnership with all anglers in order to implement fisheries policies, since there's not enough resources to effectively enforce or monitor the areas the South Atlantic Marine Fisheries manages.

For the most part, compliance with the rules is voluntary. This partnership depends on the trust and confidence of the angling public that the fisheries will enact scientifically-responsible, fair policies. If the reality and the perception of the angling public is that fisheries acts in a scientifically irresponsible manner or not fairly, the fishery rules will become like the speed limit and 90 percent of the people will exceed them.

I'm not endorsing or encouraging breaking fishing regulations, but when you make rules depending on 90 percent of the angling public obeying them voluntarily, you can predict the results. Once you get a situation where the angling public has lost trust in the fisheries council and ignores the rules, you will lose the handle on being able to manage these fisheries forever. I will finish with the other amendment and thank you for your time.

Mr. Currin: Thank you very much and please do submit your written comments for the council's consideration. Kim will be happy to take those and thank you. Dave Heil and then Bill Bird.

Mr. Heil: I would just like to follow up Mr. Barber's comments with -- I'm David Heil and I'm here on behalf of the Central Florida Offshore Anglers Fishing Club, with approximately 150 families, representing about 800 people. I would like to follow up Mr. Barber's comments with a statement paraphrasing an article earlier this year from Mr. Karl Wickstrom, the Senior Editor of *Florida Sportsman Magazine*, that basically accuses these governmental agencies of intentionally not gathering the data that is needed to support this. He did this in an article of April of 2008 in the *Florida Sportsman*.

In regards to the amendment, we believe that the only matter that can be done and the only appraisal that can be done on behalf of this council is that of Alternative 1, no changes to the current regulations. There's no data to support anything else.

Further, this council continues to ignore major takings of fish from this resource. This council continues to ignore the fact that shrimping kills many millions of juvenile snapper every year and still does nothing to change that. It kills millions of juvenile grouper every year and the council doesn't do anything about that.

This council continues to allow the longliners to come in and rape the reefs in the guise of bycatch from shark fishing. This council does nothing to stop that. If this council would stop these practices, you wouldn't have to take any other measures. These measures are being given over to the shrimpers and the longliners and not the commercial guys and not the recreational guys. That's where obviously the eyes of this council are.

In regards the dividend of the quota in Alternative Number 4, we support that, except we would say that Florida should be broken out as a separate and distinct area and the North Carolina/South Carolina/Georgia should also be a separate and distinct portion.

We also support the dehooking and venting. As far as the fishing pressure, the fishing pressure within the last year, with the increase in gas prices, is down. We see that and we've taken surveys within our own group in regards to this. Recreational boats and fishing is down. Commercial fishing is down. Not only is it down as far as number of trips being taken, but

there's been a significant shift in regards to the charterboat captains staying more inshore and fishing for more of the inshore fish, kingfish, instead of going out for the grouper and snapper.

This is because of the fuel costs. The fuel costs have already done what you all are thinking about doing here. Go to the port or go to any of the areas. There's just not the boats going out anymore.

Basically, what this is going to do is what you've already done with the snowy grouper and the golden tilefish for us recreational people. You've eliminated those fish from what we can take. We cannot economically go out and get a snowy, unless it comes in close for some reason. We cannot go out and get tilefish at all. It's just absolutely impossible for us to be able to justify the cost of running out there to get that. These are the items.

As far as the bag limit, once again, there's no data to support any reduction in the bag limit. Most of the time, the bag limit isn't even caught in the first place and so it's not even going to be the reduction that you all think you're getting. This is something that you must have the data, first of all, the current data, and what's going on out there in the Atlantic right now. You all don't have it. You need to get it. To do anything else and to make any regulations without having the data that is current and shows what's going on right now is irresponsible. Thank you.

Mr. Currin: Thank you, Mr. Heil.

Mr. Iarocci: Part of your comment, you had stated something about longliners fishing on top of the reef and I'm curious what area that is and what type of longliners are they?

Mr. Heil: They're the shark fishermen and they're up all through the area. We see them on the twenty-one and we see them on the twenty-seven and we see them on the cones. They're all out there. There is no regulation and they know there is no chance of them getting caught doing anything. We see them out there all the time. They were out last weekend in 120 foot of water. These people were out there and there's no enforcement and that's the problem.

You guys can't enforce the rules you already have and making more rules on top of the ones you can't enforce is crazy. They're out there and we've spoken. We spoke in February and we spoke in May in regards to this and is there any changes? None.

Dr. Crabtree: Just to point out, sir, you're aware that the shark fishery is looking at dramatically reduced quotas and would not likely open back up for some time?

Mr. Heil: That would be great. It needs to be eliminated altogether.

Dr. Crabtree: The quotas are being tremendously reduced, because of overfishing of shark issues. There are changes happening now and there's been a lot of rulemaking going on.

Mr. Heil: We appreciate that, but we need somebody out there enforcing the rules that are already there.

Mr. Iarocci: I just wanted to let you know that there is 100 percent observer coverage on these shark boats and so if they're in violation, the observer on the boat is in violation and so I think we have three enforcement people at the table right now that will check into this and I appreciate your comments and thank you.

Mr. Currin: Mr. Bird, come on up and next is Allen Leary.

Mr. Bird: Good afternoon. My name is Bill Bird and I'm a volunteer currently serving as the Vice Chairman of the Florida Chapter of the Coastal Conservation Association. I am Chairman of our Government Relations Committee. I am also serving on the Species Advisory Panel to the Atlantic States Marine Fisheries Commission.

I know that the council has seen a position paper that CCA has submitted on Amendment 16. I must admit that I had a chance to offer input to that. I did not realize it was going to be presented to the council and so I did not offer it and I'm here today to do that instead. My input, my own personal viewpoint on Amendment 16, is that the general public should not be in favor of any of the proposed alternatives under the amendment.

I guess the real gist of my issue would be allocation and I think, first of all, the allocations, although interim, are based on historical landings and I think, with all due respect, that really doesn't make sense to me, because here we are dealing with fisheries that are undergoing overfishing and what we're doing going forward is what we did to get us here and I think that historical landings are not an appropriate way to establish allocations when you're dealing with fisheries that are already in trouble.

Aside from that, I think that these -- I think we all need to be mindful of, and I think the council should become more mindful of, the idea that these are resources that are owned by the general public and as you've already heard from some folks, I think these severe restrictions that we're looking at for gags and vermilion are essentially going to cause the general public to quit fishing for them and to me, a publicly owned resource should be available, first and foremost, to the general public.

When the council is looking at allocations like these, that will essentially stop the public from fishing, the allocation ought to be arrived at going backwards. The council should say wait a minute, this is unfair and we need to set a reasonable bag limit and then let's work backward into the allocation from there. That's the input that I have personally and I appreciate all your service on the council.

Mr. Currin: Thank you, Mr. Bird. Allen Leary and next is David Conway.

Mr. Leary: Again, I'm Allen Leary and I own a headboat in Charleston, South Carolina. I came down here mainly because of the fact that I did write a paper on this interim rule that went into pretty good detail on how I felt about it -- Not interim rule, but on Amendment 16. I pretty much went into detail on how I felt about it and it's come to my attention that the entire council here doesn't see those and so I'm going to state what I said, so that you all can hear it.

First of all, I am for Alternative 1 on all of these species, because of the fact that I don't think we have looked at this data and the way that it could actually benefit the fishery. For years, the headboats and for-hire boats and recreational fishermen have had to fish underneath trip limits, size and bag limits.

Every time we come to these tables, we are always adjusting the size limits and adjusting the bag limits for the recreational guys and for-hire and headboats as well, being that we are part of that group, as for now. I know that you guys are considering pulling us out of the recreational group, but we do report and are a viable business. We are just as much of a viable business as any of the commercial guys that are in the fishery.

We bring tourists to these local towns, these coastal towns, who spend money on other things. I think that we should really be looked at as far as what's going to happen to us, especially on vermillion snapper, which is a main staple of ours. If we end up closing the season for seven-and-a-half months and taking the catch limit down to four per person, you're going to devastate the headboat industry, especially the large headboat industry that caters mostly to the novice public.

These are not commercial fishermen that come fishing on these boats. These are not guys that know exactly what to do. For the most part, it's novice fishermen who want to come out there and catch some fish and have some fun with their family. Two to three-pound vermillion snapper is mostly what they catch, especially boats that are fishing in the warmer waters, because of the fact that our sea bass season is so short. The further you move south, the shorter the sea bass season is and so we mainly target the vermillion snapper.

For somebody to come out there and spend the amount of money it takes for a ticket price to come out there and catch four fish, plus the fact that we're not going to be able to fish for seven-and-a-half months, which would cut our profits so drastically, if we do even have any profits at the end of the year on a regular year, we won't be able to sustain a business.

I think that you all really need to take a look at establishing trip limits, and I know I'm not going to make any friends by saying this, but since I'm looking at losing my business, establishing trip limits for the commercial sector as well. The for-hire people always have had to fish for different species and in one day trip, we have to go out there and fish for vermillion snapper and try and fish for grouper and try and fish for red porgies.

Commercial guys, when they go out there, if one fish is not biting and one fish is biting well, they're going to catch as much as they want. You all set up total allowable catches in 13C for the commercial guys. For vermillion snapper, they have yet to have been met and so they haven't been affected by this. Every time we make a regulation, the recreational guys are really affected and so I think that we need to try and set up trip limits for the commercial industry and I think you'll see something happen.

Mr. Currin: Thank you, Mr. Leary. Just to be clear, the council does receive every letter and every email that is sent. Those are distributed to every council member. In addition, we receive DVDs, videotapes, that are made at each of the public hearings throughout the region.

Mr. Leary: I'm sorry. I was under the impression that you all had some interns reading these and just picking out a few points.

Mr. Currin: No, sir. We receive every one of them. They are summarized by some of the staff and presented to us, but each council member receives every piece of correspondence that comes in. Mr. David Conway and then on deck is Greg DeBrango.

Mr. Geiger: By the way, if anybody would like a copy of those videos of public hearings, we have some extras and they're guaranteed to put you in a good mood on a Friday night.

Mr. Conway: Good afternoon. My name is David Conway and I'm the managing editor of *Florida Sportsman Magazine* and so I represent *Florida Sportsman*, its organization, and personally, myself, I like to think, and we like to think, that we also represent at least a good many of our more than 200,000 monthly readers in this country and actually around the world.

We oppose the proposed seasonal closures of the grouper fishery, period. We oppose those closures now and until the problematic conflicts in the catch allocations are addressed. You probably know that we believe that first and foremost that every citizen should have the right and the privilege to fish and catch and land fish from our waters. If the commercial sale of any species threatens the citizen's rights and privileges, then the value of that commercial sale should be more closely examined and restricted.

In a more cultural and temporal viewpoint, I would also say that the council -- Respectfully, I would say that the council could not select a worse time for the State of Florida and its recreational fisheries to enact such a seasonal closure on the grouper fisheries and finally, on a personal note, I am just grateful for this opportunity to speak to you all and appreciative of your hard work and also of your organization's, NOAA Fisheries, openness to my queries as a journalist.

I would like to add personally that this has nothing, for me, to do with money. If I lose my job as a journalist at *Florida Sportsman* because no one is fishing anymore, I'll find another job. This is not in any way personally about money. For me, it's something that I care deeply about, because it's about the memories and the qualities of our lives and the opportunities for people to go out and fish and create memories with their families and with their friends. That's my true motivation for coming up and speaking to you all. Thanks.

Mr. Currin: Thank you, Mr. Conway. Greg DeBrango is next and Mr. Welsh, Robert Welsh, indicated he was unsure whether he wanted to speak or not. Here's your opportunity, Mr. Welsh. Come on up. Okay. Then Jim Busse will be on deck. Go ahead, Greg.

Mr. DeBrango: How is everybody doing? It's nice to see that's there more than just two people sitting here taking -- Greg DeBrango and it's nice to see there's more than just two people taking the public comment beatings and so thank you all. With the alternatives that have been passed today, I see a huge blow to the Florida economy.

We need conservation and I'm all for it, the future generations utilizing all our resources of the ocean, which myself, I represent the Hundred-Fathom Fishing Club. I'm a member of Spearboard and I take my family on a regular basis offshore and so I introduce my children to the ocean.

These alternatives affect every sector of the offshore fisheries. Let's start with the recreational sale or bag limits. In the State of Florida, you must qualify for an RF species license. Your vessel has to be either registered commercial or documented commercial to use that license. I know there's always exceptions to the rule, but your licenses -- Every fish you sell, there is a trip ticket and it is legally monitored.

This is not the like the land and sell permits of South Carolina and North Carolina. I'm not sure how all they work, but from what the other members of the AP were telling me, it's that anybody can go purchase these and then sell fish to a restaurant. Myself now, I'm more land based and I work for a very large restaurant, with revenues of up to \$35 million in a year.

The thing that saddens me the most is we cannot rely on American fish. There is no more American fish, because we have to rely strictly on imports, simply because of closures and everything else like that. You can't put something on the menu if it's closed for six months a year. You can't do that and stay in business. It just costs you too much money to keep changing menus. Everything we've got is from some other country right now and it's terrible. Americans produce ten times better product than other countries.

The allocations part of it, let's start with the bag limit reductions of the gag. If we're going to do the bag limit reductions, we need to maybe add some other language into that. We need to take the tilefish as counting against the black grouper out of there. We need to take the snowy as counting as a black grouper and so if someone goes out, say mainly in south Florida, and they catch a snowy, they can still go inshore and they can catch a black grouper.

The MFMT number is going to be huge too with all these different closures and I see with the four-month closure that people are still going to be landing these gags and that number is going to be taken into consideration and so we could be looking at larger than four-month closures. The State of Florida -- I know that and the State of South Carolina and the State of North Carolina, they can't handle that. It's getting bad.

Our economy is held hostage right now by foreign countries and we Americans need to stop and rebuild our country. We are not going to save America by killing local economies. We're not going to do that, such as boat builders, hotels, charter businesses, seafood dealers, and fishermen. Look at the Sea Ray plant, for example, in Cape Canaveral. It's gone and it was a huge -- For many years, you drive by there and you look at Sea Ray and it's gone.

Fish dealers, gone. This is going to affect the hotel and retail and restaurant businesses dramatically. This being an election year -- I apologize for this, but this being an election year, as we the people, we need to let our representatives know how we feel. Maybe we need to go to Charlie Crist and maybe we need some kind on interim action to slow down the Magnuson-Stevens Act, I don't know.

The only motion I want to see passed this year, and these are personal feelings, is as far as in the elections, is fire everybody and try and bring -- Let's rebuild our country and let's not tear it down anymore. We can't take it and thank you.

Mr. Currin: Thank you, Greg. The last speaker on Amendment 16 is Sid Preskitt. I'm sorry. Jim Busse is up next and the last speaker on deck is Sid Preskitt.

Mr. Busse: My name is Jim Busse, owner of Seafood Atlantic in Cape Canaveral. My fish box says "100 percent Domestic, 100 percent American caught" and no imports. Last year, we did four-and-a-half million pounds across our docks and we are domestic. There is hope for a few of us. You are looking at one of the last dinosaurs, probably, because of what I see here.

Amendment 16, I stand with no change, no action. We cannot afford any action. We are crippled as it is. Today's fuel price was \$4.61 to the boat. Many boats do not leave the dock. Two shrimpers are at our dock and they've been there for two-and-a-half months and they do not dare turn their engines on. There's no hope for them. The only hope for them is during the winter months, in the rock shrimp season, where there's enough out there to justify a trip.

Our tile fishery is closed right now and our shark fishery is closed right now and maybe indefinitely. I'm not quite sure who is raping the reefs out there, but there's no legal fishery open at this time in that area, as far as longlining goes.

The fuel has basically done all the management, the fuel price for you guys. You might as well just walk away and go home and continue your day job, because the fuel has crippled the industry. I'm perplexed by why we keep wanting to cut, chop, change, micromanage, and do all these little things. Leave it alone and don't change it. There's all these new little chops proposed here that make no sense to me. We should keep status quo right now, because we're in such economic dire straits. You guys don't have a clue, man. It's really bad.

Last week, we wrote checks for about 160 fishermen and most of those guys fish seven days a week. We did four-and-a-half million pounds last year and some weeks, we'll do 250,000 pounds a week. We have the most tilefish caught and we have the most kingfish caught and we used to have the most sharks caught, but now we can't catch any.

As you guys were here talking tonight about the grouper and the situation that the gags are in and the recreational versus the for-hire, I called my wife up and I said, Linda, how many gray grouper did we have in January, February, March, and April. I went outside and she called me back and it reminded me of what happened.

In January, I can remember Brock Anderson -- I've known these guys for twenty years and they've gone from 100 percent commercial and then they went into this charterboat thing, which probably was in 1998 or 1999 or 2000, and now they're more or less not only 50/50, but 75 percent charter, for-hire, and 25 percent commercial, even though they are commercial fishermen and they hold their commercial license.

Anyway, in January, the fuel price was rising rapidly and the economy was real sluggish and I remember Brock on the dock one day said all my charters are canceled and nobody wants to go out on the boat and nobody can afford it and all my fleet went king fishing in January, February, March, and April. The two-month closure was March and April.

In January, Seafood Atlantic, who purchases, I would say, conservatively, 85 to 90 percent of all the commercially caught gag grouper in Cape Canaveral, had 2,243 pounds in the month of January. In the month of February, we had 7,451 pounds. All these spawning fish that Ben Hartig seems to know when they're spawning, but yet no one else seems to know. He's got the eggs, man, and he knows what he's talking about. You guys are over here in March and April and he's over here in February and March, because he knows what he's talking about. I'm perplexed by that.

Mr. Currin: Mr. Busse, I would ask that you try to wrap your comments up. Your time has expired, if you can.

Mr. Busse: Okay. There's no fish being caught and why are we continually cut, to cut the grouper? 2,200 pounds in January and 7,400 pounds in February, zero in March and April and this May, we had a whopping 998 pounds of commercial caught grouper in Cape Canaveral. Why? Because nobody wants to go out there to look and because the weather was bad. Where is that in your management? Of course, I could go on and on, but my time is up. I'm totally against any more cuts or any more restrictions.

Mr. Currin: Thank you, sir. If you do have written comments, you're welcome to leave those with Kim at the desk. Thank you. We had one more addition and found one that we had lost. Next is Sid Preskitt and Brock Anderson will be on deck.

Mr. Preskitt: Thank you, Mr. Chairman. My name is Sid Preskitt, Daytona Beach, Florida. I've got probably about twenty-five years in the commercial fishing business, primarily on the east coast of Florida. My comments right now don't specifically address the amendment on the table. However, they are directly relevant to the amendments and the management process in general in this country.

What I would like to do is just try to shed a little bit of light on how we got into this mess. In 1996, the United States Congress passed the Sustainable Fisheries Act, which brought the Magnuson-Stevens Act into conformity with the United Nations treaty. Since that time, the National Marine Fisheries Service and the seven regional fishery management councils have unwittingly come under the mandates of an ungratified United Nations treaty and UNCED, the Convention of Biological Diversity, the CBD, and Agenda 21.

The provisions in this treaty were shown in the United States Senate to be so anti-American that the United States Senate, in 1993, refused to even vote on it. That's right. It was never voted on and ratified by the United States Senate. Nevertheless, directed by Executive Orders after that fact and the above legislation, both of which were used to circumvent the Constitution, the National Marine Fisheries Service has been directed to implement the policies of the United Nations and United States domestic fishery management programs.

Since 1996, there's been a unrelenting onslaught of regulations, all spawned out of the United Nations and designed to control, restrict, and constrain not only just the American fishing industry, but every aspect of the American way of life. Fishery regulation is only a small part of Agenda 21, which is official government policy today in this country.

These policies run counter to the principles of freedom and liberty that this nation was founded upon, yet these are now the official government policy. I read on the Department of Commerce website that, quote, we will demonstrate and honor our international obligations under UNCED. A question. How do we have any obligation to UNCED, when the United States Senate has not ratified it? If it is not ratified, why was the National Marine Fisheries Service designated, quote, the lead NOAA line office on marine and coastal CBD issues?

Why did the EPA, in a document dated August 6, 1994, outline a multiyear plan, quote, directing natural resource agencies to implement the CBD and Agenda 21? These have never been restricted or rescinded. The implementation of these policies by the National Marine Fisheries Service have had and continue to have a significant negative impact on American commercial fishermen.

The commercial fishing industry in this country has been and continues to be decimated by these policies and now, only a remnant of the commercial fishing industry is left. There's only a few fishermen and a few dealers that are left, barely hanging on. It's past time that we become educated as to how we got to this point and recognize that we've been wrongly directed down a road. It's now time to do something about it. Thank you and I'll submit these comments for every council member here.

Mr. Currin: Thank you, Mr. Preskitt. Brock Anderson and then our last speaker will be Jeff Page. Mr. Page, if you'll come on up to the front and be ready to take the mic when Captain Anderson is finished.

Mr. Anderson: My name is Brock Anderson and I own Bottom Dollar Charter Fishing out of Port Canaveral. I've been full time fishing since 1974. My purpose here today is to speak against the four-month closure of all grouper fishing on this coast. I propose instead a combination of management measures to end overfishing.

Due to the new mandates of the 2006 Magnuson-Stevens Act, this well regulated and reasonably controlled grouper fishery may be closed to everyone for four months. In addition, there's a possibility of snapper being closed for even longer. For the charter/headboat sector, a grouper closure would be devastating. Race Week, Bike Week, spring break, general winter tourism during this timeframe is our bread and butter.

80 percent of my business and 100 percent of every party boat's business on this coast is bottom fishing. We must be allowed to give our customers a chance to catch and keep a fish. I would suggest lowering the recreational bag limits to one gray grouper per person and not allowing the captain and crew to count.

In addition, I recommend lowering the aggregate limits for grouper from five to three. This shortens the effort and lessens the mortality rate. There is now a reduction in fishing, due to the cost of fuel and a slumping economy, and we've heard other speakers speak to this and believe me, it's true. This should be taken well into your consideration. It is doing your job. It is managing the fishery.

Charter and headboats will not be able to stay in business if a full closure on both grouper and snapper during our best months happen. I suggest to you to choose better management and just not take the easy way out here. Thank you for your time.

Mr. Currin: Thank you, Captain Anderson. The last speaker on Amendment 16 is Jeff Page.

Mr. Page: Good evening. My name is Jeff Page. I'm a local angler and I've been fishing my entire life. I want to go on record and say that I support Dave Heil and John Barber's statements and the position of the CFOA. I just want to ask a couple of questions of the board. First, I want to make a statement that I've heard no public opinion tonight that --

Mr. Currin: Mr. Page, this is an opportunity for you to provide comments to the council on Amendment 16. It's not a question-and-answer period.

Mr. Page: If you would not interrupt, I would finish my statement.

Mr. Currin: What I heard you say was you had some questions that you wanted someone to answer for you.

Mr. Page: Again, I've heard no public support of this amendment tonight and I go on record to say that I do not support it either. I think the data is flawed. I would like to just state that it costs \$600 for four people on the average twenty-five to thirty-foot boat to go out and fish in today's economy. If you took away the ability to bring home any fish for four months, there would not be people willing to spend that money.

I dare to say if I polled every one of you sitting here that none of you would raise your hand and say that you would spend \$150 out of your pocket to go out and fish and not bring one fish home. That's all I've got to say.

Mr. Currin: Thank you, Mr. Page. We will now move -- That's all the sheets that I have indicating the wish to comment on Amendment 16. George, have you got something?

Mr. Geiger: If any of the council members need to take a break, go ahead. At will, you can return and we'll continue with the public comment.

Mr. Currin: The last issue on which we're receiving comment tonight is -- It's titled "Emergency Rule or Interim Action". I indicated earlier on, but we'll reiterate for those who weren't present, the Snapper Grouper Committee today recommended interim action regarding red snapper and some of the species that are addressed in Amendment 16.

For your benefit, Rick will put it on the board, so you can take more time to read it, but the committee asked that the staff develop a letter to the Regional Administrator requesting the Regional Office develop an interim rule closing harvest of red snapper and to implement reductions in fishing mortality as specified in the preferred alternatives contained in Amendment 16 for the following species: gag grouper, vermilion snapper, black grouper, and red grouper. Just so you understand what this is all about, at least as recommended by the Snapper Grouper Committee today. Our first speaker will be Barry Freeman and John Barber is on deck. If you're on deck, please come to the front, so that we can transition this as seamlessly as possible.

PUBLIC COMMENTS ON INTERIM RULE

Mr. Freeman: Good afternoon. My name is Barry Freeman. I own Sea Spear Fishing out of Ponce Inlet. We have two party headboats and a charterboat. I don't have a prepared statement, but my comments on closing this is it's going to absolutely devastate the for-hire sector on the east coast of Florida and it's going to continue a trickle-down effect for hotels, tourism, and everything else.

I myself have a family, as well as many of my nine employees. We're struggling as it is to survive now, between fuel and the lack of tourism and everything else and your data is completely flawed. The one employee that comes to collect data from us, over 50 percent of the time that he calls and says he's coming, he never shows up. A lot of the times he has shown up in the past few years, he's been intoxicated. What's he writing down when he doesn't show up? I don't know.

We're seeing more red snapper right now than we've seen in the past several years and where you're getting your data from, I don't know, but if it's from Dan Tyson, who comes to our dock, God help us all. This is -- Everybody laughs about it, but it's not funny. Dan's a nice guy and I don't want to see him get in trouble, but I'm looking at losing my business that I've worked my whole life for because some idiot doesn't want to do his job because he's watching a football game or the Preakness Race. Sorry I didn't make it, but the race was really good. That doesn't cut it.

I ask you all, when is the last time you all have been out of your office, other than to come to one of these meetings, to go ride on a boat? If you want to know what's going on in the ocean, get on a boat. The State of Florida has been sending people out with us on a monthly basis and they even pay us to go, a novel idea.

Come out and see what's going on and talk to some of the people that are diving the reefs everyday. You've got a statement in here from a diving captain that said he's seen more red snapper and more grouper in the last two years than he's seen in ten years. You go down there and there's hundreds and hundreds of them surrounding you and how can you say that we're killing them off?

Yes, we're catching more, because the things that have been in place for the past several years are working and so why change it? Before you do this and put us all out of business -- There's enough people in this country losing their houses. We work hard and I don't want to lose mine.

Thank you.

Mr. Currin: Thank you, sir. Mr. Barber and Dave Heil will be on deck.

Mr. Barber: My name is John Barber and I live in Orlando and I've fished offshore here for about twenty-five years. I'm offshore bottom fishing, primarily, forty to fifty-five times a year. My target almost always is bottom fishing. I haven't had a chance to look at your stock assessment or any of the new stuff that's up there, but I have had a really good look at the red snapper over the last two years. You cannot miss them. They are everywhere and they are to the point of a nuisance fish.

Short snapper, we just run away from. There are so many snapper out there that you can't even imagine. When I see stuff like this, I don't know where you're getting your stock assessment, but I will go look at it. I haven't had time to look at it, but I have looked at your data. I have looked at your data for hours and hours and I've looked at all your MRFSS data for the last ten years.

I'm an analyst by nature. When I see things like this Table 3 and you said that we went from 6.5 million trips to 8.3 million trips from 2006 to 2007, I don't know where on the east coast you're doing it. I run my radar on and I count targets going out and we're off 30 to 50 percent on fishing pressure.

I told you the MRFSS data is busted and it's wrong. The system is broke and it needs to get pitched. You're not getting enough sample rate in there to know what's going on. When you're doing twenty-five intercepts a day to cover the entire South Atlantic marine fishery, it ain't cutting it.

I'll close with this. Instead of looking backwards, this fisheries council needs to be looking forward. You guys are managing by driving in the rear-view mirror. You're looking in the rear-view mirror and you're driving. This fishery moves too fast to drive like that. Your management is reaction and not proactive. Fishing pressure is shifting right now, today, from offshore to near-shore species, such as king mackerel, Spanish mackerel, and cobia.

Your charter guys cannot afford to take people out bottom fishing anymore, because off of Port Canaveral they have to run twenty-four to thirty miles. They can go out twelve miles and get kings. Look out the windshield and not the rear-view mirror. It's shifting that way. It's shifting away from the bottom fish. The gas prices have done that. You guys have caught a break with gas prices, to get good data in these bottom fish and get good fisheries policies in place.

We caught a break with it and use it wisely. Instead of taking a CSI approach to fisheries management, which is trying to manage disasters when they happen, you need to be looking forward. Either the members that make up this fisheries council need to be changed or the system needs to be changed or to some extent both needs to happen, if things are as bad as what you say they are.

The good news is the snapper aren't that bad. Recreational anglers have watched as our access

to public resources has been chipped away and we're done watching. We are asking the fisheries to turn the table on these amendments and come back with better science on fisheries health and in particular, better data or any data at all, better statistics on recreational angling, proposed methods and policies that have worked elsewhere, and a better system of management that does not take three years to move on five-year-old data, which is your current way you do business. It's your move, guys. Thank you.

Mr. Currin: Thank you, sir. Dave Heil and then next is Libby Fetherston.

Mr. Heil: My name is David Heil and I'm here on behalf of Central Florida Offshore Anglers. We're a recreational fishing group out of Orlando, Florida, primarily out of Port Canaveral. Kind of in follow-up to what Mr. Barber said, the one question you have to ask is can you support this data in a court of law? You can't.

I am a trial lawyer by profession and I've looked at the data. You can't support it. If it takes a federal lawsuit to force this council to act responsibly, I can guarantee you that you will get it. In regards to the Snapper Amendment 18, once again, as I said before, this council continues to turn a blind eye to shrimpers. We go out there in the winter, when the shrimpers are out there, and you can find a shrimp boat for miles around. You look at the dead fish floating out behind it and you look for the birds eating them and it's very simple. The juvenile fish that are killed are unbelievable, millions.

I think the last statistics I saw from the Gulf showed about 30 percent of the snapper, the juveniles, were killed by bycatch. This council must take action against that. Longlining, it does occur. I said that before, it does occur. This council can say it doesn't and it's not allowed and it's being cut back and nobody is enforcing your rules.

Gas, gas has cut down the pressure. The trips are not being made now, as our group is and you see it over and over again. Less people are catching less fish. The trips that are out there, you see more of us out there that may have boats and there may be three or four of us and before, I would take a couple of friends out that didn't have boats and now you're seeing more and more times where we're all out there and it may be me and two other boat owners out there. Instead of three boats out there, we have one, because of the gas prices. It's simply not economical to go out.

As far as the dehookers and the venting, we fully support that and in fact, this last month, we started -- One of our group, Walter Eiseman, started putting forth a program and distributing venting tools to our group. In regards to that, the one other item is in regards to the size limit. We support a reduction in the size limit, if not an elimination of it. A lot of the fish that come up don't make it back down. If we were allowed to take and keep those fish, you'll end up dropping the mortality down significantly.

In summation, we don't need any regulations. There's no data to support it in the first place and the second is that this has already occurred. You do need, however, to look at the other causes of mortality and deal with those, instead of ignoring them. Thank you.

Mr. Currin: Mr. Heil, if you don't mind, Roy has a question for you.

Dr. Crabtree: Mr. Heil, of the snapper that you release, you said a lot of them don't make it back down and about what percentage of them would you say die?

Mr. Heil: As far as what we see from our group, I'm saying probably maybe 10 percent don't make it back down. We go out behind some of the headboats though and you can find a headboat. All you've got to do is follow a line of dead snapper going up to it.

Dr. Crabtree: What depths are you usually fishing in?

Mr. Heil: We fish for snapper in anywhere from mainly fifty to about a 180 foot for snapper.

Mr. Currin: Thank you, sir. Libby, are you ready? Next is Hobart Joost.

Ms. Fetherston: Libby Fetherston here, on behalf of the Ocean Conservancy. I would just like to say that we appreciate the discussion the committee had regarding moving forward with rulemaking. I think that's probably an excellent idea, to get rules in place for January 1, 2009. I appreciate the recommendation from the committee to the full council to consider requesting this interim rule and the inclusion of species in order to sort of reduce the bycatch issue.

Including black grouper and red grouper in with that discussion, I think is going to be more helpful than just looking at gag and vermilion and red snapper on their own. We support folding the red snapper measures into the Amendment 17 interim rule. I think that was a good idea and it will sort of cut down on the duplicity or duplicative, I think Gregg was saying earlier, and that seems like a good idea.

I just want to thank staff for their efforts with the red snapper document, to get it to where we are here already, and I know they'll be doing a lot of work in the future on that too and so we appreciate everyone's effort. Thank you.

Mr. Currin: Thank you, Libby. Mr. Joost and then Scott Reynolds will be next.

Mr. Joost: My name is Hobart Joost, Jr. I live in Atlantic Beach, Florida, which is on the coast of northeast Florida. I want to thank you all for your managing our fishery resources. You all have done a great job with the trout and the red bass and the swordfish, the sailfish, et cetera. I've fished the offshore waters of northeast Florida for thirty-five years and I've been a certified scuba diver for over twenty years.

Fishing and diving are part of my lifestyle, particularly bottom fishing for red snapper and gag grouper. I'm here representing my family and my friends. I have personally witnessed the bounty of red snapper and grouper in the late 1970s, their severe decline in the mid 1980s, and their resurgence in the late 1990s, due to the number and size limits. I have been licensed by the U.S. Coast Guard for six-pack charters and hold a State of Florida real estate broker's license.

Fishing is not my business. Real estate is. I pride myself on being one of the top industrial real

estate brokers in north Florida. I have taken time away from my busy schedule to come here today to tell you that your data on and the assessment of the condition of the red snapper fishery is flawed and incorrect.

A proposed closure of a fishery is indicative of a severe or serious decline. Quite the opposite is true of red snapper. The snapper decline was fixed in 1992, with the two fish and twenty-inch limits. Now the fishery is in the best shape that I can remember. The limits are easy and the fish are larger and the throwbacks are abundant.

Last April, three mules, a mule is a red snapper over twenty pounds, were caught on my boat in one month. Typically, it takes a year to catch a mule. You'll see one maybe once a year. In the 1980s, mules were non-existent. Since November, we have made forty trips and limited on red snapper every trip except two, and that was because of the weather.

In closing, I ask you to reconsider your proposed closures and the economic ripple effect it will create. As for your flawed data, I extend an open invitation to come fish with me and see for yourselves. This isn't about me and it isn't about you. It's about the fishery. In north Florida, it's the best it's been in fifteen years. Thank you for your consideration.

Mr. Currin: Thank you, Mr. Joost. Scott Reynolds and then Dennis O'Hern.

Mr. Reynolds: Scott Reynolds, King Neptune, Mayport Charterboat, Jacksonville, Florida. As I was talking to you earlier about today, we do daily catch reports. We had recorded, both myself and Captain George Strait of the Mayport Princess last year -- In the summer of 2007, where you will see that we were recording anywhere from 200 to 400 discards per day and it was so many that we were actually trying to go to places where we normally don't catch snapper and we still caught them. It was everywhere we went.

Six months later, the following fall, we're catching an unbelievable amount of fish that were twenty or twenty-one inches long and these discards at the time were seventeen to nineteen inches, which was telling me that these fish are growing in fact faster than what you think they are.

There's no doubt in my mind that these are the exact same fish, because if they're not, where did they come from? The same thing was going on all the way down into Daytona. I don't think -- I think there should be more tagging involved. We have offered our services several times and it's never been taken up on. Anybody on this committee is more than welcome to go on my boat. I guarantee you I have less than 3 percent mortality rate coming off that boat on snapper any day you want to come out and I'll offer that to anybody.

We've gotten extremely good at dehooking these fish and venting these fish and getting them back over in less than thirty seconds and I can promise you that. I would love to have anybody on this council to get on my boat. Anybody that says they can find my party boat by finding the string of fish behind them, I don't think so. Like I said, anybody that wants to take me up, we're in the phone book in Jacksonville, Florida. Please look me up. Thank you.

Mr. Currin: Thank you. Dennis O'Hern. Did he leave? Next is Dennis Young and on deck will be Clayton Doerr.

Mr. Young: My name is Dennis Young and I spoke earlier. I'm the owner and operator of Sea Dancer Charters in Jacksonville and also the General Manager of Jacksonville Marina. I've been on the water for over fifty years and I might not look it, but I have. I've commercial fished with my grandfather in the Gulf of Mexico, off the Yucatan Peninsula, off of Cuba, the Caribbean, and the Atlantic coast. I graduated from that into charter fishing and I've been doing that basically all my life.

I started in Jacksonville in 1972 and we had basically a pretty good fishery then, of both grouper and red snapper, and all of a sudden we started seeing a decline and I'm not sure whether it's related to the storm activity we had during those two or three years and I think that might have been part of our problem, but as time progressed, it got progressively worse.

We attended several meetings over a period of five years with the council, in an effort to get the fishery to change to a twenty-inch snapper limit. It took us five years. We kept telling the group hey, the limit you have it set at right now is below the reproductive size. They gave us our twenty inches and the fish exploded.

Some examples of what we're doing now, I run a boat over 200 days a year and I carry four to five passengers on a boat. We average between fifty and 150 throwback snapper a morning, in water between forty-five and a hundred feet deep. My mortality rate is probably 2 to 3 percent, because of the way we dehook the fish and vent them. They're not out of the water very long.

Each day we go, the past two years now, we've limited basically every single day of two fish per person of snapper, ranging anywhere between twenty-one inches and thirty-five inches. The population of fish off the coast of Jacksonville is better than it ever has been today and that's why I have some problems with what you guys are saying, that we don't have any. Your data is wrong. We walk on them. We can see them under the boat in forty-five feet of water.

In regards to the standard recreational fishermen that operate out of our marina, I trained those people to go catch fish, as part of my business in running the place. The best I can do to train these guys, they come back with one a day or two a day at most. There may be one or two boats, out of 200 boats we have there, that have a legal limit of fish on any given day. They don't have the knowledge and they don't have the understanding and they don't have the tackle. They just don't have it.

The commercial guys are doing a pretty good job in Jacksonville. They're taking a pretty good bunch of the snapper, but they're within their limits. I propose you give us a twenty-one-inch limit on red snapper and leave the fishery alone. They're doing real well. If you go to a no limit fishery, you're going to cause people to catch the fish that can't reproduce and not forward the fishery. My boat is open to anyone on this council or anyone you assign to come ride with us and see what we do. You'll be surprised and thank you.

Mr. Currin: Thank you, sir. Mr. O'Hern is back in the room and next up is Jeff Page.

Mr. O'Hern: Dennis O'Hern, Executive Director of the Fishing Rights Alliance. Just a couple of things on the red snapper. One of the things I keep hearing on every fisheries management issue is release mortality. We're throwing them back and some of them are dying. We're looking at this big of a closed season and your mortality is going to go way up. I like the idea of going up an inch.

I disagree with the idea that going up in size hurts the fish. It helps the fishery and that's not just the fish. It helps the fishermen and helps the recreational guys, the commercial guys, the charter guys, and we get feedback on the fish and we know. This isn't going to spiral us into seeing a collapse of the stock.

I'm kind of right now more worried about the collapse of the people and I think the governor is going to be worried about it and the legislators are probably pretty worried about it too and so I urge you to really consider taking some precaution. Effort is way down, way down, even on the east coast. I can't believe the MRFSS isn't reflecting it, but then again, I can't believe MRFSS. Thank you.

Mr. Currin: Thank you. Mr. Page and then next is Charles West.

Mr. Page: I'm Jeff Page and all the comments I made earlier stand on this amendment as well. I would also like to say that fishing pressure is just not what it was. As I said, it's \$600 for four people on an average offshore boat to go out for a day's fishing. That's going to get more and more expensive. \$400 of that is gas and \$200 of that goes back directly -- All of it goes to the local economy, but that doesn't include maintenance on your boat and it doesn't include your payment on your boat and it doesn't include your insurance.

People can't afford that and it's doubled in the last two years and it's going to continue to go up, until the economy settles. That's going to help with your situation on overfishing, if that's true. Again, I believe your data is flawed.

I think that I'm totally against this amendment. I think that we need to look at what's going on in the economy and what's going on in the fishing industry and get some current data before we make any decisions on our fishery. As far as limits, I fish offshore fifty days a year. I fish a hundred days a year in the Florida waters and I rarely limit out on one species, let alone two or three in a day, and I'm an experienced fisherman. I've been fishing since I was old enough to hold a fishing rod.

I think that your reductions by attacking limits -- You're not going to see what you think you're going to say and so please consider these facts and what you've heard in this room before you make any decisions on the future. My son is thirteen years old and he's into fishing. He won't be if we can't bring fish home. That will destroy your future and your funds in the future, as you move forward. Thank you.

Mr. Currin: Thank you, Mr. Page. The next speaker is -- I can't read the last name. I believe the first name is Charles and it begins with a "W" and the address is 6314 Green Gables Drive in

Orlando. Charles, if you're here, come on up. The next speaker then will be Joshua Giordano-Silliman and after Joshua will be Allen Leary. Mr. Leary, if you'll ease up to the front.

Mr. Giordano-Silliman: My name is Josh Giordano-Silliman. I'm going to start off by saying for the last year and two months that I actually worked in a tackle shop in Charleston and I became very well acquainted with many fishermen in that area and of my experience, I don't think a lot of these guys in the recreational sector have the capacity to go out there and actually get the bag limits and maintain themselves and it hurts. They're just not good fishermen.

As far as myself and the people I know, we can go out and catch red snapper and not have a problem and be legal and vent them, because that's how our parents taught us, coming out of the commercial industry and out of conservation and not out of specific lobbies.

This shutting down the snapper, this kills me right now. This kills me. I can't even think about my kids or the future or even my grandchildren. I don't even have kids and these preferred alternatives, it's just not long term. It is not long term. Destruction of biomass is what my dad used to do when he worked on a roller net trawler boat in 1977 and 1978 and all those other forms of commercial fishing.

I've been here all week listening to the SSC and everyone else, the committees and stuff like that, but you know it's like there's even questioning about the interspecies between grouper and snapper and the understanding of that, in the complexes and their competition. We go one way with one thing, how do we know we're not affecting another? Is there anything on paper that really depicts that? I don't think so. I haven't seen anything.

It's terrible. It's really terrible. I'm twenty-nine and to see what the future is, regardless if it's commercial or recreational, it's just bad. I want there to be a future. I want my great-grandchildren to be able to enjoy everything that I've enjoyed.

Like I said, with some of these size changes and everything, I'm in compliance as of today, maybe because I have good knowledge of fishing in my hometown. Maybe I was taught right, but there's a lot of people moving to my area and all along the coast, be it here in Florida, Georgia, South Carolina, North Carolina. They are from the interior of this country and I can just -- It's been terrible for the things that I've heard that they've committed.

This bickering and fighting among the commercial sector, that's their fault. They won't stand together and work with each other and that's why they're falling apart. The commercial guys can blame themselves.

The recreational aspect, so much of that is polluted by lobbies and it's terrible and that tenth standard of the Magnuson-Stevens Act and the closure, you all really need to take that into consideration and I'm serious. March is a bad month with the wind sometimes. It was really bad this year. The wind blew for fifty straight days and September is a bad month, because it's hurricane season. So is August and so is October.

You're going to have derby fishing with recreational people with that. You're killing me with

this snapper part. I love red snapper. I love trigger. What I do in February that none of you all have proposed that it's going to take away, or I don't see it anywhere coming, is I actually cobia fish the ledge, me and my buddies. We've got it developed.

We've got several places that we go outside of Charleston, in late January through mid-February, and we actually catch our limits of cobia. Now, is that going to reduce the mortality of all the other things we catch while we're out there? No.

Mr. Currin: Josh, your time is up. Thank you very much. Mr. Leary and then Brock Anderson is up next. Captain Anderson, if you would come up front and be ready to take the seat, I would appreciate it.

Mr. Leary: I'm Allen Leary and I represent a headboat out of Charleston, South Carolina. First of all, I want to speak on -- If you all want a little bit of science on release mortality of snapper species, the majority of the snapper in the snapper banks in Charleston, South Carolina and the South Carolina Aquarium were caught off of our boat. The aquarium people came and went on the Thunder Star to stock the aquarium.

We saw firsthand which fish were able to live being pulled out of 160 or 180 feet and which fish were not able to do so well. Now, I will say the snapper species and the porgy species did very well. I would venture to say that the vermilion snapper and red snapper probably had a 99 percent success rate of being able to keep this fish alive. Grouper usually didn't do too well being pulled out of that depth of water, but almost all the snapper lived.

As a matter of a fact, they loved to catch the undersized red snapper, which is mainly what we would try and target when we had those guys on the boat, being that they had the license to catch the undersized fish, to be able to stock the aquarium with it.

I will go back to what I said earlier and by no means am I a recreational fisherman trying to bash the commercial industry or anything like that. The majority of my friends are commercial fishermen, be it shark fishermen, swordfish longliners, and snapper grouper bandit fishermen. What I'm trying to state with what I'm proposing is to look at the allocations.

At one point in time, you all started with the limited access privilege program, where you took people's licenses away that were commercial and gave them a 225-pound trip limit, but the people that were -- It did not affect the people that were in the industry.

The people that were in the industry that were actually catching fish got to keep their licenses and got to catch their fish and they got to catch unlimited amounts of fish. They weren't limited in the amount of fish that they caught. You can't regulate unlimited. On a per trip basis, if you're able to catch an unlimited amount of fish, that's not a regulation.

If you set up a total allowable catch for a year and the fishermen are not able to even come close to that, then they're not regulated. It's still an unlimited amount. If you take the pressure off of each species, if on each trip they have to go out there and catch a certain amount of one species and go and work for another amount of this species and another amount of this species and

another amount of this species.

Yes, vermilion snapper has really been targeted by the commercial guys over the past I would say eight or ten years, because the old salts that used to catch the red snapper and gag grouper, tremendous amounts of them, and made their livings doing that, when they saw a depletion in the stock, they kind of got away from it and a lot of more novice fishermen came up and being able to hug big rocks and ledges and stuff like that and catch vermilion snapper at \$3.00 a pound was a way that they made their staple.

What I'm asking you all to consider is to consider trip limits where just like recreational fishermen have to do, everybody has to work for a certain amount of this species, a certain amount of this species, and a certain amount of this species every trip and you will see a change and you will do what you're trying to do. Thank you.

Mr. Currin: Thank you, sir. Captain Anderson and next up is Steve Proctor.

Mr. Anderson: My name is Brock Anderson and I own Bottom Dollar Charter Fishing out of Port Canaveral. I have just a few words about red snapper. I haven't read exactly what your interim proposal is, but we cannot stand a grouper closure and a snapper closure. It's going to put us out of business. We need to be able to catch a fish for our people and let them take home a fish.

Like with grouper, a reduced bag limit and reduced aggregate would work to those ends and so one snapper per person, disregarding the captain and the crew, and a reduced aggregate down to three. My personal experience in the last years here has been just like the other gentleman. I've been doing this since 1974 and I saw how bad snapper were and how you all with the twenty-inch rule -- They were rebuilt and they're doing fine. We're catching more snapper now than we ever have.

A hundred-head days of throwback snapper are very common now. I can take six people on my boat, which gives -- I don't have a crew member right now and that counts me in and so that's fourteen snapper. We generally have a limit of snapper and so it's -- But we do have a lot of throwbacks. My mortality rate is in the 3 to 5 percent.

I've been using dehookers and venting tools since I started fishing. They're a very good item and they will save the fish. Basically, that's all I have to say. Just please give some consideration when you make these rules, because you are going to put people out of business. Thank you.

Mr. Currin: Thank you, sir. Steve Proctor and on deck will be Michael Egner.

Mr. Proctor: My name is Steve Proctor and I'm the President of Proctor Ace Hardware Stores in Jacksonville. It's not my business to fish for red snapper and grouper, but I've been an avid snapper and grouper fisherman since I was a kid, since the early 1970s. I appreciate what the council has done in managing these species, especially red snapper.

The rule in 1992 that created the two fish limit of twenty-inch fish has worked like a charm and so I'm going to go through a chronological order of the dates and things of the time periods and what I've seen happen. I saw the decline of red snapper and grouper in the 1970s. We were part of it. When we were diving and fishing, we would keep everything we caught, because we could sell them. There were no minimum limits and we filled the boxes every time we went. There were lots of fish.

During the late 1970s and 1980s, we saw the decline. In the early 1990s, red snapper were almost gone. When we went on dives, we would see very few red snapper and all of them we saw were small. During the entire 1990s, we did not catch a red snapper over sixteen pounds in ten years. In the 1970s and 1980s, we would catch them over twenty pounds all the time.

Starting the mid 1990s and until the end of the 1990s, we started seeing on dives lots of juvenile fish. We watched them grow. We were catching some, but we didn't target them, because they were undersized. We very rarely caught any legal red snapper during the 1990s. In the late 1990s and early 2000s, we started catching a few legal fish. On the dives, we started seeing large schools of fish. We would see as many as a hundred or 150 red snapper in a school, most of them small, a few legal fish.

One thing I want to go back to is when I was a kid, we had two fishing seasons for snapper and grouper, fall and spring. We hardly ever saw them in the summer. Now we see them year-round. In 2004, began catching a lot of legal red snapper and seeing lots of legal red snapper on the reefs. We had many trips that we caught fish over sixteen pounds in 2004. In 2005, we started catching our limit of snapper on almost every trip and we caught quite a fish over sixteen pounds and a few over twenty.

We began to see huge schools of snapper on some reefs, but most of the fish were still undersized. We saw schools of red snapper on almost every dive in the summer. In 2007, things changed. We marked huge schools of red snapper on most of the reefs we fished. We saw them on the bottom and we began releasing all our fish under twenty-two inches. We caught a lot of red snapper over twenty pounds during the year.

We usually keep snapper in the eight to twelve-pound range, because they have a lot more meat. We haven't had any problems with release mortality, because we vent our fish and we're careful with them. 2008 has been even better. We now see huge schools of red snapper almost every place we go and we fish in depths from fifty-five to ninety-five feet. It's rare for us not to catch a red snapper on every reef we fish. They're all sizes and about half are legal.

We continue to release most of the snapper we catch under twenty-two inches and we've caught snapper over twenty pounds on almost every trip. We also began -- For some reason, this year we started catching more grouper, although most of them are small, but we have been catching more legal grouper this year.

I went on Sunday, because we wanted to just kind of look at it at the last minute. We caught our legal limit of snapper and grouper on our second stop. We spent the rest of the day just going around and looking and checking the bottom of what we were finding. We stopped on seven

places, from seventeen miles offshore to five miles offshore, and we found a school of red snapper or grouper on every ledge. We made our last stop on a small wreck in fifty feet of water that had a school of snapper so big we couldn't believe it.

Mr. Currin: Mr. Proctor, your time is up. I've allowed you a little bit more. If you do have a written statement you would like to leave with us, I would appreciate it.

Mr. Proctor: I am in favor of the venting tools, because I do think they work. Thank you.

Mr. Currin: Thank you very much. I appreciate it. Next is Michael Egner and next is John Polston. John, if you would come up front.

Mr. Egner: My name is Michael Egner and I've been commercial fishing solely for twenty-five years. A lot of things that you all have done has been good and I didn't agree with it at first sometimes, when I saw what was going on. I just said this is not going to work, like the snapper reduction years ago, but that was a good idea and the population exploded.

This red snapper closure, in my opinion, is due to poor data. If I fill out my federal logbook and put poor data on it, it says in the beginning of my logbook that I can be fined or go to federal prison for improper or misleading or lying on my logbooks. You guys should be held for the same accountability as me as that's concerned.

To defend myself as a longliner, I get boarded probably more than ten charterboats in any given year, that whole year period. If you look at my record, you know my name, and I have a clean record with no fines or violations, except for one years ago for a paperwork mistake. We do have trip limits. That was said earlier by another man. We have trip limits on everything and we are not allowed to longline snapper and grouper in the Atlantic, period. That should be swept from the record and that's about all I've got to say. Thank you.

Mr. Currin: Thank you, sir. Mr. Polston and then after that, Mr. Welsh indicated he was unsure. Is Mr. Welsh still here? Would you like to speak? Okay.

Mr. Polston: My name is John Polston and I'm from Kings Seafood, out of Ponce Inlet or Port Orange, Florida. I disagree with the red snapper closure. I didn't get here in time earlier and I didn't know about the grouper, but I just wanted to go on record saying I also disagree with the four-month closure of the grouper.

I think the two-month closure is adequate and I have no problems with the rules or regulations. I think we need to protect our future, but at the same time, we don't need to go overboard with it. I think we need to give a little bit of time to -- If you've got a two-month closure, let it be a two-month closure for not just commercial fishing, but for commercial and recreational fishing. What's good for one is good for all.

I feel very strongly about that, because we're so outnumbered, recreational against commercial. Also, one other thing that I know you all covered on Tuesday, but I couldn't get over because of my job, is on the golden tile issue, which I'll just touch briefly on. I beg for you guys to please

revisit the golden tile issue, as far as the allocation is concerned.

By the admission of the National Marine Fisheries, we only needed a 34 percent reduction in golden tile, which we had a million pound quota and now they've reduced it to 295,000 pounds. That's 65 percent, by my figures, and they have all the science and they said they don't have time to do the science, but all the science has been done.

Claudia Dennis, which is our National Marine Fisheries agent, has come out and she's taken the otoliths from all the golden tilefish and you'll see in the data that over 90 percent of all the tilefish that they have measured are all being large fish and so we are fishing on a very healthy stock and quota. I would just ask for you all to please take that into consideration and thank you for your time.

Mr. Currin: Thank you, sir. Mr. Welsh.

Mr. Welsh: My name is Robert Welsh and I'll be as brief as possible. I've commercial fished for the better part of thirty years off the eastern seaboard of the United States, the southeastern seaboard. I've done everything from longlining sharks to tilefish to snapper grouper fishing, rod and reel bandit fishing. I've fished extensively in just about every industry there is.

Right now presently, I'm rod and reel fishing, bait fishing, for snapper and grouper and just rod and reel and not bandits and no hand lines and just rod and reel. I myself am seeing more snapper than I've ever seen in my whole life. I had a trip two weeks ago that I had 1,200 pounds for four hours of fishing and they were all twelve to twenty-five-pound fish. If there's such a shortage of fish, why am I catching more fish than I ever have in the past? On an average day, I catch 300 to 400 pounds of snapper and grouper a day, mostly snapper. That's mostly what I target.

I'll go fish a spot and an average spot that I fish has a lot of snapper on it and I'll catch seventy-five to a hundred fish that are throwbacks, that are turn backs, but we vent our fish and they swim back, except for the occasional one that really gets gut hooked. For the most part, they all swim to the bottom, unless they get hit by a barracuda on the way down. Other than that, the mortality rate, I believe, unless I'm sitting on the bottom and eaten by other fish, I would assume it's low. They swim back very fast and they seem to be all right.

I really don't know if -- It would be a crush for me and a lot of other fishermen, commercially and recreationally, for you guys -- It would be quite a blow for you guys to shut down the fishing industry like that and at that -- I'll leave it at that. That's it.

Mr. Currin: Thank you, Mr. Welsh, very much. The only other cards or sheets that I have indicate that they did not wish to speak. Is there anyone in the audience left who has not filled out a card who would like to address the council on red snapper? I see none. I want to thank you all for taking the time to come out and provide your comments to the council. We appreciate your attendance and interest in the issues that face us. Thank you very much and we will close the public hearing.

Mr. Geiger: Thank you, Mac. I would again like to offer copies of the video. As a matter of a fact, I saw a number of people who testified here this evening who are on this video and so you're stars on your own video and you can get one here free before I put them on eBay. We had some more snapper grouper stuff and we were going to get a report from HMS, but I think due to the late hour, we're going to stand in recess until tomorrow morning at 8:00 A.M.

The South Atlantic Fishery Management Council reconvened in the Vienna Ballroom of the Renaissance Orlando Airport Hotel, Orlando, Florida, Friday morning, June 13, 2008, and was called to order at 8:00 o'clock a.m. by Chairman George Geiger.

Mr. Geiger: We'll come to order and we'll reconvene the South Atlantic Fishery Management Council in Orlando, Florida. We had a lively public input session last night and our first order of business today was a presentation that we were going to have last night from HMS and so I would like to welcome our HMS representatives, Randy Blankenship and Chris Rilling. Come on up. We're always happy to see our HMS buddies.

Mr. Blankenship: Good morning. My name is Randy Blankenship and I am a Fishery Management Specialist with the Highly Migratory Species Division of the National Marine Fisheries Service. -- Atlantic commercial green-stick gear catch as reported via NMFS pelagic longline logbooks from 1999 to 2002 are shown. This also shows that yellowfin tuna are the primary catch with green-stick gear. Other BAYS tunas and bluefin tuna, which are included in the Other Category on this chart, are also caught, but in lower numbers than yellowfin tuna.

In this proposed rule, green-stick gear would be defined so that these distinctions are made. It has an actively trolled mainline attached to a vessel and suspended above the surface of the water, there are no more than ten hooks or gangions, it is retrieved by hand or mechanical means, and it is not a pelagic or bottom longline.

The distinguishing characteristics that separate green-stick gear from pelagic longline or bottom longline are that green-stick gear is actively trolled and does not have floats capable of supporting the mainline, as with pelagic longline, or weights and/or anchors capable of maintaining contact between the mainline and the ocean bottom, as with bottom longline. The intent of this proposed definition is to refine the gear definition and gears allowed for Atlantic tunas general and HMS charter/headboat categories, to better suit the methods that fishermen want to use with the gear.

Four alternatives were considered regarding green-stick gear authorization and the four alternatives for green-stick gear are designated by the leading letter "A" in these alternatives. Alternative A1, which is the no action or status quo alternative, would maintain existing regulations for harvesting Atlantic tunas, thereby allowing green-stick gear use only as allowed under the definitions and regulations for longline or hand gear, based on the gear configuration.

Alternative A2, which is a preferred alternative, would authorize persons fishing from Atlantic tuna's general category permitted vessels to harvest Atlantic tunas, including bluefin tuna, with greenstick gear.

Alternative A3, which is also a preferred alternative, this alternative would authorize persons fishing from HMS charter/headboat permitted vessels to harvest Atlantic tunas, including bluefin tuna, with green-stick gear. This alternative would also allow for-hire HMS charter/headboat trips to use green-stick gear. Current regulations allow the sale of Atlantic tunas caught on HMS charter/headboat permitted vessels, regardless of whether the vessel is for-hire or not.

Alternative A4, which is also a preferred alternative, this alternative would authorize persons fishing from Atlantic tunas longline category permitted vessels to harvest Atlantic BAYS tunas and bluefin tuna within existing target catch requirements with green-stick gear. This alternative would maintain the current management measures that only allow bluefin tuna harvest incidentally to other fishing if the appropriate level of target catch is retained, that is 2,000 pounds for one bluefin tuna, 6,000 pounds for two bluefin tuna, 30,000 pounds for three bluefin tuna.

Green-stick gear would be defined as described earlier and would not constitute pelagic longline or bottom longline. This preferred alternative would allow greenstick gear to be used by Atlantic tuna longline permitted vessels at times and in places including, but not limited to, times and areas closed to longline fishing, if the requirements for removal of any one of the elements of a pelagic longline or bottom longline listed in the regulations are met.

Regarding j-hooks, because j-hooks are more effective than circle hooks when fished with green-stick gear and j-hooks are not expected to result in high post-release mortality rates, this preferred alternative would allow Atlantic tuna's longline permitted vessels to possess no more than twenty j-hooks if green-stick gear is onboard. They are currently restricted to circle hooks only of a certain type, a certain size. Onboard Atlantic tuna's longline permitted vessels, j-hooks would only be allowed for use with green-stick gear.

The number of permitted vessels for which green-stick gear would be authorized are -- For Atlantic tuna's general category, it would be 3,616. For HMS charter/headboat, it would be 3,901. For Atlantic tuna's longline, it would be 218.

Regarding data collection, NMFS considered several alternatives for data reporting. However, there are no proposals to change the current reporting requirements. Of note is the authority that NMFS currently has to select HMS charter/headboat and Atlantic tuna's vessels for logbook reporting and thus, require that such reports be made. The following options were some of those considered and we would like to have input on whether any of these should be pursued.

One that was considered is to have observers onboard on general category and charter/headboat vessels. Of course, there are pros and cons with that option. Another possibility that was considered is for logbook reporting for general category and charter/headboat vessels, as Atlantic tuna's longline vessels are already required to report. Once again, there's pros and cons with that as well.

Another possibility that was looked at was to make improvements to the trip ticket program in the Gulf of Mexico and South Atlantic and to dealer reporting programs in the Northeast. For instance, a new gear code has been designated for green-stick gear, which would facilitate better

gear-specific data collection through these programs.

Also, possibilities exist to conduct special studies on green-stick gear, to further characterize the gear's catch and bycatch characteristics. There's pros and cons with this as well. Once again, we solicit your input on the need for green-stick gear data collection and on these data collection options and others.

Regarding harpoon authorization, harpoons are currently used for commercial harvest of Atlantic bluefin tuna in Atlantic tunas general and harpoon categories. The intent of the proposed action is to increase flexibility and efficiency in harvesting bluefin tuna, to provide regulatory consistency, as harpoon is an authorized hand gear used historically for commercial harvest of bluefin tuna, and to increase opportunities to attain the general category quota.

Alternative B1 is a no action or status quo alternative. It would maintain existing regulations for authorized gears used to harvest Atlantic tunas by HMS charter/headboat permitted vessels. Harpoon or harpoon gear means fishing gear consisting of a pointed dart or iron attached to the end of a line several hundred feet in length, the other end of which is attached to a flotation device.

Harpoon gear is attached to a pole or stick that is propelled only by hand and not by mechanical means. Currently, harpoon gear is authorized only for vessels holding an Atlantic tunas general or harpoon category permit, which are both commercial permits.

Alternative B2, which is a preferred alternative, this preferred alternative would authorize harpoon gear for the commercial harvest of Atlantic tunas, including bluefin tuna, for HMS charter/headboat permitted vessels. While fishing under the rules that apply when filling the Atlantic tuna's general category bluefin tuna retention limit, HMS charter/headboat vessels would be able to use harpoon gear to fish for and retain bluefin tuna greater than seventy-three inches curved fork length.

NMFS subdivided this preferred alternative as described in this slide. That was Preferred Alternative B2 and we subdivided that into these two sub-alternatives. One is not preferred and the other is. Alternative B2a is not preferred at this time. This alternative would allow use of harpoon gear for all HMS charter/headboat trips, including those taken with paying passengers and non-for-hire trips. Atlantic tunas may be sold from HMS charter/headboat permitted vessels, regardless of their for-hire status.

Alternative B2b, which is a preferred alternative, this alternative would allow use of harpoon gear on HMS charter/headboat non-for-hire trips only. The number of Atlantic HMS charter/headboat permitted vessels that would be authorized to use harpoons to harvest Atlantic tunas is 3,901. However, in the area of historical harpoon use, which is up in New England for bluefin tuna, the number of vessels is: in Maine, 91; New Hampshire, 53; Massachusetts, 644; and Rhode Island, 159.

Regarding the sea turtle control device portion of this proposed rule, in NMFS 2004 biological opinion, or BiOp, it found that continued operation of the Atlantic tuna's pelagic longline fishery

would jeopardize the continued existence of leatherback sea turtles. Additionally, the 2003 BiOp on the Atlantic shark fishery specified reasonable and prudent measures to be enacted to avoid exceeding the incidental take limits established for sea turtles and smalltooth sawfish.

Sea turtle bycatch mitigation measures were developed for pelagic longline and bottom longline vessels, to avoid jeopardizing these protected species, and these measures include safe handling and release gears and safe handling and release workshops.

The 2004 BiOp and regulations provided for additional bycatch mitigation measures to be implemented as necessary and further testing and analysis and working with fishermen by the Southeast Fisheries Science Center indicated that sea turtle control devices could provide added protection for these species, by allowing for better and more efficient removal of gear from them when they are caught, thereby increasing post-release survival of sea turtles.

This proposal would add a sea turtle control device in addition to the already existing suite of bycatch mitigation measures. Alternative C1 is the no action or status quo alternative. It would maintain those existing mitigation measures. Alternative C2 is the preferred alternative and would require the possession and use of one sea turtle control device as an addition to the already existing mitigation requirements.

The sea turtle control devices that would be approved to meet the requirement are the Turtle Tether and the T&G Ninja Sticks. T&G Ninja Sticks are named for the fishermen that helped develop the gear. Design specifications for the tether and for the ninja sticks, as well as instructions for use, are found in the proposed rule and the EA.

While this proposed rule would only require one control device to be possessed and used, NMFS recommends that the use of two devices provides even more control over a large turtle, by allowing both front flippers of the turtle to be secured, and further enabling removal of hooks and entangling fishing gear, which reduces post-release mortality.

These are diagrams of the Turtle Tether and Ninja Sticks and either of these devices would meet the proposed requirement. The devices can be purchased or also constructed, according to the specifications. An overestimate of the number of vessels that would be affected by this would be 743 and that figure is developed by adding shark directed and incidental permits and Atlantic tuna's longline together. Not all of those vessels would be required to use this, but this is the best we could do, being able to at least overestimate the number of vessels affected.

The cost of sea turtle control devices are also posted here. For construction of the device, it could be as low as \$40 for the Turtle Tether or \$25 for the Ninja Sticks. In retail costs, production models are available for \$250 for the Turtle Tether and about \$175 for Ninja Sticks.

This proposed rule published on May 6 and the comment period ends June 16th, Monday, once again. We've had several public hearings on this around the Atlantic and in the Gulf of Mexico and a final rule is expected in late summer of 2008.

Here is the information for making comment on this and I believe that this presentation is in the

packet. I think I got it out soon enough for that. You have this contact information as well. If you submit written comments, please identify them with that sequence of numbers there at the top of this slide and with that, I would love to field any of your questions.

Mr. Geiger: Thank you, Randy. As always, an excellent presentation. You are a great presenter. Any questions for Randy?

Mr. Currin: Randy, thank you very much and thank you and all involved for expediting this measure and considering it and expediting it. It's an important issue for a number of fishermen in North Carolina and we're very pleased to see it move forward and we look forward to the implementation.

Mr. Blankenship: Thank you.

Mr. Wallace: When you were talking about the harpooning, you give a size limit of seventy-two inches.

Mr. Blankenship: Seventy-three inches.

Mr. Wallace: Seventy-three inches. Is that a minimum size length throughout the industry or why in the harpooning -- To me, before you harpoon it, how do you know it's seventy-three inches?

Mr. Blankenship: You've got to make sure that it's big enough. The seventy-three inches is a minimum size for the commercial size limits. There's two categories. I believe it's called large/medium and giants and the minimum size limit for those classes is seventy-three inches curved fork length and that's been in place for quite some time and it's what the general category operates under currently and has been operating under and also, the harpooners that currently fish in that fishery, in those other categories that have been going on for years, operate under those measures as well. They make sure that they're big enough before they stick them.

Mr. Currin: Randy, in addition, you were asking for comments on -- There were several and I jotted down three, use of observers, implementation of logbooks, or trip ticket and dealer reporting. I don't know enough about the status of the data that you guys are currently collecting on tunas and species of interest, but I would encourage you to try and implement as any and all of the measures that you would need to give you the data that are required for effective and efficient management of that and do it with the least burdensome way that you can do it, but make sure that you get the information you need, so that we don't end up in a position ten years from now contemplating action on any of these species and say we're missing this information and we wish we had it. Let's get it now.

Mr. Blankenship: Thank you.

Ms. Merritt: Randy, thank you very much. That was a great presentation. It's been a long and tedious process, I know, for HMS, because I've attended some of those meetings. It was quite an education for all of us, all the different sectors represented in the meetings, about just what is a

green-stick and how is it used and that kind of thing. It's wonderful that this is getting resolved and, as Mac said, it's been an issue in North Carolina.

The measures, I agree, there's nothing in there that I know of that it creates that big of a burden or even a change for a lot of the HMS -- At least for the bluefin tuna and the yellowfin tuna people and I think any and all of those measures are good measures and further studies are appreciated. Thank you.

Mr. Geiger: Any other questions? Thank you, Randy. I guess we'll have Chris Rilling up next.

Mr. Rilling: Thank you, Mr. Chairman. My name is Chris Rilling and I'm with the Highly Migratory Species Management Division. I would like to thank the council for giving us time on the agenda today to present an update on our shark amendment, as well as our pelagic longline research in the Florida East Coast and Charleston Bump Closed Areas.

The shark amendment, I'll present first. The final environmental impact statement is on a CD in the back there, if anybody would like a copy. You also have a copy of my presentation in front of you. The final rule is currently with the Department of Commerce for approval. We're waiting for a docket number and so this, as we speak, has not been published, at least not the final rule. The final environmental impact statement has been published.

We're waiting for the docket number and once we receive that docket number, we'll publish the final rule and there will be a thirty-day cooling off period from the time of publication until implementation. If the rule were to publish next week, we would be looking at an effective date of sometime in the middle of July, just so people are aware that that's when the new regulations would kick into effect.

A number of shark assessments were conducted in 2005 and 2006. Based on these assessments, NMFS has determined that dusky, sandbar, and porbeagle sharks are overfished and dusky and sandbar sharks are experiencing overfishing. The management measures proposed in Amendment 2 to the Consolidated HMS FMP would severely restrict commercial fishing for Atlantic sharks, to reduce effort and fishing mortality of sandbar and dusky sharks.

The commercial quota for sandbar sharks would be reduced by 80 percent, compared to recent landings of 116 metric tons dressed weight, based on stock assessment recommendations. What I would like to do is just run through a number of major measures that were in the final environmental impact statement. As you'll see in the table, there's the measure on the left, measures proposed in the draft amendment in the center, and then the final measures on the right. I will just ask that you focus your attention on the final measures on the right and I'll point out any differences along the way.

The major aspect that we're going to be implementing regarding quotas and species complexes in the new shark fishery will be a shark research fishery for sandbar sharks only. In other words, there will be no retention of sandbar sharks outside of the shark research fishery. The base quota will be 116.6 metric tons for sandbar sharks. The adjusted quota, based on overharvest, is 87.9 metric tons dressed weight.

There's also a non-sandbar-based quota of fifty metric tons. That was also adjusted for overharvest, down to 37.5 metric tons. There's both a sandbar quota and a non-sandbar quota in the shark research fishery only. There will be no retention of sandbar sharks outside the research fishery.

As you can see there, sandbars will be prohibited outside the research fishery and then we've established quotas for two different regions for non-sandbar sharks, a base quota in the Gulf of Mexico of 439.5 metric tons dressed weight and a base quota in the Atlantic of 188.3 metric tons dressed weight. That's per the Southeast Fisheries Science Center recommendation.

The adjusted quota for 2008 through 2012, due to overharvest, will be for the Gulf of Mexico, 390.5 metric tons dressed weight and for the Atlantic, 187.8 metric tons dressed weight. In comparison to recent years, where our overall quota for the commercial shark fishery was 1,017 metric tons, you can see that this is a fairly substantial significant reduction over what had been authorized in the past. In addition, for porbeagle sharks, there was a reduced total allowable catch of 11.3 metric tons, with a commercial quota of 1.7 metric tons dressed weight.

The next measure is retention limits. For sandbar sharks, there's retention within the shark research fishery only, as I mentioned earlier. The non-sandbar retention limit outside of the research fishery will be thirty-three non-sandbar large coastal sharks per vessel per trip for directed permit holders and three non-sandbar large coastal sharks per vessel per trip for incidental permit holders. This will be in all regions through 2012.

Incidentally, I meant to mention at the outset that the gentleman who made the comment last night about shark bottom longline vessels fishing, if they were fishing for large coastal sharks, that's illegal. Federal waters are closed currently and I'm not sure exactly what state regulations in Florida are, but I'm pretty sure they prohibit longlining and so if those vessels were indeed fishing for large coastal sharks in federal waters, they were doing so illegally. They could potentially be fishing for small coastal sharks and pelagic sharks, which are currently open.

Mr. Geiger: Seeing as how you brought that up, just for -- Otha, for your benefit, the Oculina Bank is commonly referred to as the Pinnacles. He mentioned this activity occurring on the Pinnacles.

Mr. Rilling: In addition, one of the major aspects of this management plan that we're implementing is that all sharks, large coastals and small coastals and pelagics, will need to be landed with fins naturally attached.

Moving on to the regions, in the draft we had proposed one region and we received a substantial number of comments that it would be more appropriate to manage the LCS fishery with two regions and so in the final amendment, we did implement that. We have two regions, the Gulf of Mexico and the Atlantic, for non-sandbar LCS. However, there will be one region for small coastals, sandbar sharks, which would be the research fishery, and pelagic sharks.

In terms of retention limits, sandbar retentions by vessels with shark research permits only.

There would be no retention of sandbar sharks outside of the research fishery, in other words. The non-sandbar retention limit outside of the research fishery will be thirty-three non-sandbar LCS per vessel per trip for directed permit holders and three non-sandbar LCS per vessel per trip for incidental permit holders.

That base quota will hold through 2012, at which point it will be increased slightly, to thirty-six non-sandbar LCS for directed permit holders and three non-sandbar LCS for incidental permit holders.

In terms of reporting, within the research fishery we'll have 100 percent observer coverage on all research vessels. In terms of observers and logbooks, that will be status quo. They will still have to submit logbooks. Dealer reports will have to be received within ten days of the end of the reporting period. That's a change from what we had previously and then unclassified sharks will be counted against appropriate quotas, per species composition on observed non-research trips and/or based on dealer reports. That's a change from the draft, in which we had said all unclassified shark landings would be counted against the sandbar shark quota.

I know many of you are aware that we have shark identification workshops currently taking place and anyone who is renewing their permit within the shark fishery will have to attend our shark identification workshops and receive the appropriate training in order to be able to identify species. I think having the sharks landed with the fins attached will also help in identification of sharks.

In terms of the seasons, we'll be opening on January 1, as has been the case in the past. However, the closing will be different. We will close individual shark seasons and regions when we hit 80 percent of the quota and we will provide five-day notice for closure. Pelagic sharks and small coastal sharks will also each close once we hit 80 percent of the quota and we'll allow five-day notice of the closure.

For the time/area closures, as you know, we'll be implementing the MPAs that the South Atlantic Council had proposed in Amendment 14. As you all are very well aware of, here are the MPAs in which we'll be prohibiting shark bottom longline gear. I should have saved that slide for last, because I'm very happy that we're at this point. I know it's been a long road with the council and we're very pleased to be implementing these measures.

Mr. Geiger: Had it been at the end, the council would have probably broken out in applause.

Mr. Rilling: In terms of recreational measures, the size and retention limits will be status quo and currently they are a fifty-four-inch minimum size for all sharks that are authorized. The retention limit is one shark per vessel per day, including one Atlantic sharpnose and one bonnethead shark.

There will be a slight change to the authorized species. Currently, we're authorizing non-ridgeback LCS plus tiger sharks, small coastals, and pelagic sharks. The primary change that we're implementing is that in addition to the nineteen prohibited species, we will be adding sandbar and silky sharks to that list and the list of authorized species are provided there for you

to read.

For modification of the stock assessment schedule and modification of the SAFE report schedule, these are more or less bookkeeping aspects for our management measures. Stock assessments for sharks will occur at least every five years. The SAFE report will be published in the fall of every year.

Now, changing gears slightly, to give you an update on the pelagic longline research exempted fishing permit, just a little bit of background information, and I'm sure most of you are aware of this, but let me just run through this briefly. The Florida East Coast and Charleston Bump areas have been closed to vessels fishing with pelagic longline gear since 2001.

The swordfish fishery has changed considerably since the closures went into effect. Currently, we have a biomass of 99 percent of BMSY. As recently as the late 1990s, it was down around 65 percent of BMSY. In addition, however, fishing mortality rate is at approximately 85 percent of FMSY and so both the biomass and fishing mortality rates are within acceptable levels, showing improvement and recovery in the stock.

New gear requirements went into effect in 2004 throughout the pelagic longline fishery. These included the circle hook requirement on all pelagic longline vessels, as well as sea turtle handling and release equipment, which was implemented in 2004. In addition, in 2007, we began implementing the protected species safe handling and release workshops.

The objectives of the research were to collect baseline pelagic longline fishery data from portions of the East Florida Coast and Charleston Bump closed areas under current fishery conditions, to evaluate the effectiveness of existing bycatch reduction measures, and to collect data necessary to examine the effectiveness of existing area closures to meet conservation and harvesting goals.

The Notice of Availability of the draft environmental assessment was published on November 5th of last year and then we published the Notice of Availability of the final environmental assessment on January 3rd and issued an exempted fishing permit to NOVA Southeastern to conduct authorized activities.

The authorized activities include authorizing three vessels, with only two operating at any given time and one vessel dedicated as a backup, which are authorized to make 289 sets, consisting of 500 18/0 non-offset circle hooks each. That breaks down to 145 sets in the closed areas, or roughly eleven sets per month in the closed areas. One-half of the sets are to be made inside the closed area and one-half of the sets outside the closed areas. We'll have 100 percent observer coverage throughout the duration of the experiment.

Here's an overview map of the research areas and hashed areas in the Charleston Bump and East Florida Coast and the results to date, these are for trips conducted from February through the end of March, we've had five trips completed on two vessels with twenty-four sets, composed of 18/0 non-offset circle hooks, twelve sets inside the closed areas and twelve sets outside the closed areas.

The highest swordfish catch per unit effort was in the Charleston Bump. There have been no bluefin tuna interactions. There have been four white marlin interaction, three blue marlin interactions, and three sailfish interactions. All of those are live releases, other than one sailfish, which was released dead.

In addition, a majority of those interactions occurred in the open areas. Two of each of those species, the white marlin, blue marlin, and sailfish interactions, occurred in the open areas. In addition, we've had three sea turtle interactions, one loggerhead and two leatherback, and all of those were released alive, with no trailing gear. The two leatherback interactions occurred in the closed area and the loggerhead interaction occurred in the open area.

That's my update at this point. I know it's not a lot and it's not very synthesized at this point, but it's what we have. The way we're operating the research fishery is, obviously, with 100 percent observer coverage and the chain of custody, so to speak, of the data, as it's collected, runs through the observer program and they compile the data and do quality assurance, quality control, on the data and then transmit that to us.

That's for our purposes, to prevent any sort of errors in tabulation and that sort of thing. We would like to continue to give the council updates as the research fishery continues and I look forward to being able to do that. Thank you and I would be happy to take any questions.

Mr. Geiger: Thank you, Chris. Excellent presentation and thank you for the information on our Amendment 14 and prohibiting shark longlines in our MPA areas. What I would request -- Thank you for telling us you'll keep us updated, but could we have information to include in our briefing book?

I think this is an issue that's of critical interest to all of our council members, based on our previous comments on it. Could you provide us for each council meeting an update status of this type of information? I think we would also like to see, or I would like to see anyway, not just the CPUE was highest in the Charleston Bump area, but I would like to see the swordfish landings as well included, in terms of numbers.

Mr. Rilling: Yes, we can do that.

Mr. Geiger: Thank you. Are there any questions?

Dr. Laney: Hi, Chris. Thank you for that report. I was curious as to whether or not there had been any interactions with seabirds at all in the longline fishery and whether or not you all are taking data on those.

Mr. Rilling: We do collect data on those. I don't think there have been any interactions in the pilot research project that we're doing. There may have been some in the larger PLL fishery.

Ms. Merritt: Chris, thank you again. That's a great job and I'm sure it's reassuring to get feedback on how the management measures and the regulations have been working or not working and so far, so good, it looks like. I appreciate that. The only question I have goes back

on the shark issue of the fins being attached. Did that regulation go into specifics as to how much of the fin needed to be naturally attached? I remember there being some conversation of them, from a storage standpoint, being allowed to have a portion of the fin still attached to the body.

Mr. Rilling: Yes, you're absolutely right. They're allowed to cut the fin as long as it remains attached with some portion of skin naturally, obviously just to provide evidence that that fin is attached to that shark. That was designed to help them, to provide assistance in packing in ice and that sort of thing, because we did receive a lot of comment on that.

Mr. Harris: Chris, two questions. Number one, how long are these longline sets normally, length of time?

Mr. Rilling: Normally, they would set the gear in the evening and allow it to soak overnight and begin hauling in the morning. These, given that they're only 500 hooks, I would imagine that they're shorter than that. I don't know the exact duration though, but we can get that information, too.

Mr. Harris: I would be curious, given the low level of mortality that you see there, how long those fish have actually been on a hook before the gear is retrieved. The second question is a law enforcement question and you may or may not be able to answer it and that's have there been very many cases made for illegal shark finning in the last year?

Mr. Geiger: Hal?

Mr. Robbins: We've made a couple of cases up off of the Carolinas, one fairly large case.

Mr. Iarocci: Chris, as always, that was a great presentation and to George's point, definitely to get any updates out, because since that blossoming recreational fishery down there, I've been hearing so much blasting against this opening and what these guys are killing and doing and we need to get that PR out.

Duane, to your point, a lot of that is the captain's discretion, moon phase and weather and how they're biting, the short sets and how they're going to do that, but mostly it is first dark set and then daylight and retrieve on that. Chris, to last night's public comment about what was said about the shark longlining -- I do believe that is 100 percent observer coverage.

The longliners and the shrimpers have been still getting bashed and it happened last night a couple of times, but isn't that true, that there would be a federal observer on the existing boats right now and so how would they be fishing illegally with an observer on the boat?

Mr. Rilling: As I mentioned, the shark bottom longline fishery is closed for large coastal sharks. If it were a pelagic longline vessel, then they would have observer coverage, but not -- It's not 100 percent observer coverage. It's approximately 10 percent across the fleet and so it's not necessarily that they would have observer coverage.

Mr. Iarocci: Isn't the inshore shark fishery -- Isn't that 100 percent observer coverage?

Mr. Geiger: Any other questions?

Mr. Boyles: Chris, again, I want to thank you for the update and just, again, reiterate, I think, the importance of NOAA Fisheries letting folks know the results of this as it's happening. I echo what Tony says. Guys have just seen red with this action and so I think this is very helpful for you to come here and give us an update. I think it would be helpful for you all to redouble efforts, particularly up in the Carolinas, to let folks know what you're finding. I think it would go a long way into easing a lot of concerns. Thanks.

Mr. Rilling: I agree. Part of what we're struggling with, obviously, is this data interplay between the researcher collecting that information and working with the observer program and then us getting our hands on the data. Clearly there are quality control issues that we need to deal with and so it does take time and I wish I had more information to present at this point, but I don't.

We've also heard comment from people that would like to see the reports more often. We're not sure yet how exactly to go about that, quarterly reports or semi-annual reports or end-of-year reports. We're not sure and so we do want to just keep providing updates as we can.

Mr. Currin: Chris, thank you. Do you happen to recall what the swordfish catch was in those five sets? It was back at George's and, again, with the updates, I think that would be important to know.

Mr. Rilling: We do have some of that information and I can provide it to the council.

Ms. Shipman: Chris, I know, back to the sharks and in terms of the directed quotas, on one of your slides you showed that you all would be closing the individual shark seasons and the regions at the 80 percent. How are you dealing with the bycatch, if it is an indiscriminate gear like gillnets, where they may be targeting small coastals and yet the large coastals are closed, but yet you've got that discard -- Are you all getting the counts, so that you can back that out of the quota or how are you all dealing with that?

Mr. Rilling: It would be based on total mortality and so based on the observer reports that we're getting, because there will be observer coverage in outside of the research fishery as well. We'll have 100 percent observer coverage in the research fishery, our normal levels of coverage outside the research fishery.

The estimates of total mortality will be based on both those observer reports, as well as the logbook and dealer reports, and when either of those quotas, for either non-sandbar LCS or the sandbar LCS, hits 80 percent, then we'll issue five-day notice of closure of the fishery. Did that answer your question?

Ms. Shipman: Yes, more or less, but if say a boat is targeting small coastals, but yet they have got bycatch, and it's dead bycatch, of the large coastals, is there going to be any adjustment of

the quota like for the next year, to back out that bycatch mortality?

Mr. Rilling: That bycatch mortality would be counted against that current year's quota. What we're hoping is that, given this new approach, we won't have the overharvest that we've had in the past. If we do have an overharvest, yes, that will be taken into account in the following year's quota.

Mr. Geiger: Any other questions? Chris, again, thank you for coming forward and I've got to say that I appreciate you coming to our council and your openness and forthrightness every time you've come to the council and I think you have personally gone a long way in smoothing the bumps in the road that we've experienced together, between the HMS Division and the council. Thank you for that and thank you for your service. We appreciate it. Brian, are you ready with your Allocation Report?

Dr. Cheuvront: I'm ready.

Mr. Geiger: Okay, sir, please.

Dr. Cheuvront: The Allocation Committee met on June 10, 2008 in Orlando, Florida. We received a presentation from Julie Defilippi, who is the ACCSP Data Coordinator, on the ACCSP program and quota tracking capabilities.

In addition, the committee met April 8 and 9, 2008, in Charleston. Several motions that we had made at that meeting were brought forward at our meeting on June 10th and of the motions that I'm giving, Motion Numbers 1, 4, and 5 are from the April meeting and Motion Number 2 was withdrawn and Motion Number 3 was disapproved.

We did make several other motions and now I actually kind of have a procedural question, because some of the motions that we made in April were changed. I need to go through the motions that were originally made and then do I have to make that motion on behalf of that committee and then make the next motion that changed that? Let's just take it in chronological order and see how it goes. The most recent motion is the one that I'm going to give? Okay. We modified some of the motions that we had made as well. Okay.

A motion that was made at our June 10th meeting was to delete Item 4, the conservation allocation, from the motion that we had made in April and we considered allocating among three sectors, commercial, recreational, and for-hire. This motion was approved by the committee and on behalf of the committee, I make that motion here. Is there any discussion on the motion? Any opposition to the motion? Seeing none, the motion carries.

Another motion that we made was to develop guiding principles for allocating our FMP species in lieu of the existing FMP process, which we were calling the Comprehensive Allocation Amendment. This motion was approved by the committee and on behalf of the committee, I so move. Any discussion on the motion?

Mr. Geiger: We need to read the motion.

Dr. Cheuvront: I thought I had read that. I'll read it again. **The motion is to develop guiding principles for allocating our FMP species in lieu of the existing FMP process, which is the Comprehensive Allocation Amendment. That motion was approved by the committee and on behalf of the committee, I so move.** Is there any discussion on it? **Is there any opposition to the motion? Seeing none, the motion carries.**

During our April meeting, the committee combined our old Alternative 3, the council's judgment, and Alternative 4, detailed economic and social models, when available, and moved immediate consideration of old Alternative 4, which is just detailed economic and social models, to Appendix A, which is Alternatives Considered but Eliminated from Detailed Study. We have the list of revised alternatives. Alternative 1 is no action. Alternative 2 was landings data from NMFS or ACCSP databases.

Alternative 3 was catch data from assessments, including discard mortality and our preferred alternative, which is Alternative 4, is the council's judgment, based on fairness and equity. This approach would consider any number of factors, including, but not limited to, social and economic values, including demographic shifts and models, when available, landings data, and the council's view of what fisheries should look like into the future.

Since we're going with -- **What we ended up doing, and I'm going to the most recent motion that we had made, was to rescind the motion from April as it was passed and that was approved by the committee, and that was the one to set up our preferred as using basically the council's best judgment based on available information, and on behalf of the committee, I so move.** Is there any discussion? **Any objection? Seeing none, that motion carries.**

The resulting list of alternatives, based on discussion by the committee, is Number 1, no action; 2, landings data from NMFS or ACCSP databases; Alternative 3, catch data from assessments, including discard mortality; and Alternative 4 is to use the guidance in the Magnuson-Stevens Act. At this point, the committee has not designated a preferred alternative of now our new suite of four alternatives.

I don't know if this is something that we want to do at this point, but I'm sure the committee will be coming back to the full council in September and so we can probably attack that then. The committee is meeting again on July 8 and 9 in North Charleston and, Mr. Chairman that concludes my report.

Mr. Waugh: Just for clarification, so that we're totally clear on what we are to provide and the process we're using, we're no longer doing a comprehensive amendment and so the committee is going to work on recommendations for the overfishing species in Snapper Grouper Amendment 17 and provide that to the Snapper Grouper Committee at the September meeting.

What staff will provide for the committee to use at the July meeting are various landings data, as we have identified, and then the Center is going to provide us information about the changes in the coefficient of variation for the recreational estimates when we include the for-hire and private

recreational together and when we separate them. That's what we will be working on to provide to the committee.

Mr. Geiger: I also requested that we have, if we can, develop a snapshot of what the fisheries are going to look like, based on the information we got from the SSC in terms of ABCs and that type of thing. If we can just have an idea of what size these fisheries are, what they're going to look like, in terms of total mass. Anybody else? Thank you, Brian. I appreciate it. We'll reconvene the Snapper Grouper Committee, which started last evening and got into the public hearing. Go ahead, Mac.

Mr. Currin: Thank you, Mr. Chairman. I was under the impression that it started last week. The Snapper Grouper Committee met a couple of days this week and received a number of presentations. Kim and Myra gave us an update on Oculina outreach and research and monitoring efforts.

Dr. Jepson and Scott Raborn presented information about a catch and discard characterization study that has been and will be continued -- It has been conducted and will be continued in the South Atlantic. It's interesting information there. Stacy Harter came back and presented us with information, about three years of study that has been conducted in a number of the MPAs identified in Amendment 14, and Joe O'Hop from Florida came and went through the mutton snapper stock assessment with us as well.

In addition, Dr. Sedberry from Gray's Reef came in and talked to us about their desire to prohibit spearfishing at Gray's Reef. The committee supported the Gray's Reef Sanctuary action to move forward with regulations that would prohibit spearfishing within the Sanctuary. Apparently there are some concerns about transit through and stowage of gear, but Dr. Sedberry is working or will work with law enforcement to see what can be resolved there.

The committee received input from our SSC on the three or four amendments that are on our plate right now as well before we began discussion of those amendments. Rick and Dr. Steve Holiman and Jack McGovern helped walk us through Amendment 15B and Dr. Holiman gave us a presentation on updated social and economic analysis that was done in the SDEIS for Amendment 15B. The committee approved the proposed rule and the amendment for submission to the Secretary of Commerce.

Erik Williams came in and talked to us about work that had been done to convert pounds of snowy groupers to numbers as a management option for the recreational allocation and fishery. The council requested staff to clarify language in Amendment 15B that prohibited -- The prohibition of bag limit sales would pertain to all federally permitted for-hire vessels.

Gregg took us through Amendment 16 and the committee reviewed those actions to end overfishing of gag and vermilion snapper. He also reviewed the advisory panel's recommendations from their meetings earlier in the week. Based upon the AP's recommendations, the committee decided to add a few actions to this amendment that would implement trip limits and change the start date of the fishery for both gag and vermilion snapper.

The committee decided to require the use of dehooking and venting tools, but not circle hooks. Those will be captured in motions toward the end of my report. In order to allow time for the team to analyze additional alternatives, the committee decided to approve the amendment for submission to the Secretary of Commerce at our next meeting in September of 2008.

Rick took us through Amendment 17. We decided to move greater amberjack and mutton snapper actions from Amendment 17, because these two species are not undergoing overfishing, and the amendment primarily addresses those. Now, it only addresses those undergoing overfishing. In addition, we decided to move actions for red snapper into 17 and, therefore, Amendment 18 no longer exists, at least in its current form, to address annual bycatch limits or annual catch limits for red snapper, because those need to be implemented at the same time as the other species in Amendment 17.

In addition, the management measures to end overfishing and rebuild red snapper potentially would affect other actions in Amendment 17. The Allocation Committee, as Gregg indicated, will provide allocation alternatives for those species in Amendment 17 that do not currently have specified interim allocations.

Wes Patrick of NOAA Fisheries provided us a good overview of the proposed rule to National Standard 1 Guidelines. The committee reviewed preliminary options that would implement ACLs and annual catch targets, or ACTs, there's lots of new acronyms, and accountability measures for species undergoing overfishing in the snapper grouper fishery.

The committee also directed staff, under the heading of Other Actions, directed staff to develop a letter to the Regional Administrator, requesting that the Regional Office develop an interim rule closing the harvest of red snapper and to implement reductions in fishing mortality, as specified in the preferred alternatives in Amendment 16 for gag, vermilion snapper, black grouper, and red grouper.

The regulations would be implemented for 180 days and could be extended once. The committee wanted to avoid an extended delay in the implementation of these measures to end overfishing of these five species. It's important to note that the Regional Office, after they develop this interim rule, will bring it back to the council for consideration.

If there is a desire to remove aspects or portions of that interim rule, as presented from that rule, then the council will have that option at that time. **A number of motions from the committee and on behalf of the committee, I move that the council concur with Gray's Reef moving forward with regulations that prohibit all spearfishing within Gray's Reef National Marine Sanctuary.** Is there any discussion? **Any objection? I see none and that motion will stand approved.** Also, on behalf of the committee, we would like to reaffirm our Preferred Alternative 2 for bag limit sales. Any discussion?

Ms. Smit-Brunello: When you say "reaffirm our Preferred Alternative 2" it's as changed by the discussion in the committee yesterday, correct?

Mr. Currin: Yes, I think, unless there's another -- I'll have to ask Rick if there's another motion

in here, and I can't capture it right now, that addresses that specific issue. I know exactly what you're asking, because we did modify the motion to prohibit sales by federally permitted charter/headboat vessels.

Ms. Smit-Brunello: Since you will be voting to submit it to the Secretary, I think you'll be going through that amendment action-by-action, which then you can then read out and so we can discuss that then and get that changed language then and then you'll do a roll call vote.

Mr. Currin: I don't have that in front of me right now. I'm sure it's captured somewhere, but we can make sure we get the exact wording from that. In fact, I've got it and maybe that would be the best thing to do. **Regarding that previous motion, strike that. Here's the motion, our preferred alternative, as approved by the committee, that a South Atlantic snapper grouper harvested or possessed in the EEZ onboard a vessel that does not have a valid federal commercial permit for South Atlantic snapper grouper or a South Atlantic snapper grouper possessed under the bag limits may not be sold or purchased. A person aboard a vessel with both a for-hire vessel permit and a federal commercial snapper grouper permit is considered to be fishing as for-hire when fishing as described in 50 CFR 622.2. Snapper grouper harvested or possessed on such a trip may not be sold or purchased, regardless of where it is harvested.**

Mr. Geiger: Let's take just a second and have Rick type that up and get it up on the screen, so we can look at it.

Mr. Currin: That was the explanation that I read to the folks attending the public hearing last night, as provided by Monica, and so that's why it's so detailed and precise and captures not only intent of the committee, but a very good explanation.

Ms. Smit-Brunello: I apologize for my hurried penmanship or lack thereof.

Mr. Currin: Your penmanship was fine, but it was my eyesight that was bothering me.

Ms. Smit-Brunello: When Rick gets the motion up there, I would like to make one addition, that we put the word "federal" in the sentence that says a person aboard a vessel with both a for-hire or with a for-hire vessel permit. I want to make sure that that's a federal for-hire permit. I think that makes it even a little more clear.

I would like to tell you also that you've done this in a number of other regulations that are already on the books, for example with the amberjack spawning season or red porgy closure, those types of things. They track this kind of action exactly.

Mr. Currin: While Rick is doing that, I think the committee felt that this was a large loophole in the measure that we had proposed and affected the intent and effectiveness of the alternative or of the proposed regulation. This will go a long ways, I think, toward closing that potentially large loophole.

Here's our newly constructed motion from the committee and on behalf of them, I will

submit it: South Atlantic snapper grouper harvested or possessed in the EEZ onboard a vessel that does not have a valid federal commercial permit for South Atlantic snapper grouper or a South Atlantic snapper grouper possessed under the bag limits may not be sold or purchased. A person aboard a vessel with both a federal for-hire vessel permit and a federal commercial snapper grouper permit is considered to be fishing as for-hire when fishing as described in 50 CFR 622.2. Snapper grouper harvested or possessed on such a trip may not be sold or purchased, regardless of where it is harvested. Is there a second?

Mr. Geiger: Second.

Mr. Currin: Second by Chairman Geiger. Discussion on the motion? **Any objection --**

Mr. Sharp: At its meeting yesterday, the Florida Fish and Wildlife Conservation Commission was updated on this issue and I just wanted to note that the commission strongly recommended that the council not prohibit recreational bag limit sales.

Mr. Currin: Thank you, Bill. Any further discussion? **Is there any objection to the motion? One objection. The motion is approved with one objection.**

Also on behalf of the committee, I move that we specify the recreational snowy grouper allocation as 523 fish, equivalent to 4,400 pounds gutted weight. Is there any discussion of that motion? Any objection to that motion? I see none.

Dr. Chevront: Let's back up to Motion Number 2. I think it was written as one abstention and it was an objection. I think that's probably important for Bill, if he wants to have a job to go back to on Monday.

Mr. Currin: Thank you. Good catch. Is there any further discussion on that motion, the last motion? **Is there any objection to that motion? Seeing none, that motion is approved.**

Another motion from the committee that I will offer is that the council send Amendment 15B to the Secretary of Commerce for formal review. That motion was made on behalf of the committee, to approve Amendment 15B, that it be sent to the Secretary for review.

Mr. Mahood: Mr. Harris.

Mr. Harris: Aye.

Mr. Mahood: Mr. Boyles.

Mr. Boyles: Aye.

Mr. Mahood: Mr. Cupka.

Mr. Cupka: Aye.

Mr. Mahood: Dr. Cheuvront.

Dr. Cheuvront: Aye.

Mr. Mahood: Ms. Merritt.

Ms. Merritt: Aye.

Mr. Mahood: Mr. Sharp.

Mr. Sharp: No.

Mr. Mahood: Ms. Shipman.

Ms. Shipman: Aye.

Mr. Mahood: Mr. Swatzel.

Mr. Swatzel: Aye.

Mr. Mahood: Mr. Wallace.

Mr. Wallace: Aye.

Mr. Mahood: Chairman Geiger.

Mr. Geiger: Aye.

Mr. Mahood: Dr. Crabtree.

Dr. Crabtree: Aye.

Mr. Mahood: Chairman Currin.

Mr. Currin: Aye.

Mr. Mahood: **The motion passes with one negative vote.**

Mr. Currin: The next several motions are regarding Amendment 16.

Mr. Geiger: If I may, Mr. Chairman, and I don't know whether it's appropriate to discuss this before we talk about the first motion or when we get to the last of these motions, but let me just bring up the topic. Based on the public input that we had last night, it's obvious that Florida is going to take a very large share of the brunt of some of the actions that we're going to do in terms of an interim rule, if we go forward with it. We heard some alternative suggestions as to how we --

Mr. Currin: George, excuse me one minute before you continue. I've got one more motion under 15B, so that we can then move into 16. I believe what you're discussing is under 16 and I forgot an additional one regarding the rules under 15B. If you'll allow me a few minutes and I apologize. **Also on behalf of the committee, I move to approve the proposed rule for Snapper Grouper Amendment 15B.**

Ms. Smit-Brunello: That's the proposed rule as reflected by the changes that have been discussed at this council meeting and just approved by the council and so we'll have to change the proposed rule to mirror what you all did in the amendment.

Mr. Currin: That is correct. Do I need to note that in the motion?

Mr. Mahood: Monica, is that a new procedure? We've always just approved the proposed rule as part of the submission to the Secretary with the amendment. Now do we have to do the proposed rule separately?

Ms. Smit-Brunello: I think if it's within the scope of the motion where you are approving the amendment, then no. You may want to say the amendment and proposed rule, but we didn't do it that way in this case and so we should probably -- I don't know that you need a roll call vote or not on the proposed rule.

Mr. Mahood: I can do a roll call vote again. I've got more paper right here.

Ms. Smit-Brunello: The Magnuson Act says, and this isn't a change, but it says that the council really deems necessary or appropriate the proposed regulations to implement a fishery management plan or amendment and so that's what you've been doing all along. We're just making it a little more explicit, based on a court case that came out of Alaska, really. You don't have the exact wording of all the proposed regulations, because they need to be slightly changed to reflect what the council did, but I think we have enough discussion on the record that that's what you intend to do, approve the proposed regulations as revised by the discussion and motions by the council.

Mr. Currin: As Snapper Grouper Chairman, I would entertain a motion from a member of the committee to approve the proposed rule, as modified, for Snapper Grouper Amendment 15B. Would that be an okay way to --

Dr. Crabtree: **So moved.**

Mr. Currin: Motion by Dr. Crabtree and second by Brian. Any discussion of that motion? Any objection to that motion?

Mr. Mahood: I'll do a roll call.

Mr. Currin: On behalf of the committee, I'll so move, for the council.

Mr. Mahood: Mr. Harris.

Mr. Harris: Aye.

Mr. Mahood: Mr. Boyles.

Mr. Boyles: Aye.

Mr. Mahood: Dr. Crabtree.

Dr. Crabtree: Aye.

Mr. Mahood: Mr. Cupka.

Mr. Cupka: Aye.

Mr. Mahood: Mr. Currin.

Mr. Currin: Aye.

Mr. Mahood: Dr. Chevront.

Dr. Chevront: Aye.

Mr. Mahood: Ms. Merritt.

Ms. Merritt: Aye.

Mr. Mahood: Mr. Sharp.

Mr. Sharp: No.

Mr. Mahood: Ms. Shipman.

Ms. Shipman: Aye.

Mr. Mahood: Mr. Swatzel.

Mr. Swatzel: Aye.

Mr. Mahood: Mr. Wallace.

Mr. Wallace: Aye.

Mr. Mahood: Chairman Geiger.

Mr. Geiger: Aye.

Mr. Mahood: **The motion carries with one objection.**

Ms. Smit-Brunello: Before we leave 15B, the amendment also -- I would like on the record some discussion about giving the staff editorial license to change the amendment to reflect the discussion, because you won't see that amendment again and all it's going to do is change various things that you all approved and that were discussed at the meeting on the record and that you approved, but the amendment will have to be slightly revised.

Mr. Currin: Comments on that?

Mr. Boyles: Conceptually, I don't have any issue with that. I'm real sensitive, Monica, as you might be, with the issues that resulted as a result of the development of 13C. If we could just proceed with that in mind.

Mr. Currin: I don't think we need a motion. I think we just need the consent of the council and it is a sensitive issue, Robert, and has bitten us at least once in the past. I would like to think that we have procedures in place and that the staff is sensitive enough, that the South Atlantic Council staff is sensitive enough, that if things start entering into a zone that they feel might cause some discomfort for the council members, then I feel confident that they would notify us about that.

Dr. Crabtree: I think just anyone who has concerns ought to ask staff to provide them the revisions before it's submitted, but if you think about it, if we can't make some changes to the document like this after the meeting is over, it means we can't change any preferreds or anything else when we take final action and I think if we decided we wanted to see this again and brought it back at the next meeting, we would have public comment again and somebody might want to tweak something else.

It's almost inevitable and I think it happens in almost every amendment that we deal with that there are going to be some changes made as a result of the discussions and public comments and that's proper and that's the whole purpose of the public comment and the deliberations, is to try and get it right.

Ms. Shipman: I understood Monica to say that it would be in accordance with the record we've established this week and so they can certainly refer back to that record and I think as long as it conforms and tracks the record, we're on good solid ground.

Mr. Currin: Thank you, Susan. That's a very good point.

Mr. Mahood: The changes we're talking about are laid out very specifically in motions. There's not anything else that's --

Dr. Crabtree: I want to make one more motion. **I move that the council delegate authority to the Chairman to review any editorial changes to the proposed rule and to deem them as**

necessary and appropriate. My reasoning for that is that there may well be, somewhere along the process of publishing the proposed rule, some small changes made to it and the Chairman will have to look at those. If the Chairman decides, wait a minute, that's a substantive change and I'm not comfortable, then it will have to come back to the council.

Mr. Currin: Motion by Dr. Crabtree to delegate authority to the Chairman and second by Mr. Cupka and Mr. Boyles and perhaps Rita as well. Rita, did you have a question or discussion?

Ms. Merritt: Just for discussion purposes. I wanted to clear up what Monica said. You were talking about editorial license regarding the intent of council, as well as incorporating any changes that are reflected in motions and discussions that we've had this week and is that -- The reason I'm questioning it is only for as far as intent goes. How would that change? The reason I'm saying that is because I've heard different reasons given to people for why we were doing the no sale, the prohibition of recreational sale.

Ms. Smit-Brunello: Perhaps "intent" was a bad word to use. The changes will be made based upon the record that was developed by the committee and the council at this meeting. It's not my intent to read any extra intent into that. It will have to be explicit upon the changes that were recorded by Joe and in the record and you made motions and you passed those motions and so it will be upon that.

Ms. Merritt: Thank you. That clears it up.

Mr. Currin: Other discussion on the motion? **Any objection to the motion? That motion would stand approved.** Back to Amendment 16 measures and, George, it's fine with me wherever you would like to interject this. We can either go through the motions that the committee approved -- I think I understand that you may have some additional recommendations for some additional alternatives to be analyzed by staff, along with the several that we voted to analyze or have them analyze at this meeting. Wherever you think most appropriate.

Mr. Geiger: I guess in our discussions -- Why don't you go ahead and continue with the motions and when we get down to Motion 8, I'll discuss an alternative to that.

Mr. Currin: All right. **On behalf of the committee, regarding Amendment 16, I move to split Alternative 2 into Alternative 2A, regarding the commercial industry, and 2B, applying to the recreational industry, with both being selected as our preferred.** Is there any discussion of that motion? I could also note that Alternative 2 specifies the gag spawning season closure for both the commercial and the recreational sector and this would create two alternatives, one specified for each sector, just for clarification. Any discussion? **Any objection to the motion? Seeing none, that motion is approved.**

Also on behalf of the committee, I move to establish a 1,000 pound gag grouper commercial trip limit with a fishing year start date of May 1 and continue the March and April spawning season closure. In addition, during March and April, no fishing for and/or possession of the following species would be allowed: black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby, and

coney. Any discussion?

Mr. Harris: I know there was discussion about whether it should be a 1,000 pound trip limit or a forty-five fish trip limit and I don't know that we resolved that to be 1,000 pounds or forty-five fish. I bring that up just to make sure the record is clear on that.

Mr. Boyles: In public comment last night, we heard some comments from those folks in south Florida who indicated the impact of this May 1 start to the fishing season and I'm just curious as to whether the council would entertain asking staff to look at an alternative that would have a fishing year starting on January 1, but include a March/April closed season. We would have a split season that would begin again in May.

Mr. Currin: I think, Robert, that's what George has in mind, perhaps offering an alternative similar to that. When that occurs, then we can discuss that, if that's -- Are you offering to substitute that for the motion that we have before us? We've got this motion on the floor that we need to either vote on or table or something.

Mr. Geiger: It may turn out that we develop an alternative motion or a substitute motion to it after our discussion.

Mr. Currin: We can handle it any way you want to. We're discussing this motion and if we want to enter into that and offer it as a substitute or an additional motion -- I'm not sure what you have in mind.

Mr. Cupka: This is really based on a recommendation from the AP and I would prefer to see us go ahead and take action on this and then maybe offer another motion to address George's item.

Mr. Boyles: That was my intention, was not to speak against this motion, but rather to gauge people's interest in developing another alternative.

Dr. Laney: To Mr. Harris's question, and Otha may want to comment on this, but I thought that the discussion was that for law enforcement purposes that numbers would be better than pounds.

Mr. Easley: For Coast Guard at least, out at sea, at-sea enforcement, the numbers would be easier for them to facilitate enforcement. As far as at the dock, where most of my agents are, it can go either way.

Dr. Crabtree: As I understand it, most of the trip limit enforcement is going to generally be dockside, isn't it?

Mr. Easley: For OLE, for NMFS Enforcement, yes.

Dr. Crabtree: Almost all of the trip limits that we currently have are in pounds and so there's a lot of history with it. My worry about numbers of fish is it's a powerful incentive to hi-grade and that's always my worry with it. It's clear from the motion -- I know we talked a little bit about it, but the motion is pretty clear on pounds and so I think I would prefer to stay with pounds.

Mr. DeVactor: Currently, as the motion is stated, it says to continue the March and April closure for gag and currently, the regulations state that you can catch up to the bag limit. I wonder if it's the intention to include gag in with a total closure and if so, you may want to take out to continue the March and April spawning season closure and put it with the rest of the species.

Mr. Currin: Just as background, and someone correct me if I'm wrong, but the four-month closure that we were considering I believe specified no possession by either the recreational or commercial industry and I would certainly speak to no bag limit possession during this closed season as a part of this motion.

Dr. Crabtree: That's certainly my understanding of what we intended. Rick, do we just need to add gag to the list of species down there and that would fix that, wouldn't it?

Mr. Currin: That was a quick and easy fix. Do I need to read that motion again? On behalf of the committee, I move to establish a 1,000 pound gag grouper commercial trip limit with a fishing year start date of May 1. In addition, during March and April, no fishing for and/or possession of the following species would be allowed: gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby, and coney. Is there any discussion? Is there any objection? The motion is approved with one objection. Bob informed me that we probably should have someone else from the committee offer that motion as a substitute.

Mr. Cupka: **Mr. Chairman, I would offer that as a substitute motion.**

Mr. Currin: Are we okay without reading it again? Do we need to read it again? I need a second for that motion. The motion is by David Cupka and second by Robert Boyles. **The substitute motion is to establish a 1,000 pound gag grouper commercial trip limit with a fishing year start date of May 1. In addition, during March and April, no fishing for and/or possession of the following species would be allowed: gag grouper, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby, and coney.** Is there further discussion on the motion? **Is there objection to the motion? The motion is approved with one objection.** That motion now becomes the main motion. Is there any discussion of the motion?

Ms. Merritt: Just as a clarification, when we were talking about the fact when there is a closed season, there would be no bag limit harvest and do we need to put that in there or that's just assumed that it's --

Mr. Currin: No, it's very clear that there's no possession of gag or any of the species that are of concern. By adding that one word, it took care of that problem. Any further discussion of that motion? **Any objection to that motion? The motion is approved with one objection.** Mr. Chairman, is this where you would like to enter into consider perhaps some additional alternatives for analysis?

Mr. Geiger: This is going to complicate it even further, but what I would like to do is -- Again,

Robert beat me to the punch, but last night we heard in public testimony the tremendous hit that the south Florida commercial people were going to take with a closure beginning in May. The proposal that one commenter made was to have a commercial opening during the month of January only and then immediately reclose it during that spawning season.

What we would have, in effect, is basically a one-month opening, beginning January 1st, in an effort to alleviate some of the economic hardships and the significant reductions that they're going to experience with a total four-month closure.

Ms. Shipman: Was that only for that part of the region or were you talking about for the entire region there would be the January 1 opening?

Mr. Geiger: I think we could only do it if we did it for an opening for Florida for one month.

Ms. Shipman: I support that.

Mr. Geiger: The landings are relatively low during that period. We looked them up and what was it, Mac, about 6,000?

Mr. Currin: That's what I recall, George. I didn't look them up today and I don't recall. I was thinking they were 6,800 pounds.

Dr. Chevront: I would like for us to maybe put some kind -- I agree with the concept and I want to say that upfront. I would like to maybe put some kind of a limit, so that we don't encourage a derby fishery in January.

Perhaps what we could do is by looking at the landings, determine what would be an appropriate amount or percent of the TAC or whatever, whatever we're calling it these days, that we could allow to occur in that south Florida January fishery and anything that's left over at the end of January would just roll over into the season that would start May 1 or whatever. I think we need to do something to make sure that we don't take up too much of the allowable catch in that one month and create a derby fishery.

Mr. Geiger: You're talking about a different trip limit than the 1,000 pounds that was in the motion we just passed?

Dr. Chevront: Not a trip limit necessarily, but it would be more of, in essence, a portion of the quota that would be set aside for Florida. A 1,000 pound trip limit, I'm okay with that. I have no problem with that. It's a matter of are we going to encourage more fishermen to go out and fish that fishery than normally would have occurred under the old regulations and I guess what I'm trying to do is to not encourage greater activity in January than would normally occur, which would then come at the expense of fishermen in other parts of the region, where there aren't any gag for them to get during the month of January.

Dr. Crabtree: George, we're talking about opening January, recreational and commercial or commercial only?

Mr. Geiger: Commercial only.

Dr. Crabtree: Why would we open January only in Florida? If we want to do that, why wouldn't we just open everywhere on January 1 and then close everybody in February, March, and April and then reopen? Why just Florida?

Mr. Currin: Bob, I think, has the landings table up and as usual, I was way off. I remembered some other number.

Mr. Mahood: The average between 1999 and 2005 gutted weight in Florida in January was 26,730 pounds. The total in January for all states was 57,000 pounds. Then Florida stays about the same level in February and then in March, it drops way down. March and April were real low and then it's back up to 26,000 pounds in May and stays pretty steady in the mid-teens pretty much through the rest of the year.

Ms. Shipman: To Roy's point, I'm wondering if we can accomplish sort of the concept by a January 1 fishing year opening, where it would open everywhere, but Florida -- That's where the fish are and so they would get that first shot at the fish and then it would close February, March, April and then open back up in May, when the more northern states or waters of the region would get the next shot of fish. That way, everybody sort of gets a first shot or not a first shot, but everybody gets a more equitable share of the fish.

Ms. Merritt: To Brian's earlier point regarding trying to get a portion of a quota for that January time period, I know that one of the reactions you always get when there is a trip limit set in regards to a fishery targeted by North Carolina versus Florida, the reaction is always in Florida that they can make more than one trip per day, whereas it's much tougher just by geography in the northern part of the council.

Dr. Chevront: I think we also, if we're going to open January 1, we heard also a fair amount of testimony from the for-hire sector that that is a big time of fishing for them and so I would like for us to consider allowing that fishery to open in January as well for the recreational side of things.

Mr. Geiger: This has gone way outside what the intent or what the suggestion was and in regard to the for-hire sector, a lot of those socioeconomic complaints came from the Keys and I was going to talk about that in a different context when we got down to another area.

That's why I didn't know whether to talk about it all upfront, to give everybody consideration of it, but when we start talking about opening everybody up, we lose benefit of what we're trying to obtain with a gag closure during that four-month period. I just wanted to address the one comment we had from a former council member, former chairman, and give it at least consideration and discussion.

Dr. Chevront: I'm fine with that, George, but I just didn't want to lose the concept that we've got some guys, some for-hire sector, who would probably like to be fishing during that period.

As long as we're going to bring it back up later on, I'm fine with that.

Dr. Crabtree: Just a couple of things and one to Brian's -- He seemed to be suggesting we have basically a January quota and I don't think we can monitor a January quota. We get dealer reports in every two weeks and it's just too short of a time period. The other thing I would caution you, I certainly understand the desire to try and accommodate different areas, but the next couple of council meetings, you're going to be somewhere else and you're going to have another group of fishermen come in that may want a little bit different seasonal closure and you start unraveling everything.

The other thing I would point out is we get a lot of criticism and a lot of discussion on the council about enforcement and the public is confused about our regulations and one reason our regulations are so complicated is because we try to accommodate all of these regional differences and certainly it's understandable to try and do that, but you need to keep in mind the bigger picture of that's what makes our regulations so complicated in the end and that contributes to people not understanding what the regulations are and that affects compliance and that makes enforcement's job more difficult. Just bear that in mind.

Ms. Smit-Brunello: It's not exactly to that point, but it's kind of close. I just wanted to correct for the record something Rita said. The commercial trip limits for federal waters are on a per-day basis. Commercial trip limits are limits on the amount of applicable species that may be possessed onboard or landed, purchased, or sold from a vessel per day and so it's trip per day. When you're talking about multiple trips in a day, that's not allowed under the regulations for that same species and you also can't combine them with a specific state trip limit. Those two things can't be combined.

Mr. Cupka: I think I was thinking along the same lines that Susan was, that it would be a commercial fishing year that would start in January, but it would be for the whole region, when in actuality, if you look at the distribution of those fish, you are going to be giving some help to Florida to help mitigate some of those impacts and that's where the fish are going to be available.

I think if you start breaking it out and making exceptions and whatnot, that's probably not going to be perceived as being fair by someone, but I think this would accomplish the same thing, if you just started the commercial fishing year in January for the entire region and not just Florida. The end result, I think, would be basically the same, without looking like you're making a special allowance just for one particular geographic area.

Mr. Wallace: I was just kind of wanting clarification in what David was saying. Are we going to change the May 1st date back to January 1st? Is that the intent?

Mr. Currin: We're not changing anything at this point, John. All we're considering is just talking about another alternative to be analyzed that would have a different start date than the May 1, which is the additional alternative we added yesterday, yes.

Mr. Wallace: So it's not going to be a split season with Florida opening January 1st? Was that the --

Mr. Currin: I think, if I understand --

Mr. Wallace: My question is how do you determine if TAC has been met and in May, it's going to close according to TAC, unless you're going to start your TAC at January 1.

Mr. Currin: That's the suggestion, I believe, David.

Mr. Cupka: That's correct, Mr. Chairman. Essentially, it's the same motion that we passed last time, except with a January 1 start date rather than a May 1 start date. You would have the closed season and it would be a split season. There wouldn't be any quota, any regional quota, and there wouldn't be any special thing just for Florida. It would be for everyone and so that's essentially what I was thinking. I would like to see that analyzed and I would like to make a motion, Mr. Chairman. **It would be the same motion as the one we just approved, but with a January 1 start date.**

Mr. Currin: That would leave January and February open for two months at the beginning of the season and then reopen after April or was your intent to just open the month of January?

Mr. Cupka: I was thinking just the month of January.

Mr. Currin: Then it would be a slight modification. It would be opening January 1, with a February/March/April closure and then the motion would be identical. Does that capture your intent? Do you want to read that?

Mr. Cupka: Do you want to see if there's a second for it?

Mr. Currin: Second by Susan. Is there discussion?

Mr. Cupka: **The motion would be to establish a 1,000 pound gag grouper commercial trip limit with a fishing year start date of January 1. In addition, during February, March, and April, no fishing for and/or possession of the following species would be allowed: gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby, and coney.**

Dr. Crabtree: We're adding a number of alternatives now to a document kind of at the last minute. I understand the reasoning for doing it and we'll have to go back out with a supplemental EIS on this and we may be able to get that done, depending on how much other stuff we added in here.

I am a little concerned that if we keep adding more variations here than the workload goes up. Where I'm coming at with this is I think this is increasing the importance that we move forward with an interim rule request at this meeting, to ensure we get something in place by January. Depending on how many things we put into this document, we will do everything we can to be able to come in September and take final action, but there are no guarantees.

The other thing I think we need to talk about, and maybe later rather than now, but we need to avoid putting ourselves in a position where we're going to have the AP hand us a whole bunch of comments and suggestions at the meeting where we're trying to take final action on something. Somehow, we need to have the AP meet in advance.

I understand why we like concurrent sessions, but it sure is problematic when you have the AP or even the SSC hand you a whole lot of things and staff doesn't have time to really evaluate it or look at it and I think we need to rethink that a little bit, but if we move forward on adding a lot of things to this document, then we're really going to need to move forward with a request for an interim rule or I think we're putting ourselves in a vulnerable spot.

Mr. Currin: Thank you, Roy, and we certainly do all need to keep that in mind as we discuss not only this amendment, but others in the future.

Ms. Shipman: I appreciate what Roy is saying and I would hope we would limit any additional actions to just really these two that we're going to evaluate. I think we've got the data in the document and we've got the tables.

Also, in the document it takes about the spawning periodicity of gag and it does state that they spawn from December through May, with a peak in March and April. I know we've heard some evidence or testimony that for Florida it's February and March. I think it would capture the bulk of the spawning period if we had the February/March/April closure.

Mr. Currin: Further discussion on this motion?

Mr. Harris: I just have one question or perhaps observation. I am concerned with a January 1 start date, that these gag may still be aggregating in preparation for the bulk of the spawning and so they still may be more vulnerable. I think we're going to have to watch this very carefully and see what kind of catches we see in January if this motion passes and this rule is approved. I do have some concerns that we may cause more problems than we anticipate.

Mr. Currin: Again, keep in mind that if this motion is approved that it will be analyzed and perhaps some of the staff or Jack can look at that and address some of those concerns before this might be considered as our preferred alternative at our next meeting and go forward.

Dr. Crabtree: Duane is exactly right. These fish stage up and aggregate and they're not hydrated at that point, but they're there and they're vulnerable and it really doesn't matter whether you kill the fish when he's staged up or when he's hydrated. He's still removed and I suspect in south Florida, down there particularly, they're starting to stage up in January and so that is something you need to bear in mind.

Mr. Currin: Other discussion on this motion? **Is there objection to the motion? One objection and the motion is approved.**

Mr. Geiger: I'm certainly sensitive to Roy's comments and to Susan's comments. I did talk to some people about this before and I spoke with Jack and he assured me that the analysis could be

done on these suggestions that are coming here at the eleventh hour and I do apologize for them, but we did have public comment last night and it's an opportunity for us to at least discuss some of the things we heard and I think that's important.

Another proposal was brought forward by the Keys and they're faced with a big problem down there in terms of their fishing years and their economy and we heard all about that last night. Let me just get to the proposal that they've offered.

It would be a total gag grouper closure in the Keys, total, a twelve-month closure on gag grouper in the Keys, from the Dade/Monroe County line and they would request a January to May 31st black and red grouper opening, with the remaining seven months closed for black and red grouper.

Dr. Crabtree: George, most of what we're doing, we're talking about shallow-water grouper closures and so wouldn't it make better sense to have the -- It would be June 1 to December 31 would be closed and wouldn't it be better to close it to all shallow-water grouper, just to be more consistent?

Mr. Geiger: I think that would be absolutely acceptable. We're just talking about it here. As I said, I've already pre-vetted this with Jack and he said he can get the analysis done before the next meeting.

Mr. Harris: A comment to what George just suggested. I was thinking along the same lines. Really, what hit me last night was this dramatic difference between Dade/Monroe south and north. I really do think in the future that we need to look a lot more carefully at that and decide if that is such a distinct area for snapper grouper management that we do something different with that area.

Dr. Chevront: George, I appreciate that, because that probably simplified greatly the kinds of things I was thinking about. When we're talking about that line south of Miami-Dade being distinctly different in snapper grouper management, we have to also realize that sometimes North Carolina is very different than the rest of the states, too.

I like the idea of being open to considering some of those truly regional differences. Clearly it's not true in every species, but occasionally it is and I would just like for us to keep that as part of our discussions and be willing to discuss it and make accommodations where it seems plausible and possible.

Dr. Crabtree: This is my concern about it. Black grouper and red grouper both spawn during the January/March/April -- I think red grouper spawns a little later, but black grouper spawns in that same sort of timeframe that gag does and probably down there in the Keys, it's even a little earlier. We saw from the SSC that they're recommending some reductions in black grouper and gag grouper catches and so my concern is that we're basically opening the door for them to fish on black grouper and black grouper, and you guys correct me, but they aggregate to spawn and so they're going to be vulnerable during those times.

I can't think of any area in the region we manage where there's more fishing pressure, particular recreational, than down there in the Keys. I think that's why I would have a difficult time supporting that kind of alternative. I just think giving those fish some protection during the spawning season is critical; because we've seen all through the Caribbean problems with grouper when spawning aggregations basically get fished out.

Mr. Geiger: I appreciate that, Roy, and I agree entirely and this is merely a request to do the analysis, to get that information, so that we can make a conscious decision that that is in fact the case and this will not work. They're offering up a seven-month closure and I don't know how much benefit we get from a seven-month closure outside of a spawning season. I think that's the type of analysis information that would help make the decision.

Mr. Currin: So far, we don't have a motion. We've had a lot of discussion and I hope if there is in fact a motion that will eliminate some of the discussion after a motion, should one be made. I will entertain a motion at this point.

Mr. Geiger: Just to move it along, let's try this one. **I'll make a motion that south of the Miami-Dade/Monroe County line that no fishing for and/or possession of the following species would be allowed during June 1 to December 31: gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby, and coney. No fishing for and/or possession of gag grouper would be allowed year-round south of the Miami-Dade/Monroe County line.**

Mr. Currin: I think that captures the intent of most of the discussion that we have had to date on this.

Ms. Merritt: I will second that motion and I do think that this is a really good step to acknowledge the user groups there that want to help fix the problem as well and work with us and doing the analysis is going to help us as well, to better understand the dynamics down there.

Mr. Currin: Second by Rita.

Dr. Chevront: Does this motion get at the fact that they want to be allowed to fish for the black and red grouper during that season? If the other alternative goes through, they basically can fish in January and May and I thought that they were being asked to be allowed to fish from January 1 through May 31 and I'm not sure that this motion doesn't capture that the closed season that we're proposing for February, March, and April would not apply to these folks south of the Miami-Dade/Monroe County line. Somehow, we need to make sure that explicitly gets into this motion, if that's what we truly mean to have happen here.

Mr. Currin: I think the motion permits that. It's not explicitly clear. It's not explicitly stated that this is the open season. The way the motion is written is that it tells you what's closed when. It implies that everything else is open and whether that's the --

Dr. Chevront: Our other motions don't explicitly say anything about south of the Miami-Dade/Monroe County line, so that those would apply to those fishermen as well, I would think,

unless we did something to explicitly state our intention is to make it fishing open January 1 through May 31.

Dr. Crabtree: I think the motion needs to make it clear that the other South Atlantic recreational grouper closure doesn't apply in Monroe County.

Mr. Geiger: Could we say for the region south of the Miami-Dade/Monroe County line only?

Dr. Crabtree: I think, George, you just need to go to the end and say that fishing for all those other species is allowed from January 1 to May 31, with the exception of gag. It needs to say that those other species are open and it doesn't really say that anywhere. Then so what happens next is the Dare County boys come in and say we're different too and we need different regulations for Dare County and then we're going to get that Jacksonville group come in and say we've got plenty of red snappers and so we need something different for us. That's my worry for it.

I'm just afraid when you start trying to pick out counties and not just states, but counties, and apply all sorts of different tweaks to it, it just seems to me we're really going down a very slippery path. I'm going to vote against the motion, I think.

Mr. Geiger: I understand that. We certainly had discussions about that. However, this is a very, very distinct region, geographic region. I mean the species -- Black grouper only occur down there and yellowtail only occur down there and I think there are other ways to take care of managing those fish, because I think Florida should actually manage them, but, again, this is for analysis purposes only and we have an opportunity to address it and staff said that they could accommodate the analysis before the next meeting.

Mr. Currin: We can handle it all by just extending the South Atlantic Council's jurisdiction at the Miami-Dade/Monroe County line and then end the Gulf's jurisdiction at whatever the Monroe County and whatever the other one is on the other side, just let Florida have the keys and deal with it. Further discussion on the motion?

Dr. Chevront: I'm not sure -- I saw something just got added for the northern region and actually, we're talking about this fishing January 1 to May 31, but it would only be for Monroe County and so not for the northern region. It's actually south of that line.

Mr. Currin: We're definitely going to have to read the motion and so everybody that's involved in this, make sure you look at it and make sure it's crafted -- There is a Monroe County in North Carolina, but they don't have any groupers and so we don't have to worry about that.

Mr. Easley: I just want to put my enforcement two cents worth in. As a general rule for enforcement, the more regionalized a closure is, whether it's area or an industry, the more difficult it is to facilitate enforcement. I just want to throw that out there.

Dr. Crabtree: A question for Bill Sharp, I guess. Florida has, in the past at least, had some interest in trying to maintain some consistency in the regulations on the different sides of

Monroe County. Right now, the Gulf Council is looking at a March/April closure and so I wonder if Florida would have any view on this right now, Bill, or would you have to talk to people?

Mr. Sharp: I would probably have to talk to people, but to both of you all's point and especially to the enforcement you brought up, the Atlantic/Gulf issues as well, we've tried to avoid rules like this, if we could, because basically what you're setting up here is a boon to Dade County wholesalers here, with everything just going to one county north. I know we've always had a lot of trouble with rules like this.

Given the complexity and you've got the Gulf and the Atlantic side separated by a very thin imaginary line and it's very difficult to enforce, plus when you're cutting one county out and you've got two counties very close by there, it really sets up a lot of enforcement difficulty.

Dr. Crabtree: We're talking just about the recreational fishery here, correct? No?

Mr. Geiger: This covers both the recreational and the commercial. That's the way it was offered.

Dr. Crabtree: Why would we want to do this for the commercial fishery?

Mr. Geiger: I can't answer that specific question without some thought and conferring with my colleague, who has already departed the meeting, unfortunately, but when we discussed it in the hall, Tony and the charterboat people were out there and this is an offer that they offered up jointly.

Mr. Currin: If I had to guess, Roy, I would say because it acknowledges that they have very few gags down there and it allows them to fish on the species that are present.

Mr. Geiger: That makes sense, but I don't want to put words in their mouth, but that's probably what I would say.

Ms. Shipman: That's what I think we got some testimony on or maybe in informal sidebar discussions that's what I was told. I would support this for analysis. At the end of the day, we may not go forward with this whatsoever at all. We're hearing a lot of good reasons not to, but to the degree we're trying to mitigate economic impacts of some very stringent fishing regulations that we're getting ready to impose in Amendment 16, I would be interested in at least seeing the analysis.

Mr. Geiger: That was purely the intention, was to offer this up for analysis only.

Mr. Currin: I don't know how complicated the analysis is. I'm glad you spoke with Jack earlier and he said that it's --

Mr. Geiger: Jack is sitting back there right now and you have an opportunity now, Jack, if this has gotten outside of the bounds that we originally discussed and it exceeds your ability to

accomplish between now and the time we need that analysis done. Now is your opportunity to speak.

Dr. McGovern: I don't think the problem is with me. I think it's the economic analysis that's the problem. I spoke with Stephen Holiman and he thinks that Jim Waters and his model can accommodate all this, but he's not positive. Jim Waters indicated that his model could take care of the alternatives that you guys came up with yesterday and so he thinks that Jim Waters can do this. He thinks he's set up to, but he doesn't know for sure until he talks to him.

Mr. Currin: Thank you, Jack. I would caution everyone to keep in mind that we have, for many years, had problems in Monroe County specifically, because of the landings that occur and unsureness of whether they come from the Gulf or from the Atlantic, and that confounds every at least biological, and perhaps economic, analysis that is done and talking about uncertainty.

Mr. Sharp: To Susan's point, would it make sense to modify the motions? The way they're reading is not explicitly clear to me that it is just an analysis of these potential options. That hasn't been captured in these.

Mr. Currin: Have we read the motion? I can't even remember whether it's been read into the motion and seconded. Mr. Geiger, I'll recognize you for the motion.

Mr. Geiger: **The motion is south of the Miami-Dade/Monroe County line no fishing for and/or possession of the following species would be allowed during June 1 to December 31: gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby, and coney. No fishing for and/or possession of gag grouper would be allowed year-round south of the Miami-Dade/Monroe County line. Fishing for black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby and coney would be allowed January 1 through May 31 for Monroe County.**

Mr. Currin: Is there a second? Second by Rita. Discussion? Before you do, Roy, I just want to make sure that everybody is clear that neither soapfish nor ferry basslets are included in this.

Dr. Crabtree: That was going to be my question, Mr. Chair. Let me ask you this. What do you want to do if we get back and next week or so one of the economists comes to me and says there's no way and we can't do it and it's going to delay everything to October? Are you willing to put a contingency in here that you want this to be included in the document, but only if it can be done within the time constraints that would allow us to take final action in September?

Mr. Geiger: To that point, my request was contingent upon the analysis being able to be done. Had Jack told me that the analysis could not be done, I would not have even brought it up and so yes, it is contingent upon the analysis being done. If it can't be done --

Dr. Crabtree: I think everybody on the council needs to weigh in on that and we make it clear so staff -- I don't know if we've done something like that before, but I don't see why we can't.

Mr. Currin: I don't know the proper way, but I guess a motion from someone on the council to specify that contingency and if something like that does occur, Roy, we're relying on the very upfront and honest assessment by your economists and that they're not just blowing it off and saying I don't want to do it.

Dr. Crabtree: I can assure you they won't do that and we can have a conference call with Bob and Gregg and Rick when we get back and talk about it, but we will definitely do our best to get it done.

Mr. Mahood: I would like to put a couple of things in perspective. We are kind of on a tight time schedule for a number of things and we had really kind of hoped there wouldn't be much changes to this amendment and we would approve it to send to the Secretary at this meeting. We've kind of fallen away from that, but anything we pull out of our process on Amendment 17 and the other things we're working on to get done before 2010 and 2011, it's going to slow us down on everything, pull people off to do this.

If it's necessary, it's necessary, but then the other question I have -- I believe at this meeting today we are going to request that an interim rule be developed and looked at at the next meeting and that's going to be based on our preferred alternatives in Amendment 16 and I guess the question I have -- In an issue like this, we won't know if it's going to either be an alternative, be a preferred alternative. It just seems like it's going to be difficult to move with an interim rule at the next meeting and have everything analyzed while we're still adding pieces and parts into the amendment.

We may actually overrun -- If we do an interim rule, we may actually overrun 16 and include everything in 17, but we have everything laid out. We have the teams working on this and we have the schedule set and whenever we interject any new activities that's going to take people's - - Especially the economists. They may tell you they can do it, but that's going to pull their time away from 17 that they're working on. Just be aware of this as we try to fine tune these things. We're on a pretty tight schedule for these activities.

Mr. Currin: Thank you, Bob, for that.

Mr. Sharp: Just to follow up on Bob's point, to add another layer of a somewhat byzantine nature or opening up here with analysis. Some of these species, from the economic side of things, also find their way into our marine life fishery and it's not just the food fishery here and so you've got another fishery, something like graysby and coney, and I don't know to what extent they're harvested for our marine life fishery, which is the live aquarium fishery, but that will also be a component, or should be a component, to any economic analysis.

Mr. Geiger: How about if -- Could we maybe amend the motion to add a contingency -- Do you want a separate motion?

Mr. Currin: It's been made and seconded. It has not been voted upon, I don't believe. I think I know where you're going with this, George, and I think you're trying to get at the contingencies associated with staff time and the ability of the economists to deal with this. I would suggest we

do that in a separate motion, rather than make that a part of this one. Further discussion on this motion? **Is there objection to this motion? One. The motion is approved with one objection.**

Mr. Geiger: **I would make a motion that the previous motion is contingent upon staff ability to accomplish the analysis, which would not in any way interfere with -- The analysis for the previous motion would be contingent upon the ability of the staff to accomplish.**

Mr. Harris: **Within the existing timeframe for these amendments.**

Mr. Geiger: Help me. **Accomplish the analysis within the time constraints of Amendment 16 -- Approving Amendment 16 at the September council meeting.**

Mr. Currin: Does that capture it, George? Make sure before we offer it and then we'll get you to read it.

Ms. Shipman: Not only the availability, but the ability to. If that model bogs down --

Dr. Crabtree: My main concern and what I think could keep us from getting this done is whether the economic models can handle something specific to Monroe County or not. If I get back next week and I'm told that no, the economic models can't handle that, then I'm going to call Bob up and say we can't do it.

If I get back and they tell me it can handle it, then I'll call Bob up either way, but -- That's really what I'm concerned about, because I just don't know if Jim Waters economic model is set up in a way where he can do something like that and I don't know if the data they have -- It may already be split out, because he may have needed to do that in order to run what he's run already. That's really what it rides on, in my view.

Mr. Geiger: I understand and that's fair and I agree.

Dr. Crabtree: Just to add comfort, I will, when I make my call, I will confer with the chairman as well and make sure he's comfortable that we're making a fair judgment on that.

Mr. Currin: George, I would ask -- I don't believe the motion has been read as it's captured and if you would offer that, we'll see if we get a second and we can proceed with additional discussion.

Mr. Geiger: **The motion is the analysis outlined in the previous motion would be contingent on staff's ability to accomplish the analysis within the time constraints of approving Amendment 16 at the September 2008 council meeting.**

Mr. Currin: Motion by Mr. Geiger and second by Ms. Shipman. The caveat, basically, for the Keys alternative. Is there further discussion on this? Does everybody understand the constraints and the need to move 16? **Is there objection to the motion? I see none. That motion is approved.**

Mr. Geiger: I apologize to everybody for confounding this process, but we did have public input and I think it's important to consider that.

Mr. Currin: It is, George, but I think Roy made a very, very good point earlier about when we get our AP's advice. We do that twice on every action that we make, at least twice, plus their individual input at various times during it. I think it's critical, the way things are changing and the way the industry is changing, that we try to find some mechanism for receiving that input before the day we're going to make the decisions on these documents, because it's cost us another four months right now.

Mr. Mahood: Mac, to that point, that's kind of really an unfair statement, because we do get their input. If you recall, they had a couple or three meetings where they said no action, no action, no action. It wasn't until this meeting, when they knew that we were going to take action, that we got the input.

They had a lot of chances to have input at an early level and so it's not that we met at this meeting with them and they hadn't had a chance to look at anything or give us any recommendations. This goes way back on this amendment and all we got from them was no action.

Mr. Currin: I understand that fully, Bob, and maybe there's no way around it, unless we push that meeting back. Roy's one suggestion was to have them not meeting in conjunction with the council, although their desire is always to meet at the council meeting, so they have that direct input. I don't know and there may not be a solution, a good solution, to the problem, but everybody ought to think about it, I think. I will continue with my Snapper Grouper Report and hope that it doesn't take as long as our committee meeting.

**On behalf of the committee, there's another motion that I would like to present and that is -
- The motion is to implement a May 1 fishing year start date and a 1,000 pound trip limit for the commercial vermilion snapper fishery. Note that this does not include a seasonal split, as outlined in other alternatives currently in 16. Is there discussion of that motion? Any objection to that motion? The motion is approved with one objection.**

Also on behalf of the committee, I would move that Alternative 3, require the use of venting and dehooking tools. Is there discussion of that motion? Any objection to that motion? I see none and that motion is approved.

Also on behalf of the committee, I move to make Alternative 3, as previously referred to, as our preferred and apply that both to the commercial and recreational snapper grouper fisheries. Any discussion of that motion? Any objection? I see none and that motion is approved.

Dr. Crabtree: Is it clear for the record that we -- Back on Motion 9, we are changing our preferred alternative and we're not longer requiring circle hooks. Our preferred alternative is going to be to only require venting tools and dehooking devices. I don't think it's really clear

from the motion, exactly, but that's what we're doing.

Mr. Currin: It's clear in my mind and if we need for the record to make it clear -- I think it's captured well in our discussion from the committee and if someone else around the table does not understand that, please state so, so that we can clarify it. I'm pretty sure everybody understands that, Roy.

Dr. Crabtree: I just wanted to make sure the record was clear, so if someone read the minutes they could tell.

Mr. Currin: Thank you for doing that, because as I read those motions, I had some of those same thoughts. Other actions not associated with Amendment 16, moving on. **On behalf of the committee, I move that the greater amberjack and mutton snapper be removed from consideration in Amendment 17 and be moved to the Comprehensive ACL Amendment and that red snapper be moved from Amendment 18 into Amendment 17.** Is there discussion of that motion? **Any objection to that motion? I see none and that motion is approved.**

Also, the committee moved to ask staff to develop a letter to the Regional Administrator requesting the Regional Office develop an interim rule closing harvest of red snapper and implement reductions in fishing mortality as specified in the preferred alternatives in Amendment 16 for gag grouper, vermilion snapper, black grouper, and red grouper. Discussion on the motion?

Mr. Swatzel: I'm going to vote against this motion. I voted it against it at the committee level. I certainly acknowledge the well-meaning intent of pursuing the interim rules and I certainly acknowledge that some of these regulations are going to be needed to end overfishing in the future, but I think when you pursue an interim rule like this that it certainly erodes, I think, the confidence of the fishermen of the amendment process.

Certainly this meeting shows that the amendment process works. We had substantial public input and the council responded to that and those suggestions are going to be put in as alternatives into the amendment, particularly Amendment 16. Also, the need to expedite I don't think is justified.

We've seen, or at least heard, substantial evidence that effort in the fishery is being reduced as a result of fuel prices and the recession in the economy, both anecdotal, of which I've witnessed, and certainly from a data standpoint we heard yesterday concerning the for-hire fishery and an example in North Carolina, where even starting last December of 2007, compared to December of 2006, a substantial decline in the for-hire fishing trips, actually 6,637 trips -- A decline of that amount, which represented 40 percent.

If you look at this year, looking I guess at the first wave, which is January/February, comparing 2007 to 2008, January and February in North Carolina, for-hire trips decreased 30 percent, which represented a decline of about 1,300 trips. I think the amendment process is working. Again, I cannot support moving forward with an interim rule based on that and just would urge council to

defeat the motion.

Mr. Harris: We've heard a lot of testimony about the numbers of red snapper that fishermen are seeing out in the waters off the South Atlantic coast right now. I've really studied the data with respect to this issue and I think it's important to get on the record the question that I asked of Dr. Barbieri and the other SSC scientists at their SSC report to this council earlier this week.

I am absolutely convinced that the number of red snapper that we're seeing out there right now are a direct result of these very strong 1998 and 1999 year classes. The science suggests that that's what is causing this huge population of red snapper that are available to the fishermen right now. I've seen nothing that indicates that there's anything coming behind those year classes right now.

I just want to get on the record that -- I don't disagree with what the fishermen are saying, but they're just not understanding the entire picture and I think it's important that we note for the administrative record that we feel very good about the advice that's been given to us by our scientific community and think this is the right action to take at this time.

Mr. Wallace: I just wanted to understand -- We're going to have the NOAA staff develop a letter and we still have an opportunity in September to decide whether to implement this interim rule or dispel it and that's right?

Mr. Currin: That's my understanding, John, and Roy is nodding his head in the affirmative.

Ms. Shipman: John got at my point and I wondered if just for the benefit of the public who will see this motion that we should add -- Maybe amend the motion at the end to say for the council's consideration and public input prior to taking action in September.

Mr. Currin: Could we include that perhaps as a note?

Ms. Shipman: Or just as the council's intent. I would ask that we do include that in the letter and to follow up on Duane's point, I went back last night and really plowed through the SEDAR assessment document, because I too have been torn. We've heard so much about lots of red snapper, particularly big red snapper, up off of northeast Florida and Georgia, but in the document, if you go through, there's certain very salient points, such as fishing mortality has been I think fourteen times what it needs to be for a number of years now.

I do agree with Duane. I do think we're seeing those two big year classes moving through and that's probably what we're seeing in terms of the big fish. Dr. Barbieri, in response to one of my questions, says it's not uncommon, particularly when you have an overfished stock and you're getting the range of that fish contracting, the core of the stock, which is northeast Florida and Georgia, that is the last holdout, if you will, of the abundance of the stock. We may also be seeing that.

Dr. Barbieri and the SSC members did say it was a strong assessment and I just -- I'm torn. I hate to have to go this direction, but I think if we're to perform our duties as charged under the

Magnuson Act that we have got to take the measures to end overfishing.

Mr. Sharp: Also for the record, I agree with Susan's assessment and Dr. Barbieri's as well. We interpret it the same way. Just for the record, I'm going to abstain from this, just based on the commission typically doesn't try to implement consistent rules with an interim rule.

Mr. Currin: Other discussion?

Dr. Crabtree: Just a little bit to Susan. All of us heard the comment last night and my intent right now is that I'm going to contact this Central Florida Offshore Anglers Club and offer to come out there between now and the next council meeting and meet with that club and talk to them about this, because I do believe that what they're seeing seems to me is not inconsistent with the assessment. I don't know that I can persuade them, but I can go give it a try.

Just coming back to Tom's comments about the interim rule and I guess getting to a little bit about the public not getting a chance to comment and all, but bear in mind too that as long as we implement a subset of what's in Amendment 16, then really the public has had extensive opportunity to comment on all of these things, because we've been working on this for a long time.

Mr. Currin: Roy, I might suggest, if you deem it proper and okay, to call Steve Amick and let him know of that meeting, when you put it together, somewhere in northern Florida, and he may well benefit from being there.

Mr. Geiger: To that point, Mac, I was going to suggest, Roy, when we talked that Jacksonville might be another appropriate place for you to conduct that, because that's ground zero for this whole issue.

Dr. Crabtree: I'm willing to go to whatever ground zero you want and take my licks. We can follow up and talk about that, George. Maybe I'll take you with me.

Mr. Currin: Further discussion on the motion? **Is there objection to the motion? One objection and one abstention and the motion is approved.** Mr. Chairman, I have, I believe, one more motion from the Snapper Grouper Committee.

That was to write a letter to the National Marine Fisheries Service, requesting that the sentence that specifies a speed in excess of four knots and a visible wake be removed from the proposed regulations in implementing Amendment 14. On behalf of the committee, I so move. Is there discussion?

Ms. Smit-Brunello: I would hope the intent of the council is if this proposed rule is published with that language in it that you would treat this letter -- You would want this letter to be treated as a comment to the proposed regulation and so perhaps the final rule could be changed.

Mr. Currin: That would be the intent, Monica. As I understood it at least, there was some chance that our input might be received before the proposed rule was published. If that's the

case, then perhaps the change could be effected there and if not, then the letter would be submitted as a formal comment from the council.

I would hope that the letter would request removal of that specific language. Further discussion on that motion? **Any objection to that motion? I see none and that motion is approved.** Mr. Chairman, unless my handler, Mr. DeVactor down there, indicates there's something else I've missed from the committee report, that would end my report.

Mr. Geiger: Thank you, Mac. Well done and I apologize for the confusion this morning. What's your pleasure? Do you want to take a five-minute break? We need to check out by noontime and it seems now people want to check out. We're going to take a ten-minute break and we're going to start back up. If you're not here, we're going on without you.

Mr. Geiger: We're going to call back to order the South Atlantic Fishery Management Council and reconvene our session and we'll continue our committee reports with the LAPP Committee and Ms. Merritt.

Ms. Merritt: Thank you, Mr. Chairman. The Limited Access Privilege Program Committee met on June 10th in Orlando, FL. The workgroup received presentations from Kate Quigley, of council staff, who presented the results of an informal survey of commercial golden tilefish fishermen.

Bruce Irwin presented the committee with a summary of discussions being conducted by a group of Florida Keys fishermen. He requested council staff support in future meetings of the group. Eileen Dougherty presented the committee with an overview of sector allocation programs. Kim Iverson presented the committee with an overview of LAPP outreach efforts already undertaken by council staff and Sea Grant.

The Committee had the following discussions. The committee discussed convening a Golden Tilefish LAPP Workgroup, the task for that workgroup, and a timeline for workgroup formation. The committee agreed to choose workgroup members at the September 2008 council meeting. The committee discussed the need for further LAPP outreach efforts. The committee decided that no further LAPP outreach efforts were needed at this time.

The committee made the following motions and on behalf of the committee, I move that we begin the process for development of a snapper grouper amendment that would include development of an LAPP program for the golden tilefish fishery. There was a substitute motion to convene a Golden Tilefish LAPP Workgroup to begin development of a golden tilefish LAPP program and the substitute motion was approved with the main motion approved. On behalf of the committee, I so move the main motion. Is there any discussion? Is there any objection? Seeing none, the motion is carried.

The committee then provided staff with the following guidance. First, the LAPP Committee asserted that the Golden Tilefish LAPP Workgroup should convene as soon as feasible. Secondly, the LAPP Committee plans to assign members to a Golden Tilefish LAPP Workgroup at the September 2008 council meeting. The committee asserted that the workgroup should have

a cross-section of members with different harvest levels and gear sectors, regional representation, processors, et cetera.

Third, the LAPP Committee stated that the Golden Tilefish LAPP Workgroup be tasked with discussing and designing a LAPP program and other management tools appropriate for improvement of the golden tilefish fishery. Fourth, the LAPP Committee recommended that council staff contribute time for one meeting, two if necessary, with the Florida Keys fishermen group that recently formed to discuss some sort of property rights management for specific species caught in the Florida Keys. Some of the programs under consideration by the fishermen's group include sector allocation, regional fishery associations under LAPPs, and regional quota. Lastly, the LAPP Committee stated that no further LAPP outreach is needed at this time. Mr. Chairman that concludes our report.

Mr. Geiger: Thank you, Madam Chair. Good report and good job with your committee and thank you. We look forward to that workgroup. Mr. Cupka, are you ready with the AP Selection and Shrimp?

Mr. Cupka: Yes, sir. Thank you, Mr. Chairman. The Advisory Panel Selection Committee met on Monday, June 9, and reviewed applications for openings on the Golden Crab AP, Habitat and Environmental Protection AP, I&E Advisory Panel, King and Spanish Mackerel Advisory Panel, Deepwater Shrimp Advisory Panel, and the Snapper Grouper Advisory Panel.

The committee noted that Dr. Chuck Manooch on the Habitat AP did not wish to be reappointed and an at-large scientist seat should be re-advertised. The committee acknowledged the appointment of Ann Deaton, Chief of the Habitat Protection Section for the North Carolina Division of Marine Fisheries, as their representative on the North Carolina Sub-Panel of the Habitat AP.

In addition, the committee acknowledged Dr. John Galvez as the U.S. Fish and Wildlife Representative on the Florida Sub-Panel and recommended that a letter of appreciation be sent to the Fish and Wildlife Service, thanking them for Dr. Galvez's appointment and requesting they fill the other appointment on the Habitat Advisory Panel.

The committee also acknowledged moving Curtis Craig's seat on the Coral AP as a representative of the South Florida Water Conservation District to the Habitat AP and the appointment of Michael Callahan, Associate Research Scientist, as the Florida Fish and Wildlife Research Institute's representative on the Coral AP, replacing Jennifer Wheaton. The committee asked that a letter be sent to the NMFS Beaufort Lab, requesting their participation on the Habitat AP.

The committee acknowledged the appointment of Kim Amendola as the NMFS Southeast Regional Office Representative on the I&E Advisory Panel. The committee recommended re-advertising two open seats on the Deepwater Shrimp Advisory Panel to replace Toby Sailors and Sam Bona and to re-advertise the Georgia recreational seat on the King and Spanish Mackerel AP.

The committee approved a number of motions. **The first was to appoint Randy Manchester to the Golden Crab AP and on behalf of the committee, I would so move.** Is there any discussion on the motion? **Is there any objection? Seeing none, then that motion is approved.**

A second motion was to reappoint Kathi Harrington, John Duren, Susan Hilfer, Jenkins Mikell, Jr., Cameron Sebastian, and James Harvey to the Habitat and Environmental Protection AP. On behalf of the committee, I would so move. Is there any discussion on the motion? **Any objection? Seeing none, then that motion is approved.**

The next motion was to appoint Dr. Robert George, at-large scientist seat; Jeff Kramer, Florida commercial seat; and Mark Carter, Florida recreational seat to the Habitat and Environmental Protection AP. On behalf of the committee, I would so move. Is there any discussion?

Mr. Boyles: **I would move that we table this motion until the September meeting.**

Mr. Cupka: We have a motion to table and a second. **Is there any objection to the motion? Seeing none, then the motion is tabled until our next committee meeting.**

Our next motion was to reappoint Chris Woodward, Nancy Fish, Suzi Durant, Pamela Fletcher, and Elizabeth VonKolnitz to the I&E Advisory Panel. On behalf of the committee, I would so move. Is there any discussion on the motion? **Is there any objection to the motion? Seeing none, that motion is approved.**

The next motion is to reappoint Dick Brame, Paul Dunn, Jodie Gay, Carl Erickson, and Ronnie Hauck to the King and Spanish Mackerel AP and on behalf of the committee, I would so move. Is there any discussion on the motion? **Any objection? Seeing none, that motion is approved.**

The next motion is to appoint Tim Adams to the King and Spanish Mackerel AP and on behalf of the committee, I would so move. Is there any discussion on the motion? **Any objection? Seeing none, that motion is approved.**

The next motion is to reappoint Fred Dennis, Jake Flowers, Warren Gautier, Tony Herring, Marilyn Solorzano, John Williams, and Steven Wilson to the Deepwater Shrimp AP. On behalf of the committee, I would so move. Is there any discussion on the motion? **Any objection to the motion? Seeing none, that motion is approved.**

The next motion was to appoint Laurilee Thompson to the Deepwater Shrimp AP and on behalf of the committee, I would so move. Is there any discussion on the motion? **Any objection to the motion? Seeing none, that motion is approved.**

Next is to reappoint Phil Conklin, Bo Stokes, Charlie Phillips, Greg DeBrango, and Paul Reiss to the Snapper Grouper AP. On behalf of the committee, I would so move. Is there any discussion on the motion? **Any objection to the motion? Seeing none, that motion is**

approved.

Next is to create a new conservation/NGO seat on the Snapper Grouper Advisory Panel and on behalf of the committee, I would so move. Is there any discussion on the motion? Any objection to the motion? Seeing none, that motion is approved.

Next is to appoint Eileen Dougherty and Elizabeth Fetherston to the Snapper Grouper Advisory Panel. On behalf of the committee, I would so move. Is there any discussion on the motion? Is there any objection to the motion? Seeing none, that motion is approved.

Our last motion is to create a new South Carolina for-hire/charter seat and advertise this open seat. On behalf of the committee, I would so move. Is there any discussion on the motion? Any objection to the motion? Seeing none, that motion is approved.

Mr. Currin: Before you concluded your report, I just wanted to note that, as everybody is probably aware, we've had a number of resignations from the Snapper Grouper Advisory Panel and I hope that the council office will advertise between now and our next meeting to try to address those vacancies.

Mr. Cupka: Kim and I have certainly talked about that and that's certainly our intent, to try and replace those people as quickly as we can.

Mr. Geiger: The resignations were not all for the reasons that were characterized last night in public testimony either, just for the record.

Mr. Cupka: Thank you, George. Other comments? Seeing none, then that concludes my report, Mr. Chairman.

Mr. Geiger: Proceed with Shrimp if you're prepared, sir.

Mr. Cupka: The Shrimp Committee met on June 10th in Orlando, Florida and received a couple of presentations. The first was a report of the Shrimp Review Panel on pink shrimp stocks and it was presented by Myra Brouwer. The committee received a presentation summarizing the information and analyses on which the Shrimp Review Panel based their recommendations to the council regarding the current status of the pink shrimp stock.

Landings and effort data, number of trips for North Carolina and Florida, for the period 2000 to 2007 were made available to the review panel, as well as SEAMAP data on shrimp density. Comparisons were made between landings of pink and white shrimp in both North Carolina and Florida and fishery-independent, SEAMAP; densities of pink shrimp versus white and brown shrimp were conducted.

Based on this information, the review panel determined that the current overfished status of the pink shrimp stock in the South Atlantic region is not due to fishing. It appears that environmental and economic factors may be affecting pink shrimp abundance in the region. Therefore, the review panel recommends that the council take no management action at this time.

Next, the committee received an overview presentation of actions and alternatives contained in draft Shrimp Amendment 7. A summary of the biological, socioeconomic and administrative impacts were provided for each action, as well as background information on previous council actions pertaining to rock shrimp.

Next, Dr. Mike Travis presented the committee with a thorough description of the socioeconomic analyses and impacts from each action currently included in Shrimp Amendment 7. **The committee then made one motion, which was to pick Alternative 2 under Action 4 as the council's preferred alternative. This is the one dealing with changing the names of the rock shrimp permit and endorsement and simply makes that our preferred alternative. On behalf of the committee, I would so move.** Is there any discussion on the motion? **Is there any objection to the motion? Seeing none, then that motion is approved.**

After that, Mr. Chairman, we suddenly noticed that we needed to change the wording on that alternative and because we needed the team to work on that, as well as some other actions that are brought out regarding the use of VMS, we agreed at that time to meet in full council as a committee of the whole and so we do not have any other committee motions, but we do have the need to make some additional motions now that our wording has been provided to us.

The first has to do with the wording under our Preferred Alternative 2, which deals with the permit name change. What I've asked Rick to do is to put up some suggested wording that we got from the team and also some notes that would be included as a part of that action. Rick, do you have that? Okay.

Mr. Geiger: They're also a part of the committee report that's already been distributed and so I hope everybody has had a chance to look at those.

Mr. Cupka: What we'll need to do, if the committee wishes to do so, we need to have a motion, since we do not have a committee motion, to deal with this first issue, which is the issue of renaming our preferred alternative.

Mr. Geiger: **So moved.**

Mr. Cupka: The motion is to --

Mr. Geiger: **The motion is to rename the open access permit and limited access endorsement of the existing permit system as follows: A. Rock Shrimp Permit (South Atlantic EEZ) would allow fishing throughout the South Atlantic EEZ; B. Rock Shrimp Permit (Carolinas Zone) would allow fishing in the EEZ off North and South Carolina. Note: Rock Shrimp Permit (Carolinas Zone) holders, currently open access permit holders, may not apply for the Rock Shrimp Permit (South Atlantic EEZ) (currently limited access endorsement). Fishermen who currently possess valid, non-expired open access Rock Shrimp Permits (RS) or limited access Rock Shrimp Endorsements (RSE) need not apply to receive a renamed permit, because these renamed permits will be sent to current permit holders automatically. Permits which have expired, but renewable Rock Shrimp**

Endorsements (RSE) will need to apply to receive a renamed Rock Shrimp Permit for the South Atlantic EEZ. Permit Holders who have an expired open access Rock Shrimp Permit (RS) will need to apply to receive a renamed Rock Shrimp Permit (Carolinas Zone). Permit Holders eligible for reinstatement will need to apply to have a Rock Shrimp Permit (South Atlantic EEZ) reinstated to them. An application for renewal, reinstatement, or transfer of a Rock Shrimp Permit (South Atlantic EEZ) will not be considered complete until proof of purchase, installation, activation, and operational status of an approved VMS for the vessel receiving the permit has been verified --

Mr. Cupka: George, if I may interrupt you, we need to deal with that as separate motion. The VMS thing would be a second motion. It's a new action that we consider. Sorry to interrupt you. A couple of comments. First of all, if we can go back up to the top of the motion. Just for consistency, it should be renamed the Limited Access Endorsement and the Open Access Permit, since A, just to be consistent in the order that A and B are presented, but that's not a big deal.

The note section let me comment on that. We've got this wording -- The team worked on this together and gave this to us. Actually, the note deals with two issues. The first was the issue that I think it was Susan brought up, that people who currently hold the open access permit, if they're in that group that needs to reapply for a permit, when they do so; they can only reapply for a Rock Shrimp Permit Carolinas Zone. They cannot apply for a limited entry endorsement.

The second part of this, the biggest part of this note, simply tries to define that group of people who will automatically receive the new permits, or the newly worded permits, and those different groups that are going to have to apply for the respective permits. I know that's a lot and it continues to be confusing and will be until we change the name of these permits, but are there any questions on that?

We will need a second for that motion, since it's not a committee motion. Second by Ms. Shipman. We have a motion by Mr. Geiger and a second by Ms. Shipman. Is there any discussion on the motion? **Is there any objection to the motion? Seeing none, that motion is approved.**

That takes us down to a new action item that was discussed and this is the one that our chairman brought up, Mr. Geiger, dealing with VMS. We have some wording drafted for that and this wording was provided by NMFS Law Enforcement and also Karen Raine worked on this wording for us and so we will need a motion on this action as well.

Mr. Geiger: **I make a motion for new language concerning the action for application of a rock shrimp permit and the motion would be an application for renewal, reinstatement, or transfer of a Rock Shrimp Permit (South Atlantic EEZ) will not be considered complete until proof of purchase, installation, activation, and operational status of an approved VMS for the vessel receiving the permit has been verified by National Marine Fisheries Service VMS personnel.**

Mr. Cupka: Do we have a second to the motion? Second by Mr. Harris. Any discussion on the motion?

Mr. Wallace: Could we possibly put “or” instead of “and”? What you’re running into there is some of these guys had purchased these things several years ago and may not have proof of purchase. As long as you’ve got any of these things, you are proving that you’ve got them onboard.

Mr. Geiger: **I would accept that as a friendly motion. How about if we put “and/or operational status of an approved VMS”?**

Mr. Cupka: We have a friendly amendment to the motion. Is there further discussion on the motion? **Is there any objection to the motion? Seeing none, then that motion is approved.**

The committee discussed a number of other items. The first was a request by our chairman, Mr. Geiger, to obtain a law enforcement report on VMS compliance in the rock shrimp fishery as part of regular council briefings. Monica Smit-Brunello, NOAA General Counsel, verified language in regulations regarding VMS requirements.

The regulations do not specify that a vessel’s VMS needs to be turned on in South Atlantic waters when on a rock shrimp trip. The language simply says “trip in the South Atlantic” and is not just for a rock shrimp trip. The committee re-stated their intent under Action 3, Preferred Alternative 2. The intent is to reinstate the endorsement to the vessel and not the vessel owner.

The committee suggested that the team standardize language referring to open access permits, limited access endorsements, vessels, and vessel owners throughout the Shrimp Amendment 7 document to ensure consistency. The committee also discussed adding a Gulf of Mexico location for a public hearing. There was talk about having this public hearing for the Gulf in conjunction with the Gulf Council meeting.

The next Gulf Council meeting is in August, but it’s in Key Largo, which is not the best of places to get Gulf attendance. Their next meeting after that is in Alabama, which is good location-wise, but it’s not until October and so we need, I guess, to consider having one somewhere before the October Gulf Council meeting, so that we can take action on this at our September meeting. Is there any discussion or any suggestions on where we might hold a Gulf public hearing, since it doesn’t appear that holding it in conjunction with a Gulf Council meeting is going to work out?

Mr. Wallace: Is there any indication of any concentration of rock shrimp permit holders, South Atlantic rock shrimp permit holders, in any -- Let’s just say Alabama compared to Florida? Is there an indication of a higher concentration of permit holders?

Mr. Cupka: There are a number of them in Alabama and that wouldn’t be a bad location, to come up with something in Alabama. I guess what we need to do is just have a motion to have staff select the location and hold it at their convenience, but to make sure we get it done before our September council meeting, rather than try and specify a place. We would need a motion on that, to add a Gulf location to our public hearing locations on this amendment.

Ms. Shipman: **I would move that we authorize staff to hold a public hearing in the Gulf of Mexico in whatever location would accommodate the majority of the rock shrimp holders that are located in the Gulf, prior to the September meeting.**

Mr. Cupka: We have a motion by Ms. Shipman and a second by John. Susan, is that --

Ms. Shipman: **I would just add the words “the majority of South Atlantic rock shrimp permit holders”.** I don’t think the Gulf has a rock shrimp permit yet, but I could be wrong on that.

Mr. Cupka: **We have a motion from Ms. Shipman that staff hold a public hearing in the Gulf of Mexico region and to choose the location that accommodates the majority of South Atlantic rock shrimp permit holders before the September 2008 meeting.** Is there any further discussion on the motion? **Is there any objection? Seeing none, that motion is approved.** The only other action we’ll need, we’ll need a motion now to approve Amendment 7 and take it to public hearing.

Ms. Smit-Brunello: I’m not going to make the motion, but I have a question for you. Would you scroll back up to the VMS alternative? It’s been brought to my attention, and rightly so, that we shouldn’t be saying “an application for renewal, reinstatement, or transfer of a Rock Shrimp Permit (South Atlantic EEZ)”, because those do not exist yet and that presupposes approval of the amendment by the Secretary.

What we should say is “an application for renewal, reinstatement, or transfer of a Rock Shrimp Limited Access Endorsement will not be considered complete” and then when we rename the permits, that will automatically be changed to the new name.

Mr. Cupka: We’ll need a motion to reconsider then, to change the wording.

Ms. Shipman: **So moved.**

Mr. Cupka: Motion by Ms. Shipman and second by Mr. Boyles. Is there any further discussion? **Is there any objection to the motion to reconsider? Seeing none, then that motion is approved.**

Ms. Smit-Brunello: Again, I’m not going to move to approve it for public hearing, but I have a question and I want all these bright minds at the table to look at this. We’ve added in the “and/or” for operational status and let’s just think about that for a second and see if that causes us any problems.

Dr. Chevront: I thought about that too, Monica, and I think the thing if we just removed “proof of purchase” out of it and took out the “/or” that we would be okay. Why do we care about proof of purchase, unless we’re worried about them stealing them? If you’re going to have it installed and activated, then you’ve got it on the vessel and why do we care about proof of purchase? That gets rid of the problem that John expressed, that somebody may have had it on there for a long time and they may no longer have the proof of purchase and so it has to be installed,

activated, and operational. I think that's really what we were trying to get at.

Ms. Shipman: **I would move the following amended motion or substitute motion: An application for renewal, reinstatement, or transfer of a Rock Shrimp Limited Access Endorsement will not be considered complete until proof installation, activation, and operational status of an approved VMS for the vessel receiving the permit has been verified by National Marine Fisheries Service VMS personnel.**

Mr. Cupka: We have a motion and is there a second?

Mr. Wallace: How do you prove installation without physical proof, without somebody visiting it? Who visits?

Ms. Smit-Brunello: It's clear in there that it would be done by the National Marine Fisheries Service VMS personnel and whether that would take visiting the vessel, I don't know, but they would be responsible for doing that. We don't specifically state how that will be done. Perhaps we could discuss it in the discussion section, if that's what you want, but that's as much information as I know about this.

Mr. Wallace: I'll second it for point of discussion.

Mr. Cupka: We have a motion and a second. Is there any further discussion?

Ms. Shipman: To John's point, I would think they could contact National Marine Fisheries Service VMS personnel and do a test of the equipment, to make sure it's registering in your nerve center where you monitor VMS.

Mr. Cupka: Any further discussion?

Mr. Robbins: I just want to let you know that we do not inspect every vessel. We have thousands of these now and once it's installed, they contact us and we tell them whether or not it's reporting and we provide that information to Permits.

Mr. Cupka: Further discussion? **Is there any objection to the substitute motion? Seeing none, that's approved and the substitute motion now becomes the main motion. The main motion now is an application for renewal, reinstatement, or transfer of a Rock Shrimp Limited Access Endorsement will not be considered complete until proof installation, activation, and operational status of an approved VMS for the vessel receiving the permit has been verified by NMFS VMS personnel.** Is there any discussion?

Mr. Wallace: Has this got to be done on an annual basis, whenever it's up for renewal? They don't have to go through this process before they reapply?

Mr. Cupka: It says "renewal" and so anytime they renew their permit, they would have to --

Mr. Wallace: It's got to be renewed on an annual basis and is that right? Is this going to be a

problem?

Mr. Cupka: We don't know if it has to be renewed on an annual basis, because we don't know what the final outcome of the changes to the amendment will be. Open access permit, I don't think it has to be renewed annually. The only thing that has to be renewed annually, as I understand it, is the endorsement. If we change that, to where you don't have to qualify, then it may not be an annual endorsement anymore. I don't know at this point. Is there any further discussion? **Is there any objection to the motion? Seeing none, that motion is approved.** We need one final motion on this and this is to take this Amendment 7 out to public hearing.

Ms. Shipman: **I move the council approve Amendment 7 for public hearing.**

Mr. Cupka: We have a motion and is there a second?

Mr. Harris: Second.

Mr. Cupka: Second by Mr. Harris. Discussion on the motion? **Any objection to the motion? Seeing none, that motion is approved.** Mr. Chairman, I apologize for the confusion, but once we get this -- Maybe if we get this name change straightened out, it won't be quite as confusing in the future. That concludes my report.

Mr. Geiger: Thank you, David. You did get a lot done though and thanks. I appreciate it. Mr. Harris, are you ready with Ecosystem?

Mr. Harris: Yes, sir, Mr. Chairman, and thank you very much. I promise to try not to confuse anybody.

Ms. Shipman: On the rock shrimp report, it talks about -- You went over the point about the way the regulations read, in terms of when VMS needs to be turned on, and that's in the South Atlantic waters only when on a rock shrimp trip and I just think that report needs to be clear. They have to have that VMS on whenever they are on a shrimping trip in the South Atlantic and I'm not sure it's clear in this report.

Mr. Cupka: That's correct. I tried to point that out and said that it does not refer just to a rock shrimp trip, but any shrimping trip that they're taking. I think that was the advice that we got from General Counsel and if it wasn't clear, I apologize.

Ms. Shipman: I would like this report amended in writing to specify that, should someone take this report and try to interpret when they have to have a VMS or not.

Mr. Cupka: We'll ask staff to make that change then.

Mr. Geiger: Okay, Duane. Do you have that down as an action for staff, Rick? Okay. Go ahead, Duane.

Mr. Harris: The Ecosystem-Based Management Committee met on June 9 and 10 in Orlando

Florida. Monica Smit-Brunello, NOAA General Counsel, provided a summary of the Presidential authority under the Antiquities Act. Dr. Doug Rader, Senior Scientist for the Environmental Defense Fund and Habitat Advisory Panel Chairman summarized the background of the proposal to designate a number of marine deepwater habitats throughout the United States as National Monuments under the authority of the Antiquities Act.

Roger reviewed written and email comments and public hearing comments on the Fishery Ecosystem Plan and Comprehensive Ecosystem Amendment. Carolyn Belcher, SSC Chair, provided discussion and comments on the FEP developed at their meeting on June 8 and advised that individual members of the SSC were tasked with additional review. The SSC also requested the documents be provided to the SSC as they are being completed for council review in September.

Roger projected charts in the Comprehensive Ecosystem Amendment of the royal red and rock shrimp fishing activity in relationship to the proposed Stetson-Miami Terrace C-HAPC, the NMFS analysis of VMS data points relative to the C-HAPC boundary, and deepwater habitat data relative to the VMS data.

Dr. Rader provided an updated proposal to address concerns expressed about the deepwater shrimp fishery operating on the western border of the proposed Stetson-Miami Terrace C-HAPC. An informal meeting was held recently at the Southeast Regional Office of National Marine Fisheries Service between representatives of the Habitat Advisory Panel, representatives of the deepwater shrimp fishermen, and the Regional Administrator to discuss these concerns.

The discussion led to an additional alternative creating a shrimp fishery access area designed to accommodate continued trawling within a small area of the proposed C-HAPC. Thus, the C-HAPC Western boundary remains as proposed, but an allowable gear area, or shrimp fishing access area, was proposed.

The alternative also includes three cutout areas suggested by the habitat and coral advisors of known or highly probable deepwater coral habitat. The committee approved the following motions.

Motion Number 1 is to include the alternative shrimp fishery access area in the document and on behalf of the committee, I so move. Is there discussion on the motion? Is there objection to the motion? Without objection, that motion is approved.

Motion Number 2 is to make the alternative shrimp fishery access area the preferred option. On behalf of the committee, I so move. Is there discussion on the motion? Is there objection to the motion? That motion is approved without objection.

Motion Number 3 is to move Alternative 4 of Section 2.1.2 regarding acoustic monitoring to the Considered but Rejected Appendix. On behalf of the committee, I so move. Is there discussion on the motion? Is there objection to the motion? That motion is approved without objection.

Alternative 4 is to create a shrimp fishery access area, SFAA, within the proposed Stetson Reefs, Savannah and East Florida Lithoharms, and Miami Terrace C-HAPC boundaries, where fishing with a shrimp trawl and/or shrimp possession is allowed by any vessel holding a rock shrimp limited access endorsement and equipped with an approved vessel monitoring system. I just wanted to make sure that's clear.

The SFAA is located as follows: The western boundary is the western boundary of the C-HAPC. The northern boundary of the SFAA is at latitude 30 degrees, 12 minutes north. The southern boundary is at latitude 26 degrees, 18 minutes, 56 seconds north.

From the northern boundary extending southward to latitude 27 degrees 30 minutes north, the eastern boundary is one nautical mile due east of the western boundary of the HAPC, except between latitudes 29 degrees, 20 minutes, 25 seconds north and 29 degrees, 8 minutes north, and between latitudes 28 degrees, 30 minutes, 37 seconds north and 28 degrees, 14 minutes north, where shrimping is not allowed within the C-HAPC.

From the southern boundary extending northward to latitude 27 degrees, 30 minutes north, the eastern boundary is 1.5 nautical miles due east of the western boundary of the HAPC, except between latitudes 26 degrees, 57 minutes, 6 seconds north and 26 degrees, 49 minutes, 58 seconds north, where shrimping is not allowed within the C-HAPC.

The intent of the council is to allow transit with shrimp on-board at non-trawling speeds. That language will be worked out in the proposed rule. **Motion Number 4 is to select newly formed golden crab alternatives as alternatives for the amendment and on behalf of the committee, I so move.**

Mr. Wallace: This really applies to both golden crab and the shrimp. Can Roger or staff give me an indication of when the actual coordinates of the proposed boxes are going to be available to the industry, in order to ground truth them?

Mr. Harris: I think they're available now or if not, they'll be available next week, probably. Is that correct, Roger?

Mr. Pugliese: As soon as we can get them finalized. We've gotten most of those. We worked with industry to walk through all those and I've literally been working on cleaning that up now and so hopefully we get them as soon as possible.

Mr. Harris: Further discussion on the motion? **Is there objection to the motion? That motion is approved without objection.**

Motion Number 5 is to make the golden crab alternatives the preferred alternatives. On behalf of the committee, I so move. Is there discussion on the motion? **Is there objection to the motion? Seeing none, that motion is approved.**

In addition, the committee provided the following guidance and/or made the following requests. Roy Crabtree submitted preliminary Southeast Regional Office staff comments on the CEA.

Mac Currin requested staff update tables in the document to include the most recent available data. He encouraged state agency representatives to have staff review appropriate sections of the FEP and CEA, especially pertaining to their state, and provide information and updates to staff as soon as possible.

Committee members requested staff work with NMFS, industry advisors, state agency officials, and habitat and coral advisors to verify coordinates. Susan indicated the alternatives for accommodating the deepwater shrimp fishery should include the following: 1) moving the boundary; 2) leaving the boundary where it is and not establishing trawling areas; 3) no action; and 4) the preferred alternative.

Monica requested staff include a clean, simple map in the front of the document that clearly depicts the proposed C-HAPC boundary and the allowable gear areas for golden crab and deepwater shrimp. The committee requested the acoustic monitoring alternative for golden crab be included as a proposed research item in the research section of the document.

Monica requested that in the front of the amendment document, staff clarify the C-HAPC designation and essential fish habitat HAPC development processes to resolve any confusion. In addition, she requested staff check coral and other EFH designations developed pursuant to 50 CFR Part 800, relative to the C-HAPC proposal.

Tom identified the need to provide comment on council activities relative to the proposed C-HAPC to the administration and the committee agreed, by consensus, to recommend the council send a letter to the Secretaries of Commerce and Interior, highlighting how the council has invested ten years of leadership in efforts to protect these deepwater coral resources.

Additionally, the committee directed that the letter outline the extensive stakeholder involvement in this effort. The direction was to draft and send the letter as soon as possible in cooperation with the Habitat AP chair.

Susan also indicated the council needs to comment as soon as available if a public rule is published for the establishment of a southeast deepwater coral national monument. In addition, support information should be provided ongoing documentation of clear evidence of the council process and status. In other words, the public hearing draft and the "Revealing the Deep" DVD.

I have an addendum that was not considered by the committee, but the golden crab industry folks met with me in the hallway following our committee meeting and they indicated they had talked with the deepwater shrimp members that were in attendance and requested that the area that was pretty much set aside as the shrimp fishery access area in the Stetson-Miami Reefs area, and I think Roger can project that, be allowed as a golden crab access area as well, or a golden crab fishing area.

From what we understand, that was okayed by the deepwater shrimp folks, but I would like to move that we take this out as an alternative to public hearing as well, so that we don't get caught up in a delay in this.

Dr. Crabtree: How can you deploy golden crab traps in an area where they're dragging shrimp trawls?

Mr. Harris: Well, you can't, I don't believe, but apparently -- That's why we want to put it on the table for the next round of public comments. If anybody is trawling in that area, obviously we would not want to accept that alternative. The deepwater shrimp folks that were here said they were not trawling in that area. I really think that what the deepwater shrimp trawlers were trying to get is a buffer and we've accommodated them with that, but it appears that nobody is actually trawling in that area.

Dr. Crabtree: Let's just be careful, because I know over in the Gulf some years back the shrimpers and stone crabbers were shooting at each other and we don't want to have that start happening.

Mr. Harris: No, we don't. All I want to do is take that out as an additional alternative to public hearing.

Mr. Cupka: **I would make a motion that we take that out as an additional alternative to public hearing, to get public comment on that, so we could consider that.**

Mr. Harris: There's a motion and is there a second? John seconded it.

Ms. Smit-Brunello: That would be in addition to the other area that's already there. I know it's an additional motion, but they didn't tell you it's their idea that if that was approved -- Would both areas eventually be approved or all the areas they named and this wouldn't be substituted in for another one or we don't know yet?

Mr. Harris: We don't know that yet. My understanding is they wanted that as an additional area to place golden crab traps.

Mr. Wallace: My understanding was that the box would just get a mile-and-a-half bigger, that they would have a -- Instead of the line stopping at the eastern boundary of the deepwater shrimp area, it would stop at the HAPC line.

Mr. Harris: I think that's correct, John. Further discussion on the motion? **Is there objection to the motion? Then that motion is approved without objection.**

Right now, I simply want to go over the list of actions in the Comprehensive Ecosystem Amendment, so we're all clear what it is that we're proposing to do in this. Action 1 is to establish deepwater coral habitat areas of particular concern, the Cape Lookout Lophelia Banks HAPC; Cape Fear Lophelia Banks HAPC; Stetson Reefs, Savannah, and East Florida Lithoherms; and the Miami Terrace HAPC; the Portales Terrace HAPC; and the Blake Ridge Diapir Methane Seep HAPC.

Action 2 is to create a shrimp fishery access area within the proposed Stetson Reefs, Savannah, and East Florida Lithoherms and the Miami Terrace Coral Habitat Area of Particular Concern

boundaries, where fishing with a shrimp trawl and/or shrimp possession is allowed by any vessel holding a rock shrimp limited access endorsement and equipped with an approved vessel monitoring system.

Action 3 is to create allowable golden crab fishing areas within the proposed coral habitat areas of particular concern boundaries, create an allowable golden crab fishing area in the northern golden crab fishing zone within the proposed C-HAPC boundaries, create an allowable golden crab fishing area in the middle golden crab fishing zone within the proposed coral HAPC boundaries, and create an allowable golden crab fishing area in the southern golden crab fishing zone within the proposed C-HAPC boundaries. Action 4 is to amend the Golden Crab Fishery Management Plan to require vessel monitoring. Mr. Chairman that completes my report.

Mr. Geiger: Thank you, sir. Any questions?

Mr. Wallace: One clarification on the transit. I know in the past we've always had transit with rigs stored and that does not apply in this transit of shrimp now?

Mr. Harris: I think that could certainly be put in the final rule, the final proposed rule, and we'll comment on it at that time, but I would defer to the law enforcement and Southeast Regional Office folks to look at previous transit language and then propose transit language for us to consider.

Mr. Wallace: To that, the boxes that are carved out in the shrimp zone, because of the reef, these guys are going to drag up to that box and potentially take up and just run across that box and put back out on the northern section of it, or vice versa. Stowing your rigs is not going to be practical to do it for a one-mile box.

Mr. Harris: It's a pretty small box.

Mr. Wallace: It's two small boxes that are in there and like I said, they're essentially just going to take up and run across the box and put back out.

Mr. Harris: I think that's a good point, John, and I would simply ask that you confer with those folks and have them make that comment at the next round of public hearings.

Mr. Currin: Duane, I don't recall exactly how big they are, but I'm thinking they are a mile or mile-and-a-half boxes and if it will clarify it for law enforcement, I don't think it's too much to ask that they run around that one-mile box to prevent having any problems, but we can certainly see what the comment is like and decide that later.

Mr. Harris: Further comments or further questions? Mr. Chairman that completes my report.

Mr. Geiger: Thank you, sir. Bill Sharp, thanks for being here this week. You've been a significant contributor and we appreciate you taking the time to be here and representing Florida and certainly representing and giving Tony Iarocci's Spiny Lobster Report.

Mr. Sharp: Thank you, Mr. Chairman, for that introduction. On June 10th in Orlando, the Spiny Lobster Committee met. At that meeting, council staff reviewed the spiny lobster import amendment. The committee also heard from FWC staff who reviewed the status of Florida's recent rule amendments concerning spiny lobster. Also a council Spiny Lobster AP member discussed some items presently being discussed by a spiny lobster working group, made up of industry representatives down in the Keys.

At the meeting, the committee made three motions, the first of which was to adopt Alternative 2 as the preferred motion. **Those actions included that no person in the U.S. would be allowed to import spiny lobster, panulirus argus, less than five ounces tail weight or three inches or less in carapace length if the animal is whole or less than five-and-a-half inches tail length if only the tail is present. Also, in Puerto Rico and the U.S. Virgin Islands, no person would be allowed to import a spiny lobster less than six ounces tail weight or three-and-a-half inches carapace length if the animal is whole or less than 6.2 inches tail length if only the tail is present. On behalf of the committee, I so move. Is there any discussion? Any objections? Seeing none, the motion carries.**

The second motion was to make Alternative 2 the preferred alternative. That alternative is do not allow the importation of spiny lobster tail meat which is not in whole tail form with the exoskeleton attached and do not allow the importation of spiny lobster with eggs attached or importation of spiny lobster where the eggs, swimmerets, or pleopods have been removed. On behalf of the committee, I so move. Is there any discussion? Any objections? Seeing none, the motion carries.

Finally, the third motion was to recommend to the full council that the import amendment be approved for public hearing. Any discussion? Any objections? Seeing none, the motion carries.

We have a few minor issues. The committee discussed potential changes being considered by the State of Florida. Roy Crabtree suggested we consider delegating management of the fishery management plan to the State of Florida. The committee also discussed a joint amendment with the Gulf Council as lead to specify ACLs and address other measures in the spiny lobster fishery. That concludes my report, Mr. Chairman.

Mr. Geiger: Thank you, sir. Any comments or questions? Committee report for the SOPPs Committee, the committee met on the afternoon of June 9 in Orlando, Florida. Bob informed the committee that the proposed rule addressing council SOPPs has not yet been finalized and he understood that the SOPPs proposed rule may not be forthcoming this year, as a result of the White House directive concerning new rules being published after June 1, 2008. The committee adjourned without taking any action.

SEDAR Committee meeting, the SEDAR Committee met June 11, 2008. The committee received presentations from Mr. Carmichael regarding the following, SEDAR Steering Committee Report. The committee was briefed on the May 5 SEDAR Steering Committee meeting and the follow-up conference call held June 10. The complete details of the Steering Committee meeting were provided in Attachment 1.

Difficulties in obtaining complete management program information for consideration prior to SEDAR data workshops were discussed. The committee was advised that the Steering Committee was briefed on the delays experienced in SEDAR-16, king mackerel, and responded by strengthening the process for requesting management information and the role of the Southeast Regional Office in providing that information.

The committee was informed that no changes were made in the SEDAR benchmark schedule at the May meeting. The Steering Committee considered changes in scheduled updates, specifically to address Gulf of Mexico red grouper and gag grouper, as well as Gulf of Mexico red snapper in 2009. The Steering Committee reviewed reports of the Gulf of Mexico SSC and Southeast Fisheries Science Center on the June 10th conference call.

The SSC and the Southeast Fisheries Science Center are supportive of these projects and working to finalize completion of the deadlines and the terms of reference. The committee expressed support for the scheduled review of the Atlantic States Marine Fisheries Commission menhaden and croaker, scheduled for 2010.

The committee also discussed the potential need to update South Atlantic gag and the impacts of effort trends on assessments and management evaluations. Council staff are currently assessing trends in effort across fishery sectors. We received a report on that and that effort was to evaluate comments that recent increases in fuel prices have led to decrease in fishing effort.

The committee was informed that state agencies are also monitoring the situation. This issue will need to be considered thoroughly in future CPUE calculations and management alternative evaluations. The committee acknowledged that scheduling of future SEDAR updates are likely as the new Magnuson-Stevens Act requirements are finalized.

SEDAR-18 Planning, given that the ASMFC Technical Committee will take lead on the Atlantic red drum assessment and that National Marine Fisheries Service is in the process of transferring management of red drum to the Atlantic States Marine Fisheries Commission, the committee agreed to yield to Atlantic States Marine Fisheries Commission with regard to specifying the schedule, appointments, and terms of reference for SEDAR-18, which is the SEDAR for Atlantic red drum.

SEDAR-19 Planning, the committee was informed that the SSC suggested changes in SEDAR-19, to replace hogfish with black grouper and white grunt with red grouper. Both black and red grouper are categorized as overfishing and therefore of high priority. The agencies assigned to assess these two species support the change and the SEDAR Steering Committee supported the change during their June 10 Conference call. The committee supported the change and directed staff to make necessary modifications in the schedule and terms of reference.

Under Other Business, the committee was provided an SSC request that the council request probabilistic analyses of reference point alternatives for all past and future SEDAR assessed stocks. The committee agreed to add the appropriate terms of reference to the assessment workshops for ongoing and future SEDAR assessments, to ensure such analyses are provided.

The committee was provided a final progress report on efforts to complete age determinations for Spanish mackerel and vermilion snapper and the state and federal aging labs worked with diligence and cooperation to complete aging for these stocks in time for the data workshops, which were completed. That completes the SEDAR Committee Report. Any questions or comments? Robert, you look like you're poised to spring.

Mr. Boyles: I'm ready to go, whenever you want me to.

Mr. Geiger: I jumped in front of you, didn't I? Sorry. We have an SSC Committee Report as well.

Mr. Boyles: Mr. Chairman and members of the council, the SSC Selection Committee met in closed session on June 11, 2008, here in Orlando. The committee received presentations from John Carmichael of staff regarding the following items. One was the SSC membership update. The committee was informed that all individuals invited to serve on the SSC accepted the invitation and attended the meeting held June 8 to 10 here in Orlando.

Also, an orientation of new and reappointed members was held as directed in Charleston during April 29th and 30th, 2008. Members were briefed on the SSC role and process, the council management program, including ongoing activities, and administrative procedures. Members were introduced to council staff and their responsibilities and given guidance on SSC responsibilities and expectations under the reauthorized Magnuson-Stevens Act. Feedback regarding the orientation meeting from new and reappointed members was resoundingly positive.

A second item was about the technical committees. The committee reviewed the technical committee process and agreed to provide suggested participants via email to council staff. The committee passed a motion approving the proposed additional committees. Members were advised to consider staff at many levels within their organizations who have fishery and biological knowledge and experience when making these appointments.

Finally, the committee received a presentation on progress during the June 8 to 10 SSC meeting. The committee was briefed on SSC progress during the recent meeting. Two areas of scarce information continue to hamper progress, the lack of final rules and guidelines for implementing Reauthorized Magnuson-Stevens Act requirements and confusion regarding potential repercussions or consequences if the SSC fails to provide values to fill in the blanks for all the desired quantities.

On the other hand, there was no shortage of debate during the SSC meeting, as discussions rolled over into time originally scheduled for report writing. This suggested the current SSC takes its charge very seriously and is willing and able to debate issues for as long as it takes to reach a consensus position. The committee suggested that staff prepare alternatives of ABC control rules for considerations by the council in September of 2008 and the SSC in December of 2008.

Mr. Chairman, the committee did make one motion and on behalf of the committee, I present this motion here and that is to move to establish those technical committees

identified as proposed in the Technical Committee Process Document. Any discussion on the motion? Any objection to the motion? Seeing none, the motion carries. Mr. Chairman that concludes the report of the SSC.

Mr. Geiger: Robert, thank you for agreeing to step up and take chairmanship of that from Mark, who is really strapped with his responsibilities with the FWC. I would like to reiterate and I think we can all be rest assured that this SSC understands the responsibilities and are willing to step up to the plate and the few bumps in the road that we did have at this meeting, there was a cause and effect relationship there. I have every confidence this SSC will do their bidding. Thank you. The next order of business -- That completes the committee reports. Dr. Crabtree, would you like to address the Experimental Fishing Permit?

Dr. Crabtree: Joe Kimmel is going to do that for me, George.

Dr. Kimmel: We do have one experimental fishing permit. The information is in your briefing book under Tab 13, Attachments 2a and 2b. It's an experimental fishing permit from the Gulf and South Atlantic Fisheries Foundation. The 2a attachment is the application from the Foundation, from Judie Jamieson to Roy Crabtree, and the details for the EFP are outlined therein.

Also, there's a letter, under Attachment 2a, that's from Dr. Crabtree to Bob Mahood, announcing this application. Also, earlier this week, we heard a presentation by both Mike Jepson and Scott Raborn about a similar EFP that has just been completed. We got a report from the science that they got from that particular EFP and this is basically a renewal of that EFP.

Their intent is to -- The study would augment the current pool of data available to stock assessment scientists for data-poor species by characterizing catch and discard mortality within the South Atlantic commercial hook and line fishery.

A sampling program would take about 500 undersized or out of season snapper and grouper over the course of the study and thus, is expected to have a minimal impact on the snapper grouper stocks in the South Atlantic. This is a study that will include observers onboard and so the observers will be taking those measurements and I'll be glad to try to answer any questions about the EFP.

Mr. Geiger: Thank you, sir. Any questions?

Mr. Currin: No questions, George, but just a comment that this information and information like this, this type of information, is extremely valuable to the council and to our assessment process and I would encourage approval of this to allow the study to continue. I would certainly look favorably upon similar studies that might be proposed and funded to gather similar information.

Mr. Geiger: I would agree with that. I think it's critical that any snapper grouper -- We hear constant complaining about data and the only way to get data is to gather it and this is an effort to do that.

Dr. Crabtree: It probably would be advisable to pass a motion in support of the EFP then, maybe.

Mr. Currin: **I would offer that motion, to approve this EFP.**

Mr. Geiger: We have a motion by Mr. Currin and a second by Mr. Cupka to approve the EFP. Is there any discussion? **Any opposition? Seeing none, the motion carries.** The next order of business is the Report on the CCC Meeting, which Duane and Bob and I attended.

Basically, it was a briefing and an update on Magnuson-Stevens, reauthorizing the implementation issues. They discussed the progress on National Standard 1 Guidelines concerning ACLs. Of course, the ACL rule wasn't out yet, but the briefing we received certainly was what we saw the other day, basically.

It discussed the agency progress on NEPA compliance. This is an issue that Bob has been working on with two other executive directors, in an effort to try and smooth the NEPA compliance issues as they're associated with Magnuson, and some final process has been put out in that regard and I guess you're meeting with the organization yet one more time, in an effort to --

Mr. Mahood: Right. Staff will be developing some comments next week and then I will be meeting with Chris Oliver and Dan Furlong to compile some comments for the CCC. At that time, if I feel like there's comments there that our council wouldn't necessarily support, we can comment on our own, also. We will be working on that.

Mr. Geiger: There was a briefing in regard to NMFS guidance regarding the implementation of LAPPs programs. Basically it was a scorecard of how many councils are doing what in regards to the LAPPs programs and they discussed and reviewed the progress regarding the incorporation of the SSC and the council specification setting process and the role as a peer review body, the SSC being a peer review body.

They also discussed progress on developing a five-year research program with the SSCs and they discussed council efforts to end overfishing and the status of rebuilding stocks that are overfished and, of course, that's our council report card and we hadn't made much progress. The rest were mainly administrative matters. We did receive an update from Dr. Boreman on the MRIP program and it was just announced, as a matter of fact while we were in council session this week, that I guess the licensing portion of MRIP has been approved and is moving forward.

That was basically the context of the meeting. It was mostly informational. One other issue that was discussed on there that I didn't mention was an evaluation of council performance and at some point, NOAA Fisheries and the councils are going to get together and develop some type of a report card on how well the councils are doing in regard to meeting their obligations to end overfishing.

I guess Dr. Kimmel will give us the status reports or can we just dispense with those individual status reports? They've been provided to us in writing. Does anybody have any real questions

or concerns about the current status of landings as provided by NOAA Fisheries? All right.

Ms. Shipman: It just looks like tilefish is racing right along and it looks like they're going to meet their quota probably well before the end of the fishing year.

Mr. Geiger: It's also interesting to note that black sea bass seem to be lagging again, which could be an indicator of a problem, I don't know.

Mr. Boyles: Just some anecdotal information, we're getting reports that a lot of dolphin are being landed in South Carolina.

Mr. Geiger: Commercially?

Mr. Boyles: Commercially, yes.

Mr. Currin: I would note as well, George, that there's -- I don't know how much, but a fair amount, apparently, of dolphin longlining going on off of North Carolina as well.

Mr. Geiger: As a note for the record, we've requested dolphin landings be included in these updates and there is a cap at which those commercial landings are -- I don't know the exact number, but there is a percentage cap on which another action --

Dr. Kimmel: It's one-and-a-half million pounds.

Mr. Geiger: Or 13 percent.

Dr. Kimmel: Or 13 percent.

Mr. Boyles: Just to give you a sense of context, we heard 120,000 pounds packed at one dock last month.

Mr. Geiger: 120,000 pounds packed at one dock last month?

Mr. Boyles: That was what I understood.

Mr. Geiger: Joe, I guess we would ask for some information on that specifically at our next council meeting, commercial dolphin landings and where they are.

Dr. Kimmel: Yes, sir. I'll make sure something is provided to you.

Mr. Geiger: Monica, do you have anything you can provide us on an update on 13C?

Ms. Smit-Brunello: You read my mind. The court, on its own volition, entered a briefing order of the dates of when they want the briefs due in the litigation from the North Carolina Fisheries Association case. If you'll remember, that's in the U.S. Court of Appeals for the District of Columbia and so the appellants, who are the North Carolina Fisheries Association, their brief is

due Monday, June 16. When I get that, I will circulate it around to everyone.

Our brief, cross brief, will be due July 17. Then there's some reply and cross replies due August 15 and August 29. The appellants final brief is due September 19th, which, of course, always coincides with the council meeting and so that should be during that council meeting and I should be able to send that around, but I'll send you the order, if you would like the order, as well as the brief as soon as we get it, when it's filed on Monday or I'll send it Tuesday, because you have until midnight to file it on Monday.

Mr. Harris: Monica, not being very experienced with the Court of Appeals of the District, how long does it normally take them to decide a case after final pleadings are entered?

Ms. Smit-Brunello: I'm not certain. I think it just depends on their workload and the D.C. Court of Appeals is extremely busy. There also could be oral arguments scheduled at some point and I hope to attend those if they have them, but the court did not put it on here and maybe the parties have to request it. Each court has its own local rules on how you do certain things and request arguments and things of that nature. If I get any more information on that, I'll send that, too.

Mr. Geiger: Any other questions for Monica? Any issues with regard to Protected Resources? I don't see any of our Protected Resources folks here and was there anything that -- Seeing none, we'll turn it over to Dr. Tom. Tom's report has been included and he has agreed to forego presenting it and open it up for questions, if anybody has any questions, instead of just having a complete report.

I guess I do have a question, Tom, and it's in regard to Number 1. That's the Status of Data Collection and Stock Assessment Improvement Plans. Seeing as how I've been the most vocal, I would like to make sure we get that on the record anyway.

Dr. Jamir: Dr. Ponwith would be the one to answer that and she also has some additional items to report to the council.

Dr. Ponwith: In terms of data collection, probably the most significant change since the last time we reported is we have just hired, recruited, another stock assessment scientist to join the Southeast Fisheries Science Center. It's Dr. Mike Schirripa, who used to work for us and then spent some time over on the west coast, working for the Northwest Fisheries Science Center.

He will be working from there for a few months, while he wraps up some projects there, and will be physically present in the Southeast come October or a little bit earlier, but starts with us next month. That will be a very good addition of a seasoned scientist to our staff and help out in that really important area.

Another staffing change is that Dr. Jim Nance had been serving as the Acting Deputy Director of the Science Center and he has gone back to Galveston and is now the Acting Director of the Galveston Lab, while Roger Zimmerman continues to serve as the Acting Director of the Pascagoula Lab. That job recruitment for the director of the lab is on the street right now and closes in two weeks. That's a very crucial recruitment in terms of the director of the lab that

oversees the lion's share of our fisheries independent survey data collections.

If you know people who would be strong candidates, I would certainly encourage you to ask them to go up into usajobs.gov and have a look at that recruitment announcement. We're really looking for a strong field of candidates this time.

Another thing is we've heard an awful lot over the last week regarding the impacts of fuel costs on the fishing industry and that very issue has come to roost in my shop, in that this week, midweek, I got word that we're going to have to tie up one of our two active NOAA ships and cancel the cruises that were planned on them.

It's a good news/bad news. It's bad news overall. The only bright spot is the two cruises that it was scheduled to conduct and were canceled were both in the Gulf of Mexico, as opposed to in the South Atlantic, but this is a foreshadowing of the kind of year we're going to be faced with next year, in terms of trying to take a budget that was prepared three years ago in terms of our active participation and projecting out what our costs were going to be and kind of locked in stone in terms of our budget preparations three years ago and anticipating what those costs were going to be and probably missing the mark a little bit, not anticipating they were going to be this high. We're probably going to be faced with a tough year next year in terms of having to prioritize those cruises for data collections and so I guess with that, thank you.

Mr. Geiger: Thank you, Bonnie. Any questions for Dr. Ponwith? We have our fingers crossed. Tom, are there some important things in there that you would like to cover that you really want to specify? I don't want to give short shrift to the important subjects that you bring to the council.

Dr. Jamir: Just two additional items that were not included in the briefing material, because they came into me afterwards, and that's basically that the compliance requirement over the letter that was being referred with the legal office has already been issued and there will be letters that will be coming into the headboat owners regarding this.

A headboat survey representative also attended the SEDAR-16 and 17 data workshop that was recently concluded. The king mackerel project of Dr. Will Patterson continues to collect fish, but is in the process of closing. Their project will end this year and they're wrapping up their research project. All the age and growth data collected were all submitted and used in the recent SEDAR workshop and so that was accomplished. That's about it.

Mr. Geiger: Thank you, Tom. Any questions for Dr. Jamir? Thank you very much, sir. Agency and Liaison Reports, let's start with North Carolina. Mac, can you fill in for Brian?

Mr. Currin: I'll try my best, George. It's relatively quiet, by North Carolina standards. We have a red drum plan that's scheduled to be approved at our next meeting. The process has gone well and it seems like we'll hold the line on the current regulations, which allow the limited commercial harvest and low bag limits for recreational anglers.

Probably the biggest thing going on up there, you may or may not be aware of, is a consent

decree that was issued by one of the circuit courts regarding ORV and pedestrian access at Cape Hatteras Natural Seashore, due to interactions with threatened and endangered primarily bird species up there. There was a suit filed by a couple of environmental groups and they got together with the judge and the Park Service and issued some fairly stringent requirements, which have greatly restricted access for both off-road vehicles and pedestrians.

I just noted this week that three representatives and/or senators from North Carolina had entered a bill into I believe the Senate to reestablish the interim management measures which were in place before the consent decree and so I don't know what chances they have of that. Congress is getting in the middle of it and so we'll see. I'm sure I've left something out, but my mind has been elsewhere for the last two weeks and I wasn't prepared to do this.

Mr. Geiger: Thank you, Mac. I appreciate it. Florida, Bill, do you have a bit of a report for us?

Mr. Sharp: I've got a few things. At the commission meeting yesterday, the commissioners were briefed on the status of our gillnet limitation or our net limitation rules. There will be no further action along those lines. Also, I would like to bring to the council's attention that in August, I believe it is, we're having a special meeting with our commission, a workshop type situation, to bring them in and have them understand a little better about both councils and how they work and the issues addressed here. I think those are the high points.

Mr. Geiger: Thank you, Bill. Again, you've been a real positive asset to the council this week and we look forward to seeing you again.

Mr. Currin: George, if I might go back to the North Carolina report, two quick things. Brian passed out, I think, an update on our Coastal Habitat Protection Plan. Everyone, I believe, received that, as well as an angler's guide that we have just published. It's been very well received. It was done with some funding from our new coastal recreational fishing license. I would appreciate any feedback from anybody on those items.

Mr. Geiger: South Carolina. Robert, do you have a --

Mr. Boyles: A couple of things. I reported to you all back at the March meeting that Senate Bill 1067 passed the South Carolina State Senate. This would, in effect, make cobia, which is a council-managed species, as you know, a game fish. This passed the Senate over our objections and we were able to prevail in the House and so the South Carolina General Assembly adjourned last week with the House not taking action. I do know there is some continued interest in some local constituents to make cobia a game fish and so I'm afraid we'll be revisiting this again next year.

A couple of other things, we are knee deep in trying to get our state recreational fishing license program certified as exempt, thereby preventing our anglers from having to be licensed by the state as well as registered with the federal government. That will be some heavy lifting required for us to get that through our legislature next year and will require us to do a lot of work this summer and fall with our constituents.

A lot of other things that are going on. We'll probably be looking at a limited entry program for our blue crab fishery. We've seen some displacement of crabbers from the Chesapeake Bay, due to some severe restrictions that Maryland and Virginia have taken on their blue crab fishery and so we will probably see an effort to limit entry in our state's commercial blue crab fishery. Again, that will be something that we'll probably be pursuing legislatively next year. There's a lot of other things going on, but just to hit the high points, that's what we've got. Thank you.

Mr. Geiger: Thank you, Robert. Georgia.

Ms. Shipman: I've got a couple of things. For the first time in at least a decade or more, we are closing our oyster season for the summer months. The FDA and the Interstate Shellfish Sanitation Conference have come up with a requirement that states must have a vibrio management plan and there are five different options that states can select from from that, one of which includes closing your waters when water temperatures are eighty-one degrees or higher and so that's the option we have chosen.

We've met with our fishermen and they're in support of it and so while I was here this week, we prepared all the paperwork and it's been forwarded to our commissioner to close waters to oyster harvest June 20th through September 30th and I anticipate we'll have a June through September closure for every year from now on out.

The only other thing is with regard to the National Saltwater Registry that Mr. Boyles was just talking about, based on the proposed rule, we believe we will qualify as an exempted state during the phase-in period of 2009 and 2010 and we will be required to provide names, addresses, telephone numbers of the licensed saltwater anglers to NOAA. We're working on getting that lined up for an exempted status.

After that, we have to provide that same information for the lifetime and the honorary license holders and so we're working on how we would go about doing that. Curiously, the rule doesn't specify that we screen those anglers for whether or not they fished in saltwater, as it does the regular license holders. That's sort of interesting. We're looking forward to working with NOAA to develop our Memorandum of Agreement that will formally exempt us and that's about it.

Mr. Geiger: Thank you. Law enforcement?

Mr. Robbins: Mr. Chairman and members of the council, I want to assure you, based on the testimony we heard the other night and also your concerns that you relayed to me on the Oculina Bank, or Pinnacles, that we will continue to have a presence out there on the Oculina Bank and work closely with our state and federal partners at sea to ensure that we don't have incursions by the rock shrimpers, but also it looks like we need to keep a look out for the longliners or whoever else might be making an incursion in there. Please rest assured that that continues to be on our radar.

Mr. Currin: Not a question, Hal, but a plea, I guess, on behalf of myself as a resident of North Carolina. As everybody is aware, North Carolina does not have a joint enforcement agreement,

as hard as we're working towards that and hope that at some point in the near future we will have a joint enforcement agreement with NOAA.

Also, in view of the language in the Reauthorized Magnuson Act, as I interpret it at least, emphasizing the need for and hopefully more resources devoted toward enforcement, I would encourage NOAA Office of Law Enforcement to do everything within your power to enhance the enforcement in North Carolina.

There's been one particular issue that I hope will be taken care of by implementation of Amendment 15B that's been a particularly bothersome one to me, with multiple bag limits having been sold under the bag limit provision in snapper grouper and I have no doubt that that's also being done in other fisheries. I hope you will do everything you can to enhance that enforcement effort in North Carolina and that the federal officers will have as great a presence as possible there. I would appreciate it.

Mr. Robbins: Mac, we have a great relationship with North Carolina. You know Greg Bird formerly worked for North Carolina and he has a great relationship up there and we work very closely with them. Unfortunately, North Carolina does remain the only coastal state that does not have a JEA and actually, that also includes all of our territories as well.

Mr. Geiger: Hal, I appreciate your statement and I appreciate everything you've done in the past and I know that commitment, but I appreciate you going on the record and restating that. Otha, again, welcome and I appreciate the fact that you're so willing and ready to step to the table and provide us the guidance we need without being asked. That's refreshing and thank you very much and keep it up, please. We need all the help we can get.

Mr. Easley: I hope you find it useful.

Mr. Geiger: Very useful and thank you very much. Brian, Coast Guard.

Lt. Sullivan: I'm also going to piggyback off of what Hal said. The Oculina Bank is still important to the Coast Guard and our efforts haven't decreased in the past year and so I just wanted to put that on the record for the Coast Guard also and let you know. I just wanted to get that out there also, on the record.

I've got a couple of things. As you know, we had a change of command for the District in May and I had asked Julie to pass out his biography, so you get an idea who the man in charge is for the 7th Coast Guard District now. I'm going to try, his schedule permitting, to have him come to the next council meeting, to introduce himself and meet everybody. I think that would be a good thing. Since it's in Charleston, see if maybe we can get around and talk to everybody and any concerns you have, you can address to him also, since I am his direct representative.

Also, we're getting a new Chief of Law Enforcement in the District and his name is going to be Captain Brown, taking over for Captain Pino, and I'm going to try to get him also to a council meeting, to introduce himself to the council. I don't know when that's going to be, because he's not reporting in until July.

Just a couple of things. I know there's been some questions about the rock fishermen and the VMS. That's been brought up and I wanted to let you know in the past quarter we did have a violation written for a rock shrimping vessel with no VMS onboard and so enforcement is doing its part to try to keep that to a minimum.

Also, for this quarter from last year, our significant violations have been done, which is good, and so compliance is looking good for us. Also, I had the commercial fishing safety vessel district rep, Larry Yarborough, was by. I don't know if anybody saw him, but he asked me to pass a couple of things along for the commercial fishing vessel industry.

I'm sure everybody has heard about the Atlantic Ranger that sank up in Alaska not too long ago and just a quick hit, 80 percent of the people that survived that had taken some type of survival training, water survival training, in the last five years. That is something that shows that the training does work. Even though Alaska waters are a lot colder than the South Atlantic waters, the water is still colder than our body temperatures and hypothermia is going to come into play and so the main thing is survival training is a big thing for survival of the water.

Also, the fishing vessel safety committee is having an advance notice of proposed rulemaking on commercial fishing safety and the comment period ends on July 29, 2008. People can go to www.fishsafe.info and put any kind of comments on fishing vessel safety and anything they would like changed, any kind of comments at all. I'm going to send all this info to Julie and have her send it out to all the council members, so we can get that info out there to all the fishermen and women out there. That's all I have, Mr. Chairman.

Mr. Geiger: Great. Thank you very much, Brian. Be safe.

Mr. Harris: Just one comment for Brian. I recently had to renew my captain's license at the Charleston office and that was a very pleasant experience. I've heard bad things about license renewals lately and just please pass along to those folks that they did a great job and I appreciate it.

Lt. Sullivan: Yes, sir, I will. Thank you.

Mr. Geiger: Dr. Laney, Fish and Wildlife Service.

Dr. Laney: Let me just say real quickly that I'm not sure that previous Fish and Wildlife Service representatives to the council have prepared written reports, but I'm going to try and do that in the future and get those to staff ahead of time. I did write one, although during this week, and I'll get that to council staff, so they can add it to the record.

I'm going to just go through the items very briefly and I won't go into any length whatsoever. I'll just mention a few things that I think will be of interest to the council. American shad on the Savannah River, I think many of you may be aware that this year there was a problem with New Savannah Bluff Lock and Dam.

It wasn't functioning and so the two Services, NMFS and Fish and Wildlife Service, as well as the state agencies, collaborated to go below the New Savannah Bluff Lock and Dam and electro-fish a bunch of American shad and move those above the dam, so that they could complete their spawning migration this year. We got a lot of good, positive publicity out of that. Biologically, I don't know that it made a tremendous amount of difference, but the point was to try and generate some enthusiasm with the public for a long-term permanent solution to fish passage at that structure and hopefully we're still moving in that direction.

With regard to Atlantic sturgeon, the Warm Springs Fish Tech Center had sent a proposal to the ASMFC to remove four Atlantic surgeon from the Altamaha system in Georgia and put those at Bears Bluff, so they could begin to develop culture and husbandry techniques for the southeastern populations of Atlantic sturgeon and the ASMFC Technical Committee did endorse that and I'm anticipating board approval for that.

I'll back up one second and ask Dr. Crabtree if he's heard anything new on the progress of the Atlantic sturgeon listing proposal within NMFS and he may want to comment on that. Okay, nothing is new on that front. It's still making its way through the process.

With regard to shortnose sturgeon, I serve on that status review team. The team is going to be meeting in August to continue work on the extinction and risk analysis. I'm writing up the North Carolina rivers section of that report. The anticipated completion date for that is sometime in 2008 or early 2009.

With regard to the cooperative winter tagging cruise, I gave the council a report at the last meeting and just a brief report on that is that as of right now, the Oregon II is scheduled to be in dry dock in January and February and so at the moment, we have no vessel. We're working with headquarters staff to see if we can secure another NOAA vessel and failing that, we will have to contract that work out, as we did four years ago, and I don't need to mention fuel prices again. Last time, I think it cost us around \$50,000 to charter the R/V Cape Hatteras out of Duke University to get the work done and this time, I anticipate costs being tremendously higher, due to fuel plus inflation that's occurred in the meantime.

I will mention also that ASMFC has agreed to publish a summary report of the entire cruise time series to date and so that will cover twenty-one years of data from that cruise, mostly for striped bass, but also spiny dogfish, summer flounder, and other species. The ASMFC Habitat Committee continues to work along. We're trying to make some changes in the process for ASMFC commenting on habitat projects and if you're interested in that, see me later.

Most of you are well familiar with what ASMFC is doing in the aftermath of the American shad stock assessment, working on Amendment 2 there. The Atlantic Coast Fish Habitat Partnership continues to roll along. The interim steering committee is going to be meeting in the next couple of weeks and hopefully you'll be seeing more things coming out of that partnership, which is sanctioned -- A candidate partnership, I think, under the National Fish Habitat Initiative.

Within the Fish and Wildlife Service, we're continuing to work on strategic habitat planning. See me for details about that, but ultimately, I hope that's going to result in a much closer

partnership with the council, especially working with Roger, as we all seek to implement ecosystem management.

FERC, flows and passage work continues on the Roanoke, the Yadkin-Pee-Dee, the Catawba-Wateree, the Santee-Cooper. If you want to know details of those, see me later. It's all in the written report. Finally, I guess one thing I'll mention is in North Carolina, the Evans Road fire continues to blaze. I understand, Mac, I talked to my spouse yesterday and Raleigh was inundated by smoke from that fire. The last report I have was that on the ninth of June, a couple of days ago, it had consumed 32,000-plus acres and it's still burning, mostly in Pocosin Lakes National Wildlife Refuge and the Fish and Wildlife Service and the North Carolina Forest Service are managing that fire. There's about four different helicopters fighting it and so forth and so on.

Lastly, aquatic nuisance species, we're continuing to work to try and remove Asian rice eels from south Florida. We have a new report of a channeled apple snail infestation in South Carolina and we'll be working with South Carolina to try and eradicate that population and, Mr. Chairman that constitutes my report and thank you very much.

Mr. Geiger: Thank you, Wilson. Our Executive Director had a setback this week. For those of you who were on Bob's list in some order -- He's got a list in his office of things he's going to do for people and Dave Cinalli, when he was the Coast Guard representative on the council, has always been told by Bob that I'm going to make you an admiral. He always referred to Dave as an admiral.

Dave Cinalli this week or he was offered previously the job as the Executive Director for the Gulf Council and we understand that he's accepted that position and will be leaving the Coast Guard in July and so those of us who are on Bob's list -- Bob's got me up there. He says stick with me and I'll make you a Regional Administrator. He didn't say for the South Atlantic. Any other business? No other business to come before the council? We stand adjourned.

(Whereupon, the meeting adjourned at 12:45 o'clock p.m., June 13, 2008.)

Certified By: _____ Date: _____

Transcribed By: Graham Transcriptions, Inc.
July 8, 2008

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

FULL COUNCIL SESSION

**Renaissance Orlando Airport Hotel
Orlando, FL**

June 12-13, 2008

MOTIONS

PAGE 61: Motion to allocate among three sectors, commercial, recreational, and for-hire. The motion carried on page 61.

PAGE 61: Motion to develop guiding principles for allocating our FMP species in lieu of the existing FMP process, which is the Comprehensive Allocation Amendment. The motion carried on page 61.

PAGE 62: Motion to rescind the motion from the April committee meeting as it was passed and approved by the committee and that was the one to set up the preferred as using basically the council's best judgment based on available information. The motion carried on page 62.

PAGE 64: Motion that the council concur with Gray's Reef moving forward with regulations that prohibit all spearfishing within Gray's Reef National Marine Sanctuary. The motion carried on page 64.

PAGE 65: Motion that South Atlantic snapper grouper harvested or possessed in the EEZ onboard a vessel that does not have a valid federal commercial permit for South Atlantic snapper grouper or a South Atlantic snapper grouper possessed under the bag limits may not be sold or purchased. A person aboard a vessel with both a federal for-hire vessel permit and a federal commercial snapper grouper permit is considered to be fishing as for-hire when fishing as described in 50 CFR 622.2. Snapper grouper harvested or possessed on such a trip may not be sold or purchased, regardless of where it is harvested. The motion carried on page 66.

PAGE 66: Motion to specify the recreational snowy grouper allocation as 523 fish, equivalent to 4,400 pounds gutted weight. The motion carried on page 66.

PAGE 66: Motion that the council send Amendment 15B to the Secretary of Commerce for formal review. The motion carried on page 67.

PAGE 67: Motion to approve the proposed rule, as modified, for Snapper Grouper Amendment 15B. The motion carried on page 69.

PAGE 70: Motion that the council delegate authority to the Chairman to review any editorial changes to the proposed rule and to deem them as necessary and appropriate. The motion carried on page 71.

PAGE 71: Motion to split Alternative 2 into Alternative 2A, regarding the commercial industry, and 2B, applying to the recreational industry, with both being selected as the preferred. The motion carried on page 71.

PAGE 71: Motion to establish a 1,000 pound gag grouper commercial trip limit with a fishing year start date of May 1. In addition, during March and April, no fishing for and/or possession of the following species would be allowed: gag grouper, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby, and coney. The motion carried on page 73.

PAGE 77: Motion to establish a 1,000 pound gag grouper commercial trip limit with a fishing year start date of January 1. In addition, during February, March, and April, no fishing for and/or possession of the following species would be allowed: gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby, and coney. The motion carried on page 78.

PAGE 80: Motion that south of the Miami-Dade/Monroe County line no fishing for and/or possession of the following species would be allowed during June 1 to December 31: gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby, and coney. No fishing for and/or possession of gag grouper would be allowed year-round south of the Miami-Dade/Monroe County line. Fishing for black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby and coney would be allowed January 1 through May 31 for Monroe County. The motion carried on page 84.

PAGE 84: Motion that the analysis outlined in the previous motion would be contingent on staff's ability to accomplish the analysis within the time constraints of approving Amendment 16 at the September 2008 council meeting. The motion carried on page 85.

PAGE 86: Motion to implement a May 1 fishing year start date and a 1,000 pound trip limit for the commercial vermilion snapper fishery. Note that this does not include a seasonal split, as outlined in other alternatives currently in 16. The motion carried on page 86.

PAGE 86: Motion to require the use of venting and dehooking tools, Alternative 3. The motion carried on page 86.

PAGE 86: Motion to make Alternative 3, as previously referred to, the preferred alternative and apply that both to the commercial and recreational snapper grouper fisheries. The motion carried on page 86.

PAGE 87: Motion that the greater amberjack and mutton snapper be removed from

consideration in Amendment 17 and be moved to the Comprehensive ACL Amendment and that red snapper be moved from Amendment 18 into Amendment 17. The motion carried on page 87.

PAGE 87: Motion to ask staff to develop a letter to the Regional Administrator requesting the Regional Office develop an interim rule closing harvest of red snapper and implement reductions in fishing mortality as specified in the preferred alternatives in Amendment 16 for gag grouper, vermilion snapper, black grouper, and red grouper. The motion carried on page 89.

PAGE 89: Motion to write a letter to the National Marine Fisheries Service, requesting that the sentence that specifies a speed in excess of four knots and a visible wake be removed from the proposed regulations in implementing Amendment 14. The motion carried on page 89.

PAGE 90: Motion to begin the process for development of a snapper grouper amendment that would include development of an LAPP program for the golden tilefish fishery and to convene a Golden Tilefish LAPP Workgroup to begin development of a golden tilefish LAPP program. The motion carried on page 90.

PAGE 92: Motion to appoint Randy Manchester to the Golden Crab AP. The motion carried on page 92.

PAGE 92: Motion to reappoint Kathi Harrington, John Duren, Susan Hilfer, Jenkins Mikell, Jr., Cameron Sebastian, and James Harvey to the Habitat and Environmental Protection AP. The motion carried on page 92.

PAGE 92: Motion to appoint Dr. Robert George, at-large scientist seat; Jeff Kramer, Florida commercial seat; and Mark Carter, Florida recreational seat to the Habitat and Environmental Protection AP. The motion was tabled on page 92.

PAGE 92: Motion to reappoint Chris Woodward, Nancy Fish, Suzi Durant, Pamela Fletcher, and Elizabeth VonKolnitz to the I&E Advisory Panel. The motion carried on page 92.

PAGE 92: Motion to reappoint Dick Brame, Paul Dunn, Jodie Gay, Carl Erickson, and Ronnie Hauck to the King and Spanish Mackerel AP. The motion carried on page 92.

PAGE 92: Motion to appoint Tim Adams to the King and Spanish Mackerel AP. The motion carried on page 92.

PAGE 92: Motion to reappoint Fred Dennis, Jake Flowers, Warren Gautier, Tony Herring, Marilyn Solorzano, John Williams, and Steven Wilson to the Deepwater Shrimp AP. The motion carried on page 92.

PAGE 92: Motion to appoint Laurilee Thompson to the Deepwater Shrimp AP. The motion carried on page 92.

PAGE 92: Motion to reappoint Phil Conklin, Bo Stokes, Charlie Phillips, Greg DeBrango, and Paul Reiss to the Snapper Grouper AP. The motion carried on page 92.

PAGE 93: Motion to create a new conservation/NGO seat on the Snapper Grouper Advisory Panel. The motion carried on page 93.

PAGE 93: Motion to appoint Eileen Dougherty and Elizabeth Fetherston to the Snapper Grouper Advisory Panel. The motion carried on page 93.

PAGE 93: Motion to create a new South Carolina for-hire/charter seat and advertise this open seat. The motion carried on page 93.

PAGE 94: Motion to pick Alternative 2 under Action 4 as the council's preferred alternative. The motion carried on page 94.

PAGE 94: Motion to rename the open access permit and limited access endorsement of the existing permit system as follows: A. Rock Shrimp Permit (South Atlantic EEZ) would allow fishing throughout the South Atlantic EEZ; B. Rock Shrimp Permit (Carolinas Zone) would allow fishing in the EEZ off North and South Carolina. Note: Rock Shrimp Permit (Carolinas Zone) holders, currently open access permit holders, may not apply for the Rock Shrimp Permit (South Atlantic EEZ) (currently limited access endorsement). Fishermen who currently possess valid, non-expired open access Rock Shrimp Permits (RS) or limited access Rock Shrimp Endorsements (RSE) need not apply to receive a renamed permit, because these renamed permits will be sent to current permit holders automatically. Permits which have expired, but renewable Rock Shrimp Endorsements (RSE) will need to apply to receive a renamed Rock Shrimp Permit for the South Atlantic EEZ. Permit Holders who have an expired open access Rock Shrimp Permit (RS) will need to apply to receive a renamed Rock Shrimp Permit (Carolinas Zone). Permit Holders eligible for reinstatement will need to apply to have a Rock Shrimp Permit (South Atlantic EEZ) reinstated to them. The motion carried on page 95.

PAGE 95: Motion that application for renewal, reinstatement, or transfer of a Rock Shrimp Permit (South Atlantic EEZ) will not be considered complete until proof of purchase, installation, activation, and/or operational status of an approved VMS for the vessel receiving the permit has been verified by National Marine Fisheries Service VMS personnel. The motion carried on page 96. The motion was reconsidered on page 97.

PAGE 97: Motion that staff hold a public hearing in the Gulf of Mexico region and to choose the location that accommodates the majority of South Atlantic rock shrimp permit holders before the September 2008 meeting. The motion carried on page 97.

PAGE 98: Motion that an application for renewal, reinstatement, or transfer of a Rock Shrimp Limited Access Endorsement will not be considered complete until proof installation, activation, and operational status of an approved VMS for the vessel receiving the permit has been verified by National Marine Fisheries Service VMS personnel. The motion carried on page 99.

PAGE 99: Motion that the council approve Amendment 7 for public hearing. The motion carried on page 99.

PAGE 100: Motion to include the alternative shrimp fishery access area in the document. The motion carried on page 100.

PAGE 100: Motion to make the alternative shrimp fishery access area the preferred option. The motion carried on page 100.

PAGE 100: Motion to move Alternative 4 of Section 2.1.2 regarding acoustic monitoring to the Considered but Rejected Appendix. The motion carried on page 100.

PAGE 101: Motion to select newly formed golden crab alternatives as alternatives for the amendment and on behalf of the committee, I so move. The motion carried on page 101.

PAGE 101: Motion to make the golden crab alternatives the preferred alternatives. The motion carried on page 101.

PAGE 103: Motion that the council approve the additional alternative suggested by the golden crab industry as an additional alternative to go out for public hearing. The motion carried on page 103.

PAGE 105: Motion that no person in the U.S. would be allowed to import spiny lobster, *panulirus argus*, less than five ounces tail weight or three inches or less in carapace length if the animal is whole or less than five-and-a-half inches tail length if only the tail is present. Also, in Puerto Rico and the U.S. Virgin Islands, no person would be allowed to import a spiny lobster less than six ounces tail weight or three-and-a-half inches carapace length if the animal is whole or less than 6.2 inches tail length if only the tail is present. The motion carried on page 105.

PAGE 105: Motion to make Alternative 2 the preferred alternative. That alternative is do not allow the importation of spiny lobster tail meat which is not in whole tail form with the exoskeleton attached and do not allow the importation of spiny lobster with eggs attached or importation of spiny lobster where the eggs, swimmerets, or pleopods have been removed. The motion carried on page 105.

PAGE 105: Motion to recommend to the full council that the import amendment be approved for public hearing. The motion carried on page 105.

PAGE 107: Motion to establish those technical committees identified as proposed in the Technical Committee Process Document. The motion carried on page 108.

PAGE 109: Motion to approve the Experimental Fishing Permit. The motion carried on page 109.

South Atlantic Fishery Management Council 2007- 2008 Council Membership

COUNCIL CHAIRMAN:

✓ **George J. Geiger**
566 Ponoka Street
Sebastian, FL 32958
772/388-3183 (ph)
georgejgeiger@bellsouth.net

COUNCIL VICE-CHAIRMAN

✓ **Charles Duane Harris**
105 Demere Retreat Lane
St. Simons Island, GA 31522
912/638-9430 (ph)
seageorg@bellsouth.net

Deirdre Warner-Kramer
Office of Marine Conservation
OES/OMC
2201 C Street, N.W.
Department of State, Room 5806
Washington, DC 20520
202/647-3228 (ph); 202/736-7350 (f)
Warner-KramerDM@state.gov

✓ **Robert H. Boyles, Jr.**
S.C. Dept. of Natural Resources
Marine Resources Division
P.O. Box 12559
(217 Ft. Johnson Road)
Charleston, SC 29422-2559
843/953-9304 (ph)
843/953-9159 (fax)
boylesr@dnr.sc.gov

✓ **Wilson Laney**
U.S. Fish and Wildlife Service
South Atlantic Fisheries Coordinator
NCSU Campus
P.O. Box 33683
Raleigh, NC 27695-7617
(110 Brooks Ave
237 David Clark Laboratories,
Raleigh, NC 27695-7617)
919/515-5019 (ph)
919/515-4415 (f)
Wilson_Laney@fws.gov

✓ **Dr. Brian Chevront**
N.C. Division of Marine Fisheries
P.O. Box 769 (3441 Arendell St.)
Morehead City, NC 28557
252/726-7021 Ext. 8015 (ph)
252/726-6187
brian.chevront@ncmail.net

RANDY BLANKINSHIP
CHRIS RILLING

✓ **Dr. Roy Crabtree**
Regional Administrator
NOAA Fisheries, Southeast Region
263 13th Avenue South
St. Petersburg, FL 33701
727/824-5301 (ph); 727/824-5320 (f)
roy.crabtree@noaa.gov

✓ **David M. Cupka**
P.O. Box 12753
Charleston, SC 29422
843/795-8591 (hm)
843/870-5495 (cell)
dkcupka@bellsouth.net

✓ **Benjamin M. "Mac" Currin**
801 Westwood Drive
Raleigh, NC 27607
919/881-0049 (ph)
mcurrin1@bellsouth.net

✓ **Anthony L. Iarocci**
236 Guava Avenue
Grassy Key, FL 33050
305/743-7162 (ph); 305/743-2697(f)

✓ **Rita G. Merritt**
38 Pelican Drive
Wrightsville Beach, NC 28480
910/256-3197 (ph); 910/256-3689 (f)
miridon@ec.rr.com

John V. O'Shea
Executive Director
Atlantic States Marine Fisheries
Commission
1444 Eye Street, N.W., 6th Floor
Washington, D.C. 20005
202/289-6400 (ph); 202/289-6051 (f)
voshea@asmfc.org

✓ **Lt. Brian Sullivan**
U.S. Coast Guard
Brickell Plaza Federal Building
909 S.E. First Avenue
Room 876/ DRE
Miami, FL 33131-3050
305/415-6781 (ph)
305/415-6791 (f)
Brian.A.Sullivan@uscg.mil

STEVE HOLIMAN
MARGOT STILES
SARA
GEORGE SEDBERRY

Mark Robson **BILL SHARP**
Director, Division of Marine Fisheries
Florida Fish and Wildlife
Conservation Commission
620 S. Meridian Street
Tallahassee, FL 32399
850/487-0554 (ph); 850/487-4847(f)
mark.robson@myfwc.com

✓ **Susan Shipman**
Director, Coastal Resources Division
GA Dept. of Natural Resources
One Conservation Way, Suite 300
Brunswick, GA 31520-8687
912/264-7218 (ph); 912/262-2318 (f)
sshipman@dnr.state.ga.us

✓ **Tom Swatzel**
P.O. Box 1311
Murrells Inlet, SC 29576
(C/O Capt. Dick's Marina
4123 Hwy 17 Business,
Murrells Inlet, SC 29576)
843/357-1673 (ph)
tom@capticks.com

✓ **John A. Wallace**
5 Buddy Beckham Road
P.O. Box 88
Meridian, GA 31319
912/437-6797 (ph); 912/437-3635 (f)
Ga_shrimp@darientel.net

KAY WILLIAMS
JOE KZMMEI
MONICA SMIT-BRUNELLO
BONNIE POWWETH
Tom JAMER
TRACY DUNN
HAL ROBBINS
OTHA EASLEY
LIBBY FETHERSTON
DECK BRAME
JACK MCGOVERN
KATE MICHIE

Staff Attendee List

Bob Mahood ✓

Gregg Waugh ✓

Mike Collins ✓

John Carmichael ✓

Rick DeVactor ✓

Dale Theiling _____

Julie Neer _____

Andi Stephens ✓

Roger Pugliese ✓

Kate Quigley ✓

Myra Brouwer ✓

Kim Iverson ✓

Julie O'Dell ✓

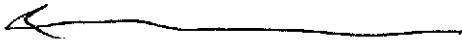
Rachael Lindsay _____

Cindy Chaya _____

Deb Buscher _____

GREGG SWANSON ✓

Speed
out



CURRY

HALLS

GILLES

MALHOTRA

STAFF

SWATZEL

EWING

BOYER

BRIAN
CH.

RITA

KAY

BRIAN
CG

WILSON

SHARP

TOWY

SHIPMAN

WALLACE

HAL

MONICA

ROY

JACK

BONNIE

TOM

FULL COUNCIL - ROLL CALL VOTE

Date: June 8-13, 2008

Meeting Location: Orlando, Florida

Issue: AMENDMENT 15B

	YES	NO	ABSENT
GEIGER	✓		
HARRIS	✓		
BOYLES	✓		
CRABTREE	✓		
CUPKA	✓		
CURRIN	✓		
CHEUVRONT	✓		
IAROCCHI			<i>absent</i>
MERRITT	✓		
SHARP (ROBSON)	.	✓	
SHIPMAN	✓		
SWATZEL	✓		
WALLACE	✓		

FULL COUNCIL - ROLL CALL VOTE

Date: June 8-13, 2008

Meeting Location: Orlando, Florida

Issue: AMENDMENT 15B PROPOSED RULE

	YES	NO	ABSENT
GEIGER	✓		
HARRIS	✓		
BOYLES	✓		
CRABTREE	✓		
CUPKA	✓		
CURRIN	✓		
CHEUVRONT	✓		
IAROCCHI			absent
MERRITT	✓		
SHARP (ROBSON)	✓	✓	
SHIPMAN	✓		
SWATZEL	✓		
WALLACE	✓		

PLEASE SIGN IN

So that we will have a record of your attendance at each meeting and so that your name may be included in the minutes, we ask that you sign this sheet for the meeting shown below.

Council Session
Orlando, FL
Friday, June 13, 2008

NAME &
ORGANIZATION

AREA CODE &
PHONE NUMBER

P.O. BOX/STREET
CITY, STATE & ZIP

Kay Williams

GM FMC

Sera H. Drevenak-MFCN 910-762-4401

617 Surry St. Wilmington NC 28401

Dave Allison 202-833-3900

1350 Connecticut Ave NW WDC 20036

Libby Featherston OC-FL

Eileen Dougherty 843-737-4466

Charleston, SC

Geese Selberry, Boy's Reef

BUFFY BAUMANN, OCEANA 202-833-3900

WDC

MARGOT STIVES, OCEANA 202-833-3900

Washington DC 20036

South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
North Charleston, SC 29405
843-571-4366 or Toll Free 866/SAFMC-10



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701
(727) 824-5305; FAX (727) 824-5308
<http://sero.nmfs.noaa.gov>

JUN 5 2008

F/SER2:BT

MEMORANDUM FOR: Robert Mahood, Executive Director
South Atlantic Fishery Management Council

FROM:

For Roy E. Crabtree, Ph.D.
Regional Administrator

James E. Weaver

SUBJECT: Preliminary 2007-2008 Commercial Landings

The Southeast Fisheries Science Center has provided the following **preliminary landings estimates** for species in the South Atlantic Fishery Management Council's area of jurisdiction subject to quota management through May 30, 2008.

Species	Fishing Year	Current Landings (lb)	Quota (lb)	Quota (%)
Atlantic Group king mackerel	03/01/08 - 02/28/09	106,182 ^a	3,710,000	2.90
Atlantic Group Spanish mackerel	03/01/08 - 02/28/09	56 ^a	3,870,000	0 ^b
Gulf king mackerel - Eastern Zone-East Coast subzone	11/01/07 - 03/31/08	1,028,925 ^c	1,040,625	98.90
Snowy grouper	01/01/08 - 12/31/08	14,819	84,000	17.64
Golden tilefish	01/01/08 - 12/31/08	257,206	295,000	87.18
Greater amberjack	05/01/07 - 04/30/08	495,176	1,169,931	42.32
Black sea bass	06/01/07 - 05/31/08	220,999	423,000	52.24
Vermilion snapper	01/01/08 - 12/31/08	284,034	1,100,000	25.82
Red porgy	01/01/08 - 12/31/08	7,847	127,000	6.17
Wreckfish	04/16/07 - 04/15/08	^d	2,000,000	^d
Dolphin	01/01/07 - 12/31/07	936,497	1,500,000 ^e	62.43
Octocoral	01/01/07 - 12/31/07	43,694 ^f	50,000	87.39

- Atlantic king and Spanish mackerel data includes preliminary landings through May 14, 2008.
- Atlantic Spanish mackerel Quota (%) is based on the adjusted quota of 3,620,000.
- Gulf king mackerel - East Coast subzone closed on February 21, 2008.
- Confidential landings
- The Dolphin Wahoo Fishery Management Plan established a 1.5 million pound cap for the dolphin commercial fishery. Data includes preliminary landings from Florida to Connecticut during January 1, 2007, through December 31, 2007.
- Octocoral landings are reported twice a year with final landings reported by May of the next year; therefore, these are the total landings in federal waters for 2007.





Rear Admiral Robert (Steve) Branham comes to the Seventh Coast Guard District from Coast Guard Headquarters where he was the Coast Guard Assistant Commandant for Resources and Chief Financial Officer. In that role, he was responsible for the Coast Guard's budget and financial management programs. Rear Admiral Branham was promoted to flag rank in 2005 and received his second star in 2007.

Rear Admiral Branham has served in a variety of afloat and administrative assignments on the Atlantic and Pacific Coasts as well as the Great Lakes. His most recent shore assignments were Chief of Operations and Chief of Staff, Coast Guard Atlantic Area, and Executive Director of the U.S. Interdiction Coordinator (USIC) Staff, directly assisting the Commandant in his role as USIC.

He has served six tours afloat, including 4 tours in command of Cutter CAPE HEDGE (WPB 95311), a 95-foot patrol boat homeported in Morro Bay, California; Cutter NEAH BAY (WTGB 105), a 140-foot icebreaking tug homeported in Cleveland, Ohio; Cutter HARRIET LANE (WMEC 903), a 270-foot cutter homeported in Portsmouth, Va.; and Cutter GALLATIN (WHEC 721), a 378-foot cutter homeported in Charleston, S.C.

Throughout his 12 years of sea duty, he has been involved in a number of high-profile drug, migrant, search and rescue, and fisheries enforcement cases, including the 1980 Mariel Boatlift of Cuban migrants and the 1991 Haitian mass migration. Rear Admiral Branham also commanded the task force that successfully prototyped the use of armed helicopters to stop suspected drug-laden go-fast vessels, an initiative that continues to produce record annual drug interdiction rates.

Rear Admiral Branham is a 1977 graduate of the United States Coast Guard Academy, where he earned a Bachelor of Science degree in Marine Engineering. He was awarded a master's degree in Business Administration by Case Western Reserve University in Cleveland, Ohio in 1987 and a master's degree in National Security Strategy by the National War College, Washington, DC in 1999.

Rear Admiral Branham's awards include the Legion of Merit (4), the Meritorious Service Medal (2), the Coast Guard Commendation Medal (3), the Coast Guard Achievement Medal, the Humanitarian Service Medal (3), the Coast Guard Sea Service Ribbon (4), and the Coast Guard Cutterman's Insignia.

Gulf Council Motions**June 5, 2008****Houston, Texas****Administrative Policy**

Motion: To send a letter to GSMFC to request funding for the Gulf regional data programs including but not limited to the At Sea Observer program

Motion carried

Motion: To write a letter to the SSC to informing them of the ACL and AM guidelines asking for comments so that comments are available for the August Council meeting

Motion carried

Ad Hoc Allocation

Motion: For this committee to not only to look at present and historical participation in the fisheries, but also to consider the future and what demographic and other factors will change, but also how the fisheries best serve the public in the coming years

Motion failed

Joint Reef Fish/Mackerel/Red Drum (Aquaculture)

The following motion addressed several committee motions at once:

Motion:

- To instruct the IPT to require permits of any hatcheries located in the EEZ
- To allow transferability of permits
- To instruct the IPT to include changes into the document for Action 2
- Action 2 - To instruct the IPT to include 25% of the planned grow out structures proposed within the first two years or the applicant must resubmit a new application
- Action 6 - To remove the prohibition of siting aquaculture facilities in marine sanctuaries
- Action 6 - In preferred Alternative 3, strike the words "one or more of"
- Add a new sub-alternative to preferred Alternative 3 that would require a benthic habitat survey
- That the preferred alternative be Alternative (b) MSY=OY and the proxy for OY would be (d) 64 million pounds
- That the preferred alternative be Alternative 2, Option (c) 20% of OY

Motion carried

Motion: Action 2 - That the operator can request modifications to the time schedule created by natural catastrophes

Substitute Motion: That the operator can request modification to the time schedule and reporting schedules in response to a natural catastrophe

Substitute motion carried

Motion: To create a fishery management plan in place of the generic amendment for aquaculture

Motion carried

Joint Stone Crab/Spiny Lobster

Motion: To select Key West, Marathon, and Miami as public hearing sites for Spiny Lobster

Motion carried

Motion: To approve Draft Spiny Lobster Amendment for public hearings

Motion carried

Reef Fish

Reef Fish Amendment 30B

*DEALS with Gag/RED Grouper
marine reserves, compliance*

Motion: The natural mortality rate used in the preferred alternative for Action 1 be modified to 0.15

Motion carried with no opposition

Motion: Action 5 - That Alternative 1 be the Council's preferred alternative: Alternative 1. Revert to the allocation of TAC between the recreational and commercial fisheries as specified for framework actions in Amendment 1 to the Reef Fish FMP as the average share during the years 1981 through 1987. Only 1986-1987 landings are used since grouper were not identified to species in the commercial fishery until 1986. The recreational:commercial proportions would be gag 65:35, red grouper 23:77.

Motion failed

Substitute Motion: Action 8 - To add alternative option (d) of 500 pounds

Substitute motion failed

Motion: Action 8 – To remove Alternative 3 from the current document and replace it with Alternative 3 from Tab B, No. 3(b) and add Alternative 4 from Tab B, No. 3(b)

New Preferred Alternative 3: When 80 percent of the gag or red grouper quota is reached or projected to be reached, the directed fishery for the applicable species would be closed; however, an incidental harvest* trip limit would be allowed until either the gag, red grouper, or shallow-water grouper quota is reached or projected to be reached, upon which the shallow-water grouper fishery would close. The incidental harvest trip limit provision would not be implemented unless the quota for the applicable species is projected to be harvested prior to the end of the fishing year. If implemented, the incidental harvest trip limit would be:

Preferred Option a: 10% of the grouper catch by weight. The percentage would apply when the vessel returns to port.

Option b: 100 pounds.

Option c: 200 pounds.

Alternative 4. The commercial shallow-water grouper fishery closes when either the red grouper quota, gag quota, or shallow-water grouper quota is reached, whichever comes first. For gag, a trip limit would apply to extend the grouper fishing year. The gag trip limit would be:

Option a: 300 pounds or

Suboption i: 15 percent of the grouper caught on a trip, whichever is greater.

Suboption ii: 20 percent of the grouper caught on a trip, whichever is greater.

Option b: 300 pounds.

Option c: 500 pounds.

Option d: 1,000 pounds.

Motion carried

Motion: Action 8 - The preferred alternative be Alternative 3c: When 80 percent of the gag or red grouper quota is reached or projected to be reached, the directed fishery for the applicable species would be closed; however, an incidental harvest* trip limit would be allowed until either the gag, red grouper, or shallow-water grouper quota is reached or projected to be reached, upon which the shallow-water grouper fishery would close. The incidental harvest trip limit provision would not be implemented unless the quota for the applicable species is projected to be harvested prior to the end of the fishing year. If implemented, the incidental harvest trip limit would be:

Option a: 10% of the grouper catch by weight. The percentage would apply when the vessel returns to port.

Option b: 100 pounds.

Preferred Option c: 200 pounds.

Motion carried

Motion: Action 8 – to delete Option (a) under Alternative 3 and add an alternative of 500 lbs.

Motion carried

Motion: Action 9 – Preferred Alternative 7 - Establish

- A gag bag limit of 2 fish per person within the aggregate bag limit

- A red grouper bag limit of 2 fish per person within the aggregate

- Aggregate grouper bag limit of 4 fish per person

Option a – February 15-March 31 reduces gag 23%, increases red 19%

Option b – June 1-July 31 reduces gag 26%, reduces red 6%

Option c – September 15-November 15 reduces gag 25%, increases red 14%

Option d – November 1-December 31 reduces gag 26%, increases red 19%

Amendment: to add a preferred option:

Option e – February 1 – March 31 closure, reduced gag by 26%, increases red by 17%

Amendment Carried

Amendment: That the preferred option be Option d – November 1-December 31 reduces gag 26%, increases red 19%

Amendment failed

Motion as amended: Action 9 – Preferred Alternative 7 - Establish

- A gag bag limit of 2 fish per person within the aggregate bag limit

- A red grouper bag limit of 2 fish per person within the aggregate

- Aggregate grouper bag limit of 4 fish per person

Option a – February 15-March 31 reduces gag 23%, increases red 19%

Option b – June 1-July 31 reduces gag 26%, reduces red 6%

Option c – September 15-November 15 reduces gag 25%, increases red 14%

Option d – November 1-December 31 reduces gag 26%, increases red 19%

Preferred Option e – February 1 – March 31 closure, reduced gag by 26%, increases red by 17%

Motion as amended carried

Motion: Action 11 – That the gag, red, and black grouper commercial closure from February 15th to March 15th be eliminated if the seasonal area closure is adopted

Motion carried

Motion: Action 11 - Add under Alternative 2, option iv, all fishing prohibited March-April, all fishing allowed May-February

Motion carried

Motion: Action B-12 – To move Alternative 3 to considered but rejected

Motion carried

Motion: Action 12 - Add a preferred alternative, and it be Alternative 1, no action

Motion carried

Motion: Action B-12 – Preferred Alternative 2 include preferred option b(ii) and c(i)

Motion carried

Motion: Action B-13 - Change preferred alternative to Alternative 1, no action

Motion failed

Motion: Action B-14 – To change the word “certified” to “approved”

Motion carried

Motion: Action B15 - To remove this section from the document and use it as the basis for a letter to the SOC requesting a referendum and restrict participation in the referendum to the persons who have substantially fished in grouper and tilefish fishery as included in preferred Alternative 3

Preferred Alternative 3: Restrict participation in the referendum to persons that have substantially fished in the grouper and tilefish fisheries. Only commercial reef fish permit holders who have combined average annual grouper and tilefish landings from logbooks during the qualifying years of at least 4,000 pounds (per permit) are considered as having substantially fished.

Option a: Votes will be unweighted by the permit’s grouper and tilefish catch history

Amendment: Action B15 – That Option a be the preferred option: Option a: Vote will be weighted by the permit’s grouper and tilefish catch history

Amendment failed for a tie vote

Amendment: Action B15 – use 8,000 pounds instead of 4,000 pounds and votes will be unweighted

Amendment carried

Motion as amended: Action B15 - To remove this section from the document and use it as the basis for a letter to the SOC requesting a referendum and restrict participation in the referendum to the persons who have substantially fished in grouper and tilefish fishery as included in preferred Alternative 3

Preferred Alternative 3: Restrict participation in the referendum to persons that have substantially fished in the grouper and tilefish fisheries. Only commercial reef fish permit holders who have combined average annual grouper and tilefish landings from logbooks during the qualifying years of at least 8,000 pounds (per permit) are considered as having substantially fished.

Preferred Option a: Votes will be unweighted by the permit's grouper and tilefish catch history

Motion as amended carried

Motion: The Council requests that NOAA Fisheries prepare an interim rule based on the preferred management measures that address gag grouper that are contained in Amendment 30B

Motion carried

Reef Fish Amendment 29

*Comm. Grouper &
Tilefish Fisheries*

Motion: To convene the Ad Hoc Grouper IFQ AP for one day to discuss the multi-use allocation and flexibility measures by conference call

Motion carried

Motion: To send Reef Fish Amendment 29 to public hearing

Motion carried

Reef Fish Other Motions

Motion: To approve the dates for the Hogfish SEDAR 19

- Data workshop – May 18-22, 2009
- Assessment workshop – October 5-9, 2009
- Review workshop – January 25-29, 2010

Motion carried

*Recreational
RED SNAPPER
White
Paper*

Motion: At the next Reef Fish Committee meeting, have white papers of pros and cons with known details on these items for further discussion – the language in Handout Tab B, Ad Hoc Recreational Red Snapper, the first paragraph through the first two bulleted points:

Alternative Management Ideas

- a. Develop a program for regional management of recreational management of red snapper (regional seasons, bag limits, size limits, TAC, etc.).
- b. Explore limited access privilege programs (LAPP) for the for-hire and private recreational sectors along with improved data and monitoring of harvest and bycatch including:
- c. Explore the use of a catch card and fish tag system to manage the recreational harvest.
- d. Explore mechanisms for red snapper quota shares to be leased or sold back and forth between commercial and recreational sectors and either banked or fished recreationally.
- e. Explore establishment of a reef fish permitting system and red snapper endorsement for private recreational fishermen (or vessels).

Bycatch Reduction Ideas

- Explore the possibility of a first fish rule to reduce bycatch mortality
- Limit the number of hooks dropped per line to two for the recreational red snapper for-hire sector.

Motion carried

Other Motions

Motion: To approve the creation of the Outreach and Education AP

Motion carried

Motion: To jointly convene the Law Enforcement Advisory Panel with the GSFMC Law Enforcement Committee

Motion carried

Motion: To send a letter to the SOC to ask that if Florida and Texas do not enact compatible regulations in 2009, that the SOC move to pre-empt the state's regulations so that the state regulations would all be compatible

Motion to table

Motion to table carried 8 to 6

Motion: To write a letter expressing our gratitude to Bill Daughdrill for his service on the Council

Motion carried



Rick Ryals
Florida Sportsman Magazine

6/12/08

South Atlantic Council,

My name is Rick Ryals, and I'm the Program Director of the Florida Sportsman Radio Network. I have also been an avid bottom fisherman in Northeast Florida for some 40 years, both recreationally and commercially.

Let me take this opportunity to thank the council for the management measures that have been so successful in restoring many of Florida's great fisheries. Redfish, kingfish, sailfish, sea trout, swordfish, and red snapper have all been brought back from the eve of destruction by sound management.

Having fished these waters all my life, I have seen the collapse of many great fisheries, and the rebound of some others. I fished here in the 70's when snapper were plentiful, and in the 90's when the collapse was critical, and the red snapper were almost non existent.

Soon after 2000, the rebound began. We started seeing small snapper in the 12 to 16 inch range, and we all hoped for better times. Since 2004 the better times we wished for are here. Snapper are everywhere, and catching a 2 fish per person limit is almost a forgone conclusion.

I disagree with your data showing snapper in trouble, and I'm more convinced than ever, the 2 fish 20" size limit is an excellent program, and is restoring snapper to historic levels.

I fully support the use of circle hooks, and it's been my experience venting our throwbacks has greatly improved their chances for survival.

Thank You,


Rick Ryals
Florida Sportsman Magazine

FS MAGAZINE • FS ONLINE • FS RADIO LIVE • FS FISHING SHOWS • FS OUTDOOR STORE

WICKSTROM COMMUNICATIONS DIVISION OF PRIMEDIA, INC.

FLORIDA SPORTSMAN

2700 S. Kanner Hwy., Stuart, FL 34994 • Ph: 772-219-7400 • Fax: 772-219-6900 • www.floridasportsman.com

June 12, 2008

South Atlantic Fisheries Management Council
Scoping Meeting
Port Canaveral, Fl

My name is Brock Anderson. I own Bottom Dollar Charter Fishing in Port Canaveral, Fl. and have been fishing full time since 1974.

My purpose here today is to speak against a four month closure of all grouper fishing on this coast (Amendment 16 and 18). I propose instead the combination of other management measures to end over-fishing.

Due to the new mandates of the 2006 MSA, this well regulated and reasonably controlled grouper fishery may be closed to everyone for four months. In addition, there is the possibility of snapper being closed even longer with Amendment 18 on the horizon.

For the charter/head boat sector, a grouper snapper closure would be devastating. Race week, bike week, spring break and general winter tourism during this time frame is our bread and butter. Eighty percent (80%) of my business and one hundred percent (100%) of every party boat's business on this coast is bottom fishing. We must be allowed to give our customers the chance to catch and keep a fish.

I would suggest lowering the recreational bag limits to one gray grouper and one red snapper per person and not allowing the Captain and crew to count. In addition I would

change the size limit on Red Snapper from 20" to 18". I also recommend lowering the Aggregate limits for grouper and snapper from 5 to 3 per person. This shortens the effort and lessens the mortality rate. There is now reduction of fishing due to fuel cost and a slumping economy. This should be taken into consideration as well.

Charter and head boats will not be able to stay in business with a full closure of both snapper and grouper during our best months. Choose better management and not the easy way out.

Sincerely,

Brock Anderson
Bottom Dollar Charter Fishing
Port Canaveral, Fl.
321 452-1800 (home)
321 536-0802 (cell)

Steve Proctor
2312 Pine Island Court
Jacksonville, Florida 32224

Board Members of the SA~~FA~~AC,

RED SNAPPER ASSESSMENT 1960-2008

I have been a recreational fisherman since 1960 and recreational diver since 1974. My grandfather and father were avid bottom fishermen and so I went a lot with them when I was a kid. My father owned Monty's Marina for a couple years in the 60's so I fished regularly on the head boats that docked there. Beginning in the 70's I fished and dove with my friends and continue to do so today.

I saw the decline of red snapper and grouper beginning in the 70s and continuing through the 80s and early 90s and watched them slowly (especially red snapper) decline through the early 90s.

In the 70s red snapper and grouper were plentiful. On most days during the spring and fall you could catch all you wanted if you knew where to go and were persistent. On our dives we would fill our stringers with snapper and grouper. We kept practically everything including snapper and grouper as small as 16" because there were no limits and we could sell our excess to pay for our trip. We contributed to there demise.

In the 80s fishing was not as good but with a little luck you could still fill the fish box with both snapper and grouper and until the late 80s fishing was still pretty good. Then red snapper practically disappeared. You could still catch a few but not dependably and some trips you would strike out completely. Big red snapper (over 16#s) were very rare. We would still see quite a few grouper on dives but very few snapper.

In the 90s bottom fishing was awful. After the increase in minimum size in 1992 we rarely caught red snapper we could keep. For the rest of the 90s snapper fishing was really non existent for us. I don't think we caught a red snapper over 16#s in less than 90' of water during the entire decade. During dives we would see a few snapper, mostly small but there were still quite a few grouper.

From 2001 through 2003 we began catching a lot of undersized red snapper. There were very few legal fish though we did catch some limits but most of the fish we were able to keep were barely legal. We were still catching a good many legal grouper in the spring and fall. We saw a lot of small snapper and some grouper while diving in the summer.

In 2004 we began to catch a lot of legal red snapper. We were able to catch our limit on many trips and caught some bigger fish (over 16#s) but legal grouper became scarcer. We saw big schools of snapper while diving in the summer with quite a few legal fish in the schools. We also saw lots of small grouper but not as many legal fish.

In 2005 we started catching our limit of snapper on most trips and caught quite a few fish over 16# including one trip with a limit(8) snapper over 20#s. We began seeing huge schools of snapper on some reefs but most of the fish were still undersized. We saw schools of red snapper on most dives in the summer.

In 2006 was similar to 2005 but the snapper were a little larger on average.

Everything changed in 2007. We marked huge schools of red snapper on most reefs we fished even in the summer. We began releasing fish under 22" because we were so confident that we could catch our limit of larger fish. We caught quite a few snapper over 20#s during the year. We also started to catch more legal grouper although most of them were in the 8 to 12# range we did catch some bigger fish. We found it hard to catch other fish because of the abundance of red snapper. We saw the same thing diving, red snapper were plentiful just about everywhere.

2008 has been incredible. We now see huge schools of red snapper all over the place in the depths we fish from 55' to 95'. It is now rare for us not to catch red snapper on every reef we fish. They are all sizes and about half are legal size. We continue to release most of the snapper we catch under 22" We have caught snapper over 20#s on many trips. We also began catching a lot more grouper. They seem to be making a come back but not nearly like red snapper. Last Sunday after catching our limit of snapper and grouper on the second stop of the day we decided to spend the rest of the day just looking around to see where we could find red snapper and grouper. We made 7 more stops from 17 miles offshore to 5 miles from the end of the jetties and found a school of red snapper or grouper on every stop. We made our last stop on a small wreck shallow water I expressed amazement over the sheer size of the school of snapper. We made a few drifts on it and could not get bait to the bottom through the huge school of fish. We caught and released 25 red snapper in 30 minutes. They were all undersized but many of them were over 19" long.

My experience on releasing red snapper and grouper is that they are very hardy. It is unusual that a snapper or grouper not go immediately back down. I have dove spots that we have just released fish on and have never seen a dead snapper or grouper on the bottom. Venting them is a good idea if they need it but very few need it in the shallow water we normally fish.

If your research shows that the red snapper stock is in trouble, the data used in your formulas must be not correct. I have witnessed the resurgence myself.

My experience shows that the current 2 fish limit with a 20" minimum has worked perfectly even if it did take 10 years to do its job. If you think that more conservation is needed then increase the minimum size limit up an inch a year for a couple years. A 22" snapper is about 1/3 larger than a 20" fish and has a lot more roe.

If you do want to witness the abundance of red snapper for yourself I will be happy to take any of you fishing for free to see for yourself.

I will be glad to answer any questions.

Respectfully,

Steve Proctor

904-993-9134

Steve.proctor@proctorace.com

Roger Walker
1416 Pinewood Road
Jacksonville Beach, FL 32250
(904) 704-7760

June 12, 2008

Members of the SAMFC,

My name is Roger Walker. I was a professional firefighter for the City of Jacksonville, FL, where I have recently retired after 33 years of service with the rank of chief. I'm a two time past president of the Jacksonville Offshore Sport Fishing Club, which is one of the biggest sport fishing clubs on the East Coast of the U.S. Our slogan is "Pioneers in Reef Building" which we have been doing since 1959. I held a charter boat fishing license for 30 years with a qualification to 100 gross tons of vessel I could captain. I wrote a fishing article weekly in our local newspaper, The Beaches Leader, for six years. My articles were at times carried in 4 other papers. Currently I am a co-host on "The Florida Sportsman Live" radio show, which is a two-hour call in show on fishing.

I have fished the offshore waters of the northeast Florida coast (from Fernandina to Daytona) since the mid 1960's. The earlier years were purely as a recreational fisherman. As a "weekend warrior", I was driven to hone my skills until I obtained a "six pack" 15 gross ton charter boat license from the U.S. Coast Guard.

My specialty in the fishing business was fishing for tarpon and king mackerel during the summer months. Charters dwindled when school started again in September so that left the fall and winter months for commercial snapper and grouper fishing. We did one-day trips in our small boats and caught enough fish to make the effort worthwhile.

This brings me to my assessment of the red snapper stocks in the area I fished back then and continue to fish now.

In the early 70's there were plenty of red snapper to be caught but there were plenty of one-day commercial fishermen just like me to catch those fish and those fish were more times than not on the small size. A 4 to 8 pound fish definitely was not the norm. "Two to fours" as they were called were more prevalent and were in fact the norm. Those 2 to 4's would not be legal by today's 20-inch limits.

During the late 1980's to the early 90's the red snapper fishery got as near to a collapse as I can imagine any fishery getting. There were several years that you just didn't catch many at all and when the new limits came in catching a legal fish was almost impossible. I even quit taking fall charters that wanted to target red snapper; there was just no point.

The limits have turned out to be a great thing. Those and the permit required to harvest snapper and grouper. You see that permit took fishermen like me out of the commercial snapper business. No longer could I sell snapper so why go and catch more than what I

needed for my own family. That permit alone has saved countless numbers of red snapper over the years.

Now as to my observations about how those limits of 2 fish per person, 20" minimum length played out in my area. At first all we saw were small fish in the 14 to 16" range. "They'll grow," we were told but it surely was a slow growth. It took several years before we started seeing 18 to 19" fish and more years before those fish hit that magic 20" length.

That brings us to the present. Those 20" fish are now the norm. That's a 4 to 8 pound fish that during the 70's was not the norm. They just weren't that size and now they are virtually everywhere in our area. October through December with a short April season, like back in the 70's...Ha! Our season was wide open last summer and it hasn't slowed down yet. And large fish, ones we call sows and mules (16 pounds and up) are a common catch. A friend of mine even caught a 21-pound red snapper on 6-pound test the other day, once verified it will be a new IGFA world record.

This brings me to my conclusion, were red snapper over fished in our area? Yes, but it was back in the late 1980's. Was this over fishing addressed? Yes, by the implementation of a federal permit to catch and sell commercial quantities of red snapper and grouper and the additional limits of 2 fish per person with a 20" minimum size limit on the recreational fishermen.

If there is data stating that red snapper are over fished off of the northeast Florida coast right now then I have to question the validity of that data. But rest assured that my testimony to you is factual and is valid. Red snapper in the waters I fish here on the northeast Florida coast have never been better in my fishing career (mid 1960's to the present).

Now as to your requirement to address red snapper over fishing. You did it in the early 90's and the fruits of your labor are plentiful. You did a great job! A job so good that further limits in my opinion are unnecessary.

Thank You,

Roger Walker

Submitted by Barry Freeman
Capt. Sea Spirit

Dear South Atlantic Fishery Management Council:

I, Becky Hogan am the owner of the Mayport Princess Party Fishing Vessel, along with Captain George Strate, home port, Mayport Florida.

I will be out of the country, starting, on Wednesday, June 11th and therefore, not able to attend your council meeting in Orlando this week. I have called your office and was informed that all of your employees will be checking their emails during this conference; therefore, I am submitting them to you in writing for consideration.

The Mayport Princess, as you probably already know, fishes every day weather permitting (minus a few scheduled maintenance days), and could provide a wealth of ACCURATE data in regards to previous red snapper and Vermillion snapper catches. I am sure you are aware that there has been **HUGE CONTROVERSY** regarding Mr. Dan Tyson's supposed reporting of the catch records or accurate/consistent sampling efforts (otoliths, etc.) for the Mayport Princess over the past few years. If you are not, I will be happy to pass that information on to you. I can provide testimonies of hundreds of customers over the past few years, from the few days he bothered to show up at the dock, that when he was there, he was DRINKING alcohol (Budweiser, to be exact) from the time of arrival, until he left to drive off in his what appeared to be government issued transportation, apparently, intoxicated. Of course, as the owner of the Mayport Princess, I am greatly concerned about any potential closures, based on any information provided by Mr. Tyson, particularly regarding red snapper and Vermillion snapper, as that makes up a large percentage of our daily catch (If you are wondering why myself or Captain George, did not report his behavior and frequent absences for months at a time, we never felt it was OUR JOB to police government employees or provide quality control for your data assessments, but instead to focus on catching fish for our customers). My biggest concern is, "**where is your information coming from in your SEDAR assessment?**", and how accurate could it possibly be, KNOWING that Mr. Tyson has NOT performed his job (at least while sober) in at least the past four or five years and who knows before that, as he has been coming to Mayport for over 10 years. I am assuming that information (from CONSISTENT catch records and sampling efforts) regarding catches from a Party Fishing Vessel that fishes EVERY DAY that the weather permits would be INVALUABLE to your organization. In the past six months, I have been contacted **MORE THAN A DOZEN** times (by Mr. Kenneth J. Brennan, NMFS, Beaufort Laboratory), regarding the **POOR** performance of Mr. Tyson over the last few years, and looking back on those dozen or so conversations, it seemed that all of the sudden there was an urgent need to obtain our catch records (WHICH WE HAVE BEEN FOR 10 years, instructed to personally hand them to Mr. Tyson, NOT mail them). I have many more 100% accurate incidences that I can personally discuss with you regarding Mr. Tyson (like within the past month, he GUARANTEED he would be collecting and sampling on May 17th, (HE CALLED TO CONFIRM THIS) and guess what, once again, NO MR. TYSON!! He called three days later and when asked why he didn't bother to show up; turns out he had to stay home and watch the PREAKNESS run that day. If any one is interested in the quantity of red snapper and sizes caught that particular day, my charter would be happy to provide that information, for any one (like your Council) who might need it! I guess reporting accurate and CURRENT data in a supposed **critical time**

06/12/08

To whom it may concern:

I, Robert Fräsch, have been living out of Ponce Inlet for over 10 years.

I have watch the fish population explode in the past few years, most prolific are the red & mango snapper, having been surrounded by hundreds at a time: especially the Red Snapper. Granger (gag & black) are so prevalent just take your pick any given day.
Best fishing ever.

Capt Robert Fräsch.

ETLAUD PROP
FRANK

954-467-7723

SUMMARY

HOW WE GOT INTO THIS MESS

In 1996, the United States Congress passed The SUSTAINABLE FISHERIES ACT which brought the Magnuson Stevens Act into conformity with a United Nations Treaty. Since that time The National Marine Fisheries Service and the seven Regional Fishery Management Councils have unwittingly come under the mandates of an un-ratified United Nations Treaty: **UNCED/ The Convention on Biological Diversity (CBD) and AGENDA 21**. The provisions in this Treaty were shown to be so anti- American that the U. S. Senate in 1993 refused to even vote on it. That's right, it was never voted on and ratified by the U.S. Senate.

Nevertheless, directed by Executive Order's and the above legislation, both of which were used to circumvent the Constitution, The NMFS has been directed to implement the policies of The United Nations in U.S. domestic fishery management programs.

Specifically, in the Southeast Region one of the first was the implementation of Amendment 8 to the Snapper-Grouper Management Plan by the this Council. This amendment carried out the first U.N. mandate to "reduce over capitalization" The results were that the majority of the permit holders in that fishery lost the ability to re-new their permits. Another feature of the U.N. treaty requires the creation of "Marine Protected Areas".

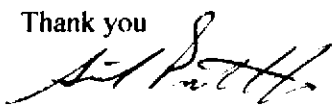
Since 1996, there has been an unrelenting onslaught of regulations all spawned out of the United Nations, designed to control, restrict, and constrain not only just the American fishing industry but every aspect of the American way of life. Fishery regulation is only a small part of AGENDA 21.

These policies run counter to the principals of freedom and liberty that this nation was founded upon yet these are now official government policy. I read on the Dept. of Commerce website that "We will demonstrate and honor our international obligation under UNCED". Question: How do we have any "obligation" to UNCED when the Senate has not ratified it? If it's not ratified why was the NMFS designated "...the lead NOAA Line Office on marine and coastal CBD issues"? Why did the EPA in a document dated August 6, 1994 outline a multi-year plan "...directing natural resource agencies to implement the CBD and Agenda 21? These have not been rescinded

The implementation of these policies by the NMFS have had and continue to have a significant negative impact on American Commercial Fishermen. The Commercial fishing industry in this country has been and continues to be decimated by these policies and is now only a remnant of it's former self with fishermen and the few dealers that are left barely hanging on.

It's past time that we become educated as to how we got to this point, recognize that we have been wrongly directed down the wrong road, and now do something about it.

Thank you



Sid Preskitt

June 12, 2008



The Wizardry Behind Fishery Management by Sid Preskitt

Oceans and Coasts

Summary: Summary:

FLORIDA -- Like Dorothy's Wizard, the main force driving the new paradigms in fishery management policy today have remained relatively hidden, cloaked in an obscure fog of distant international environmental policy meetings. It's now past time to pull back the curtain and see exactly who is back there, writes Sid Preskitt.

Full Text: Full text:

In The Wizard of Oz, Dorothy and Toto were caught up and swept away by the strong winds of a tornado. Today, fisherman likewise are caught in the whirlwinds of change and in general have a helpless feeling of "being under attack". In any battle, it is essential to have an understanding of exactly who is attacking you to have any hope of prevailing over your opponent. Like Dorothy's Wizard, the main force driving the new paradigms in fishery management policy today have remained relatively hidden, cloaked in an obscure fog of distant international environmental policy meetings. It's now past time to pull back the curtain and see exactly who is back there.

The concept of Marine Protected Areas began to come to the attention of fishermen around 1993, soon after the United Nations held a conference in Rio de Janeiro which became known as the "Earth Summit". This meeting saw the introduction of a treaty known as The Convention on Biological Diversity (CBD) with its companion documents, The Global Biodiversity Assessment (GBA), Agenda 21, and The Rio Declaration,

The Introduction to Agenda 21 states that "Agenda 21 stands as a comprehensive blueprint for action to be taken globally -- from now into the twenty first century -- by governments, United Nations organizations and independent-sector groups, in every area in which human activity impacts on the environment". This "blueprint for action" will be implemented through what is called "Sustainable Development", a benign-sounding catch phrase which actually translates into tightly regimented regulation over all human activity.

With this declaration the United Nations set sail in earnest, now equipped with the tools to completely restructure the fabric of our society.

Upon receiving the incomplete treaty the U. S. Senate requested the "Scientific Study" which was mandated in Article 25 of the CBD and is the implementing mechanism. The word came back that it had not been written yet, but to go ahead and ratify it anyway. In the Senate debate Senator Kay Bailey Hutchison alarmingly pointed out that the details would be written after the ratification and moreover were "not subject to reservation".

Regardless of these facts, the Senate was one day away from complying with the audacious demand of the U.N. and was ready to vote when Dr. Michael Coffman, an eminently qualified environmental scientist, was able to obtain a copy of the 1000-plus page U.N. Global Biodiversity Assessment (GBA) and Agenda 21, from a United Nations office overseas. When the radical nature of the CBD was presented to Congress, the ratification process was halted in its tracks.

This setback was hardly an obstacle to the Clinton Administration, which operated with little regard to the Constitution, but more as presidential aide Paul Bergala succinctly put it: "stroke of the pen, law of the land. Kinda cool huh?" Clinton quickly formed the President's Council on Sustainable Development (PCSD) with Executive Order 12852 and charged it with implementing the provisions of the un-ratified Convention and Agenda 21. The non-elected members of the PCSD promptly issued 154 specific public policy recommendations to be implemented throughout America.

The Environmental Protection Agency (EPA), in a 1993 internal working document released before the CBD was given to the Senate, actually called for its implementation: it specified that all land use programs instituted should follow the strategy laid out by the PCSD and Agenda 21; "Natural resource (NMFS) and environmental agencies... [should] develop a joint strategy to help the United States fulfill its international obligations [e.g. Convention on Biodiversity and Agenda 21]. The Executive Branch should direct federal agencies to evaluate national policies... in light of international obligations, and to amend national policies to achieve international objectives".

The National Marine Fisheries Service was soon designated by the National Ocean and Atmospheric Administration (NOAA) as "the lead NOAA Line Office on marine and coastal Convention of Biological Diversity issues" and followed suit in amending "...national policies to achieve International objectives" by implementing the "Essential Fish Habitat" management paradigm.

Dr. Aleta Hohn, of the Southeast Fisheries Science Center Beaufort Lab, wrote an article, published in the October 1997 issue of "The South Atlantic (Fishery Management Council) Update", in which she explained that "The objectives of conservation and enhancement of 'Essential Fish Habitat' are parallel to objectives of the United Nations Convention on Biological Diversity, a binding international agreement which entered into force in 1993". Further... "In 1995, the United Nations Environmental Program (UNEP) held a meeting to address another particular concern of marine resource managers and scientist, the effects of land-based activities. The resulting 'Global Programme of Action for the Protection of the Marine Environment from Land Based Activities' identified two objectives to be accomplished... {Once} again, these objectives are similar to those promoted under the CBD, by the National Research Council, and as part of the EFI process". Listed as an Objective of the UNEP is: "establish marine protected areas..." Dr. Hohn also relates in this article that "...the Magnuson-Stevens Act closely parallels the recommendations of... international forums".

These extraordinary statements go a long way in making clear that our fishery management policies have been hijacked by forces foreign to our shores and foreign to our way of life. This is evidenced further with the adoption of the Rio Declaration (signed by Bush) which re-affirms the U.S. commitment to the goals the UN laid out. Principal 15 states that "In order to protect the environment, the precautionary approach shall be widely applied by states according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation".

The "Precautionary Approach" was incorporated into the Magnuson-Stevens Act as "Risk Adverse Management", where no empirical scientific evidence of any problem is necessary to precipitate action. This is exactly the reason the Red Porgy fishery was shut down for 18 years off the coast of four states in the southeast. NMFS perceived a problem with the fishery off North Carolina and by emergency action closed down the fishery despite testimony by Porgy fishermen in Florida and Georgia that Porgies were plentiful there.

Agenda 21 also mandates the use of the "Precautionary Approach", also known as the precautionary principle. It also calls for reductions in "Overcapitalization" and reductions in fishing fleet size. Accordingly the NMFS has been implementing "License Limitations" plans. one example is Amendment 8 to the South Atlantic Snapper Grouper Management Plan passed in 1998. This resulted in approximately 75 percent of the permit holders in that fishery losing the ability to renew their permits. NMFS explained that the fishery was "overcapitalized"

In January 1999 a letter signed by six U.S. Senators was sent to James F. Hinchman, G.A.O. Comptroller General voicing their concern that "The fishery rebuilding provisions contained in the Sustainable Fisheries Act 16 U.S.C. 1854 (e) appear poised to require significant additional restrictions on fishing effort". Following suit, the Gulf Management council is currently proposing a new round of regulations in the King Mackerel fishery comprised of a "license limitation" system with restrictive "Individual Fishing Quotas".

Although the CBD is still an unratified Treaty, in today's upside down world it simply makes no difference. Former Senator Connie Mack stated in a personal letter that "...the spirit of the Convention is now federal law in accordance with the passage of the Sustainable Fisheries Act... which reauthorized and amended the Magnuson-Stevens Act" [to conform to the wishes of the UN].

Dr. Coffman, author of "Saviors of the Earth?" referred to the treaty as the most anti-human document he had seen. one of the features imbedded inside are plans to implement "The Wildlands Project" designed in part by Dave Foreman, co-founder and long time leader of "Earth First", widely known as an "eco-terrorist" group for activities such as "spiking" trees. Mr. Foreman was arrested in 1989 for his association with a bombing.

The goal of The Wildlands Project is the removal of the rural populations and returning "at least 50 percent" of the land mass of the continental United States to "Wilderness" with "little or no human use". Foreman, in a special issue of "Wild Earth" magazine described the plan as "...a bold attempt to grope our way back to October 1492...". Foreman also makes his contempt for those in rural America that oppose his grand scheme clear with this assessment "...youngsters leaving the farm...over the years has resulted in a gradual but significant dumbing down of rural America". The editor of "Wild Earth" magazine, which published a special edition devoted to the Wildlands Project, stated "Does all the foregoing mean that Wild Earth and The Wildlands Project advocate the end of industrial civilization? Most assuredly, Everything civilized must go".

Central to "The Wildlands Project" design are "Core Wilderness Areas to be managed as roadless areas (wilderness). All roads should be permanently closed". These Core Wilderness Areas are to be connected to others in spider web fashion with interconnecting wildlife corridors, all surrounded with highly regulated "Buffer Zones" allowing "limited human use". Clinton then instructed the U.S. Forest Service to move forward with plans to close down public access to an additional 43 million acres of land.

Florida is implementing The Wildlands Project through its newly enacted "Plan for a Statewide System of Greenways" which attributes the design of the Florida plan to the works of Larry Harris, Reed Noss and Michael Soule' the acknowledged architects of "The Wildlands Project". A map of the state published by the Wildlands group shows a three stage transformation over time to where 90 percent of state lands will be under ownership of the government and managed according to UN, Agenda 21 and Wildlands Project dictates. This is well under way in Florida, where land acquisitions by both state and local governments forge ahead with extravagant expenditures despite serious budget shortfalls that are manifesting in areas vital to human health such as cut backs in prescription drug assistance to the elderly and help for the mentally disabled.

In Dr. Coffman's analysis of The Wildlands Project he states that to carry out the objectives of this plan "means... forcing people to move to permitted human occupation zones and possibly shutting down half of the agriculture, forest products and mining industries." Indeed, the United Nations Program of Action of the International Conference on Population and Development produced a manual, "The Forced Relocation of Rural Populations", which included the statement "When rural resident inhabitants are denied access to the natural resources essential to their livelihoods, they will be forced by economics to relocate".

Is it just coincidence that every industry that produces from our natural resources is being forced out of business by overregulation or so-called "free trade agreements" that flood the country with

foreign products which are sold at or below our cost of production? Patrick Goggins, Publisher of "Agri-News", summed it up in an article published in the August 2003 newsletter of The Paragon Foundation with this statement: "The Free Trade Area of the Americas Treaty that's being proposed, which would be an extension of NAFTA, would be the most devastating situation for the American farmer that's come along in US history".

The relocation plan is spelled out in the protocol to the Convention on Biological Diversity in Chapter 10.5., which states that "During the initial stages of park and reserve establishment, there may be a transition phase while local inhabitants are provided with options for relocation..." The U.S. Fish & Wildlife Service in a helpful fashion makes available a publication entitled "Relocation Assistance" for Owners, Tenants and Businesses...covering persons that must move from property as a result of acquisition. In a Wall Street Journal article this "relocation" of the population was termed "Rural Cleansing". Kimberley Strassel, the author, stated that "...repeating itself across the country ...the goal of many environmental groups ...is no longer to protect nature. It's to expunge humans from the countryside."

Not satisfied with shutting down most of the land based natural resource production, on June 4, 2001, in compliance with section 10.6.4.2 of the un-ratified UN Treaty, ("The CBD requires the creation of a system of protected areas"), President Clinton issued Executive Order No.13158, calling for a "comprehensive national system of Marine Protected Areas". Also called for by the accredited UN Non-Governmental Organizations: The International Union for the Conservation of Nature, The World Conservation Union and World Wide Fund for Nature. In their plan for a Global Marine Policy: "Creating a Sea Change", Objective 1, is "The establishment and implementation of a comprehensive global network of ...MARINE PROTECTED AREAS..." The UN Economic and Social Council, Commission on Sustainable Development Report, April 1997, "Implementation of Agenda 21 and Convention on Biological Diversity", noted that The Jakarta Mandate, which proposed a framework for global action to maintain marine and coastal biodiversity ...identified marine and coastal protected areas as one of five thematic programs which will be the focus of further attention in the CBD process.

The solidifying link to the UN of the "Marine Protected Area" concept pushed by the National Marine Fisheries Service and various state fishery management agencies is found in a recent government publication: "Marine Protected Areas [MPA], Tools for Sustaining Ocean Ecosystems", published by the National Resource Council. on page 150: "MPA'S have been identified as an important mechanism to attain the objectives of the CBD". To make this clear: MPA's are the marine extension of "The Wildlands Project".

The recreational fishing sector is starting to get the picture also with large scale closures taking place from east to west coasts. Under a decision that came in October 2002, the California Fish and Game Commission announced that coastal waters surrounding the Channel Islands, equaling about 30 percent of Southern California's best fishing area's will be off-limits to all fishing. Karl Wickstrom, publisher of Florida Sportsman Magazine, well-known for its anti-commercial fishing stands, lamented that with the closure of a large area around the Dry Tortugas "[it]...has opened the floodgates for numerous new no-fishing zone (MPA) proposals... many of Florida's premiere saltwater fishing area's are being considered for complete prohibition on all types of recreational fishing".

With some MPAs now established, the camel's nose is in the tent and the NMFS is proceeding with a extensive list of additional areas on both coasts to arbitrarily close. Recently the call came from environmental groups to expand the MPA plan to 40 percent of the ocean area. How long will it be before we see the proposal that all these areas will need to be "linked" with a network of fish transit fairways?

As the 1997 UN Implementation report states, "Negotiated contemporaneously with Agenda 21 a central purpose of the CBD is to promote Sustainable Development. It is the first truly and for the moment the foremost sustainable development treaty. Furthermore, it is the only legally binding

international instrument which is so fundamentally based on this concept. The CBD is therefore an important and effective instrument for the implementation of Agenda 21 and in turn has an important contribution to make to the General Assembly's efforts to implement sustainable development". Sustainable Development is not just some new catch phrase; it is a action plan to control and regulate every aspect of human activity.

Gro Harlem Bruntland, former Prime Minister of Norway, was vice chair of the Rio Earth Summit. She was also vice president of the International Socialist Party and freely acknowledged that the Earth Summit agenda was based upon the International Socialist Party's platform. Correspondingly, The United Nations land use policy does not recognize private ownership of land, which is a bedrock principle of the freedom and liberty that contributed to the unmatched success of America.

Billie Jean Roney, a western cattle rancher put things in perspective when she summed it up in a biographical sketch of her, published in "The eco-logic Powerhouse" with this warning:

"The real fight is this: a nation that cannot feed itself, and provide other natural resource-based material for daily survival, cannot remain a sovereign nation, and will eventually fail".

Its been said that in finding solutions to problems that you have to identify the cause. Any fisherman, logger, rancher or farmer will tell you that they have the feeling that they are in a fight for the survival of their livelihoods and indeed their way of life which is part of the unique culture and heritage of our country.

Perhaps the foregoing information will identify for you who is at work behind the curtain and thus identify the problems. Now it's up to you to be a part of finding the solution.

Read also: Monterey Bay National Marine "Sanctuary": Poison Candy? by Joanne Nathan

*CREDIT FOR RESEARCH OF INFORMATION IN THE FOREGOING ARTICLE
IS TO MR. HENRY LAMB, ECO-LOGIC AND DR. MICHAEL COFFMAN SP*

September 4, 2007, 16:04:03 GMT

The Wizardry Behind Fishery Management by Sid Preskitt
<http://www.freedom21santacruz.net/site/article.php?sid=109>
Content © 2003 - 2006 Freedom 21 Santa Cruz, All Rights Reserved.

ESSENTIAL FISH HABITAT: ESSENTIALLY BIODIVERSITY CONSERVATION



by Aleta Hohn, PhD.
Leader, Marine Mammal Team
NMFS
Southeast Fisheries Science Center
Beaufort Lab

It seems inevitable that the focus of management for sustainability of resources, hopefully into perpetuity, would turn to habitat conservation. It is remarkable that recent years have found a convergence of thought on this critical need across a number of national and international forums. Possibly beginning internationally with the Earth Summit held in Rio de Janeiro in 1992 and most recently with the national emphasis on protection of essential fish habitat, explicit recognition that the maintenance of suitable living conditions is paramount for maintenance of biodiversity has permeated our approaches to resource management.

Biological diversity, or biodiversity, can be defined broadly as the diversity of life, including that within species (genetic diversity), between species, and of ecosystems. The conservation of biodiversity is aimed toward maintaining the characteristic structure and function of ecosystems. Often, this requires protecting habitat. Therefore, the goals of conserving essential fish habitat and biodiversity are two sides of the same coin.

The objectives of conservation and enhancement of Essential Fish Habitat are parallel to objectives of the United Nations Convention on Biological Diversity, a binding international agreement which entered into force in 1993. To accomplish the objectives of conservation and sustainable use under the Convention, specific Articles address the requirement for identification and monitoring, sustainable use of components of biological diversity, research and training, and public education and awareness. In addition, an Article explicitly addresses *in-situ* conservation, including the importance of marine protected areas and the need to restore degraded ecosystems and promote recovery of threatened species.

Box 1

Biodiversity changes due to anthropogenic effects - critical environmental issues:
fisheries operations,
chemical pollution and eutrophication,
alteration of physical habitat,
invasions of exotic species, and
global climate change.
(National Research Council, 1995)

Recognizing that much attention had been paid to terrestrial, particularly tropical forest, biodiversity, the National Research Council of the National Academy of Sciences held a workshop in 1994 to produce a research agenda for marine systems. In a report entitled "Understanding Marine Biodiversity" (1995), participants noted that in order to describe, understand, and predict changes in marine biodiversity, we need to know (1) patterns of biodiversity (mapping), (2) anthropogenic and natural processes that generate or alter these patterns, and natural processes that generated a given pattern (linkages and processes), and (3) consequences to ecosystem function of biodiversity change. Those changes are due to environmental stresses, many of which are caused by human activities (Box 1).

Also in 1994, at the first Conference of the Parties of the Convention on Biological Diversity, delegates chose "the conservation and sustainable use of marine biodiversity" as the first thematic topic for deliberation. Further meetings of delegations identified five priority issues within this theme: the need for integrated marine and coastal area management, the importance of marine and coastal protected areas, the conservation and sustainable use of marine and coastal living resources, the need for environmentally sound mariculture, and the impacts of alien or exotic species.

Continued next page

In 1995, the United Nations Environmental Program (UNEP) held a meeting to address another particular concern of marine resource managers and scientists, the effects of land-based activities. The resulting "Global Programme of Action for the Protection of the Marine Environment from Land-based Activities" identified two objectives to be accomplished at the national, regional and international levels for the purpose of protecting habitat and biodiversity (Box 2). Once again, these objectives are similar to those promoted under the Convention on Biological Diversity, by the National Research Council, and as part of the EFH process.

In requiring the fishery management councils, along with NMFS, to describe EFH (mapping), identify EFH (linkages and processes), identify stresses, and make recommendations on how best to restore degraded habitats, the Magnuson-Stevens Act closely parallels the recommendations and requirements of other national and international forums. Indeed, the issues echo across these recent deliberations. The major threats to biodiversity have been identified as overexploitation, introduction of alien species, unsustainable mariculture, irresponsible land-based activities, and habitat alteration and destruction. Managing the threats to biodiversity will require integrated marine and coastal area management, marine protected areas, and socio-economic alternatives. The encompassing goal is to maintain ecosystem structure and function. Research gaps that currently prevent us from achieving that goal are the need for more information on the (1) patterns of biodiversity (genetic, species, ecosystem), (2) effects of changes in biodiversity on ecosystem function, (3) the effects of changes in habitat (quality and quantity) on biodiversity, and (4) alternative models for management (socio-economic and biological).

Successful implementation of measures to conserve and enhance EFH will not only be consistent with the now internationally agreed need for habitat and biodiversity conservation, it will put U.S. fishery management in the lead for both marine and terrestrial systems in managing for the long-term welfare of our precious biological resources.

SEAMAP Bottom Mapping Project Aids Council

by Roger Pugliese
SAFMC Fishery Biologist

As Chairman of the South Atlantic South East Area Monitoring and Assessment Program (SEAMAP) Committee, I am pleased to report that the efforts of the last four years through the cooperative multi-state SEAMAP bottom mapping project have brought together available information on the distribution of coral and live/hard bottom habitat in the south Atlantic region. The timing of the comple-

tion of the initial phase of the project will greatly aid in the Council's efforts to identify essential fish habitat. The Florida Marine Research Institute, as a deliverable product for the 1997-1998 funding year, is compiling all bottom habitat distribution information from each state in a comprehensive CD. This CD will be available in March and will include the individual state reports as well as Arc View maps of the

hard bottom habitat in the South Atlantic including detailed distribution information for both the Florida Keys and Grays Reef National Marine Sanctuaries. This information will also be made available through the Habitat and Environmental Protection Homepage (under construction) at the SAFMC web site (www.safmc.nmfs.gov).

Box 2

Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities (UNEP 1995)

Objectives:

- Safeguard ecosystem function, maintain the integrity and biological diversity of habitats which are of major socio-economic and ecological interest through integrated management of coastal areas;
- Where practicable, restore marine habitats that have been adversely affected by anthropogenic activities.

Activities:

- National actions, policies, measures - Formulate, adopt, and implement programmes for integrated coastal zone management.
 - identify habitats of major socio-economic and ecological significance such as spawning grounds, breeding grounds and nurseries of marine living resources;
 - conduct assessments that involve stakeholders to identify land-based activities that degrade or destroy key habitats;
 - encourage economic and social sectors whose activities may degrade or destroy habitats to adjust those activities; and
 - establish marine protected areas in coastal areas to maintain the integrity and biological diversity of their habitats.
- Regional actions - Formulate and adopt regional-scale approaches to safeguarding critical habitats.
- International actions - coordinate and formulate guidelines for the preservation of habitat and normal ecosystem functions in coastal areas, particularly in the context of integrated coastal area management.

EARTH SUMMIT

AGENDA

21

**THE UNITED NATIONS
PROGRAMME**



Introduction

Agenda 21—a programme of action for sustainable development worldwide, the Rio Declaration on Environment and Development, and the statement of principles for the sustainable management of forests were adopted by more than 178 Governments at the United Nations Conference on Environment and Development, known as the Earth Summit, held in Rio de Janeiro, Brazil, from 3 to 14 June 1992.

Together they fulfil the mandate given to the Conference by the United Nations General Assembly when, in 1989, it called for a global meeting to devise integrated strategies that would halt and reverse the negative impact of human behaviour on the physical environment and promote environmentally sustainable economic development in all countries.

The agreements, which were negotiated over two and a half years leading up to the Summit and finalized in Rio, are presented here in final form. While they lack the force of international law, the adoption of the texts carries with it a strong moral obligation to ensure their full implementation.

→ Agenda 21 stands as a comprehensive blueprint for action to be taken globally—from now into the twenty-first century—by Governments, United Nations organizations, development agencies, non-governmental organizations and independent-sector groups, in every area in which human activity impacts on the environment.

The Agenda should be studied in conjunction with both the Rio Declaration—which provides a context for its specific proposals—and the statement of forest principles. It is hoped that the forest principles will form the basis for a future international-level agreement.

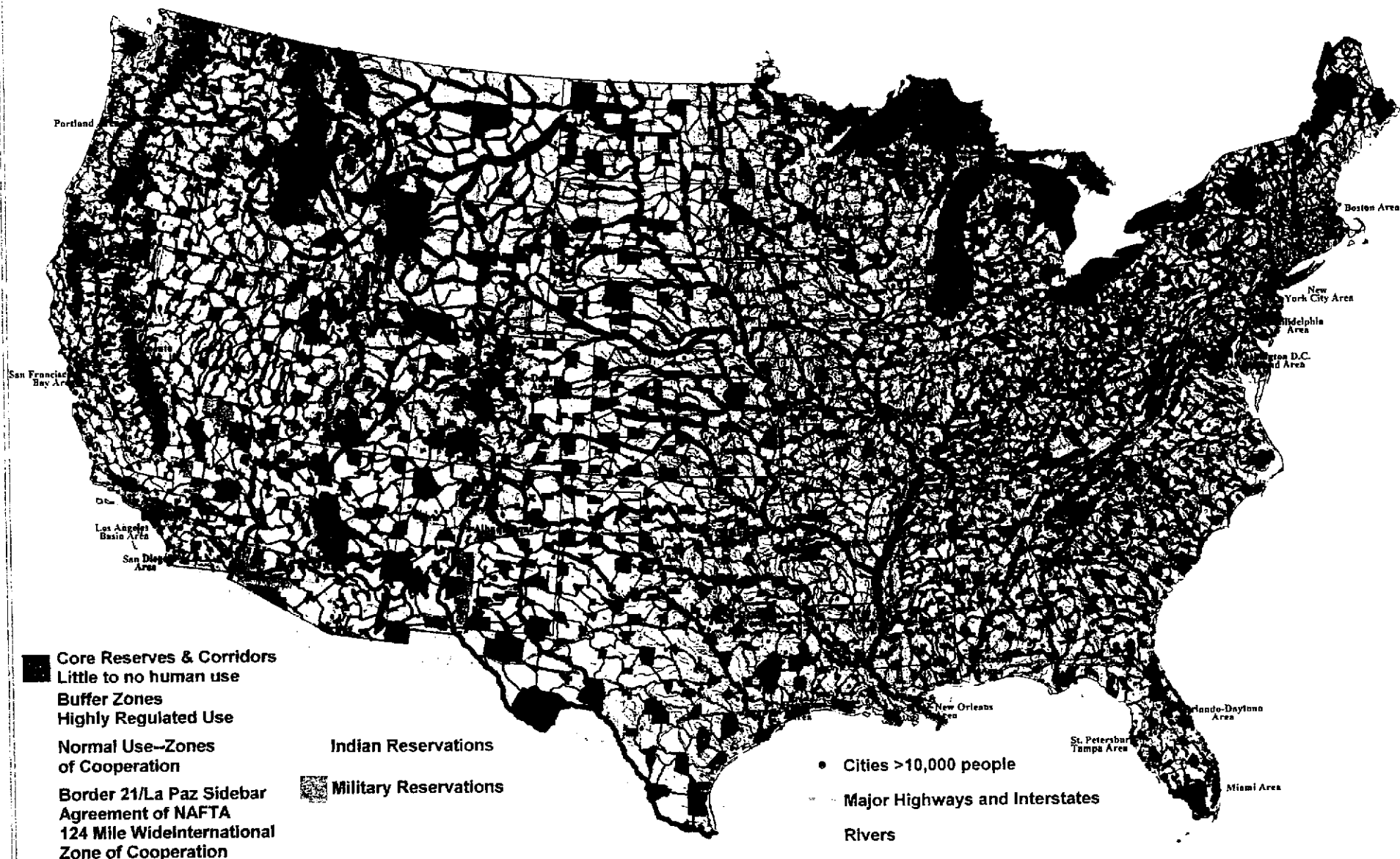
Underlying the Earth Summit agreements is the idea that humanity has reached a turning point. We can continue with present policies which are deepening economic divisions within and between countries—which increase poverty, hunger, sickness and illiteracy and cause the continuing deterioration of the ecosystem on which life on Earth depends.

Or we can change course. We can act to improve the living standards of those who are in need. We can better manage and protect the ecosystem and bring about a more prosperous future for us all. No nation can achieve this on its own. Together we can—in a global partnership for sustainable development.

Central to that partnership will be the United Nations Commission on Sustainable Development, established by the General Assembly in response to a request of the Conference. Made up of Government representatives, it will examine progress made in implementing Agenda 21 globally. The Commission will first meet in June 1993—the first anniversary of the Earth Summit.

Simulated Reserve and Corridor System to Protect Biodiversity

As Mandated by the Convention on Biological Diversity, The Wildlands Project, UN and US Man and Biosphere Program, and Various UN, US Heritage Programs, and NAFTA



Taken From: The United Nations Convention on Biological Diversity, Article 8a-e; United Nations Global Biodiversity Assessment, Section 13.4.2.2.3; US Man and the Biosphere Strategic Plan, UN/US Heritage Corridor Program, "The Wildlands Project", WildEarth, 1992. Also see Science, "The High Cost of Biodiversity," 25 June, 1993, pp 1968-1871 and the Border 21 Sidebar of NAFTA. The very high percentage of buffer zone in the West is due to the very high percentage of federal land. NOTE: Do not use this map for real estate purposes.

Copyright 1997, Environmental Perspectives, Inc. (207) 945-9878

EXPLANATION OF THE BIODIVERSITY TREATY AND THE WILDLANDS PROJECT

This map is based on the strategy and procedures laid out in what is known as the *Wildlands Project* and the *UN/US Man and the Biosphere Program* (MAB). Both are based on the need of protecting biological diversity using core wilderness reserves which are surrounded by buffer zones that variably regulate human activity to protect the attributes of the core reserves (see below). Areas not included in core reserves or buffer zones are *zones of cooperation* where regulations are designed to favor biodiversity and ecosystems.

The Statutory Framework of the World Network of Biosphere Reserves, The Seville Agreement for the MAB Program, and the Strategic Plan for the USMAB all state the MAB Program is designed to help implement the *Convention on Biological Diversity*, a treaty that was never ratified by the U.S. Senate. Likewise, Section 13.4.2.2.3 of the United Nations Global Biodiversity Assessment defines the Wildlands Project as the basis for preserving biodiversity for the *Convention on Biological Diversity*. The Wildlands Project is based on the science of *conservation biology* and was developed by Dr. Michael Soulé, co-founder and first president of the *Society for Conservation Biology*; Dr. Reed Noss, current editor for the journal of *Conservation Biology*; and David Foreman, co-founder and long-time leader of *Earth First!*

The science of conservation biology was largely created by the IUCN (International Union for Conservation of Nature). The IUCN is an accredited UN advisor and is comprised of government agencies and NGOs (non-governmental organizations). These include the EPA, US Forest Service, US National Park Service, US Fish and Wildlife Service, The Sierra Club, National Wildlife Federation, Natural Resources Defense Council, The Nature Conservancy, Society for Conservation Biology, and many others. The IUCN also helped write the *Convention on Biological Diversity*. This perhaps explains why the US Government and environmental organizations appear to be working in concert to implement the Wildlands Project and Biodiversity Treaty, even though the treaty has not been ratified.

The Wildlands Project is now being implemented by various federal agencies as directed in an August 6, 1994 Environmental Protection Agency Internal Working document, "Natural resource and environmental agencies... should... develop a joint strategy to help the United States fulfill its existing international obligations (e.g. *Convention on Biological Diversity, Agenda 21*). . . the executive branch should direct federal agencies to evaluate national policies... in light of international policies and obligations, and to amend national policies to achieve international objectives."

This map is drawn under the supervision of a Ph.D. in Ecology, and follows instructions provided by the Wildlands Project, the UN/US MAB, and the rapidly increasing control within US counties through the UN/US Heritage programs. This is especially true for counties having federal land, particularly in the Western US. The map incorporates, when available, actual maps as well as a multitude of government and environmental literature demanding various reserves or national parks interconnected with corridors.

MAGNITUDE OF THE WILDLANDS PROJECT

"Conservation must be practiced on a truly grand scale," claims Reed Noss. And grand it is. Taken from the article "The Wildlands Project: Land Conservation Strategy" in the 1992 special issue of *Wild Earth*, Noss provides the whopping dimensions of this effort.

Core reserves are wilderness areas that supposedly allow biodiversity to flourish. "It is estimated," claims Noss, "that large carnivores and ungulates require reserves on the scale of 2.5 to 25 million acres. . . . For a minimum viable population of 1000 [large mammals], the figures would be 242 million acres for grizzly bears, 200 million acres for wolverines, and 100 million acres for wolves. Core reserves should be managed as roadless areas (wilderness). All roads should be permanently closed."

Corridors are "extensions of reserves. . . . Multiple corridors interconnecting a network of core reserves provide functional redundancy and mitigate against disturbance. . . . Corridors several miles wide are needed if the objective is to maintain resident populations of large carnivores."

Buffer zones should have two or more zones "so that a gradation of use intensity exists from the core reserve to the developed landscape. Inner zones should have low road density (no more than 0.5 mile/square mile) and low-intensity use such as . . . hiking, cross-country skiing, birding, primitive

camping, wilderness hunting and fishing, and low-intensity silviculture (light selective cutting)."

WHAT DO RESERVES AND CORRIDORS REALLY MEAN?

While this effort has a noble mission, the implications are staggering. As noted in the June 25, 1993 issue of *Science*, it "is nothing less than the transformation of America to an archipelago of human-inhabited islands surrounded by natural areas."

According to the Wildlands Project, "One half of the land area of the 48 conterminous [united] states be encompassed in core [wilderness] reserves and inner corridor zones (essentially extensions of core reserves) within the next few decades. . . . Half of a region in wilderness is a reasonable guess of what it will take to restore viable populations of large carnivores and natural disturbance regimes, assuming that most of the other 50 percent is managed intelligently as buffer zone." (Noss, 1992) If fully implemented, the *Convention On Biological Diversity* would have to displace millions of people through unacceptable regulations, nationalization of private land, and forcing people to move out of core reserve areas and inner buffer zones. It would seriously reduce the production of agriculture, forest, and mining products. In the process, millions of Americans could lose their jobs. In turn, the resulting scarce resources means the rest of us are going to pay double and triple for these products.

The Wildlands Project is either being planned or implemented right now across America. Land is being condemned or zoned in reserves, corridors or buffer zones under a variety of names to reestablish or protect biodiversity and/or specific species. Should these quasi-religious theories determine our future?

RESERVES & CORRIDORS DO NOT WORK

What science is really showing is that there is no clear evidence that reserves and corridors work or are even needed. Rather, good forest management, including the use of clearcutting, enhances biodiversity and sustainability:

- "The theory has *not* been properly validated and the practical value of biogeographic principles for conservation remains unknown. . . . The theory provides *no special insights* relevant to conservation." Zimmerman, B.L. and R.O. Bierregaard. 1986. *Journal of Biogeography* 13:133-143.
- The theory behind the need for reserves and corridors is being "increasingly heavily criticized. . . as inapplicable to most of nature, largely because *local population extinction was not demonstrated*," Simberloff, D. J. Farr, J. Cox, and D. Mehlman. 1992. "Movement Corridors: Conservation Bargains or Poor Investment?" *Conservation Biology* 6(4):495.
- "No unified theory combines genetic, demographic, and other forces threatening small populations, *nor* is their accord on the relative importance of these threats." Ibid.
- "There are still few data, and many widely cited reports are *unconvincing*. . . . [The theory that reserves and corridors] "facilitate movement is now almost an article of faith." Ibid.
- "Studies that have been frequently cited as illustrating corridor use for faunal movement, *do not*, in fact, provide clear evidence." Of those that do support the need for corridors, wooded fence rows are adequate for many species, while only a few require well vegetated strips. Hobbs, R.J. 1992. "The Role of Corridors in Conservation: Solution or Bandwagon?" *Tree* 7(11):389.

The science used in the *Convention on Biological Diversity* does not work and may actually reduce biodiversity. The implications of this treaty are enormous and must be thoroughly reviewed before it is considered for ratification.

The closures and bag limit reductions in the recreational sector are irresponsible because there is virtually no data on recreational harvest or fishing pressure. Actual recreational data intercepts from the MRFSS system averaged 24.8 per day for the entire South Atlantic. Florida alone is estimated to have 22 million angler days a year. To say that the data represents recreational angler effort in Florida with a sample rate of less than 0.03% is a gross misuse of the term "best available science". Yet if you take the data at face value, MRFSS shows that survey intercepts from anglers fishing 10 or more miles offshore have dropped dramatically in the last 2 years, which corresponds with drastic increases in fuel cost and correlates with what FWC has said about boating/angling activity decreasing 30-50% over the last year. Even by John Carmichael's (the Science and Statistics program manager's) own admission at a public scoping hearing at Port Canaveral, the data is very thin, and the MRFSS data is being used by the SAMFC in a manner that it was never designed for. In his own words, MRFSS was designed to determine trends over a broad geographical area, over time, not to determine current fishing pressure. No one knows, with any degree of certainty, what the current recreational angler pressure in the South Atlantic is. What we do know, is it's significantly less than it was 2 years ago, and the trend is continuing drop. SAMFC has crossed the line from "best available science" into irresponsible management, and now is the time to step back from unprecedented draconian measures of closing fisheries and reducing bags on the shrinking offshore recreational angler population.

Current economic conditions, in particular fuel prices have already cut fishing pressure by 30-60%, depending on whom you source. Talk to the FWC, coast guard, and other agencies about their observations of the boating/angling public. Fishing pressure outside of 10 miles has decreased drastically in the last 6 months. Check with your own enforcement resources and look at your own data.

There is no fishery, by species or geographically, that is in serious danger, which is exclusively utilized by the recreational sector. If a species is over fished, simply cut commercial pressure. Trout, Redfish, Striped Bass, Snook, Salmon, and many others are proof that this will accomplish the goal of increasing fish stocks by simply stopping commercial utilization, which has the least amount of economic impact on the most people. This has worked EVERY TIME in EVERY PLACE it has been tried. Why SAMFC refuses to use the most common, most successful, easiest to implement method of fisheries management to restore a species is a mystery to all of us that have attended these meetings. If you don't know for certain what the fishing pressure is, and have any doubt about a species health, than stop commercial utilization, and the fishery will bounce back. This has worked every time it has been tried.

The SAMFC depends on a partnership with all anglers in order to implement their fisheries policies, since there are not enough resources to effectively enforce or monitor the areas SAMFC manages. For the most part, compliance to the rules is voluntary. This partnership depends on the trust and confidence of the angling public in SAMFC enacting scientifically responsible, fair policies. If the reality and perception by the angling public is that SAMFC acts in a scientifically irresponsible manner, fishery rules will become like the speed limit, 90% will exceed them. I am not endorsing or encouraging breaking

fishing regulations, but when you make rules depending on 90% of the angling public obeying them, you can predict the results. Once you get to a situation where the angling public ignores the rules, you will have lost the handle on managing these fisheries forever.

Instead of looking backward, SAMFC needs to be looking forward. Fishing pressure is shifting from offshore to near shore species such as King Mackerel, Spanish Mackerel, and Cobia. Instead of taking a CSI approach to fisheries management, and trying to manage a disaster, SAMFC needs to be looking forward. Either the members that make up the SAMFC need to be changed, or the system needs to be changed, or probably both. There has been a great deal of interest and attention by the angling public on these amendments. The recreational anglers have watched as access to our public resources has been chipped away at. We are done watching.

We are asking the SAMFC to table the amendments, and come back with better science on the fisheries health, better statistics on recreational angling, propose methods and policies that have worked elsewhere, and a better system of management that doesn't take 3 years to move, on 5-year-old data. It's your move guys.

John Barber
johnb@revcmpsys.com

407-834-4228

Deep-Blue-Sea.org

Recreational Intercept data from Raw, For Hire data is not posted anywhere I could find.

All South Atlantic

Year	Intercept Surveys
2007	8397
2006	9089
2005	9453
2004	9027
2003	10640
2002	9243
2001	8586
2000	7395
average yearly	8978.8
per day	24.8

All South Atlantic > 3 miles

Year	Intercept Surveys
2007	2610
2006	2187
2005	2777
2004	3329
2003	3754
2002	3789
2001	3401
2000	2619
average yearly	3058.3
per day	8.4

All South Atlantic > 10 miles

Year	Intercept Surveys
2007	684
2006	236
2005	972
2004	1213
2003	1344
2002	1327
2001	1532
2000	958
average yearly	1033.3
per day	2.8

Florida Only Intercepts

Year	Intercept Surveys
2007	5712
2006	6127
2005	6458
2004	6201
2003	7880
2002	6307
2001	6793
2000	5912
average yearly	6423.8
per day	17.6

Florida Only Intercepts > 3 Miles

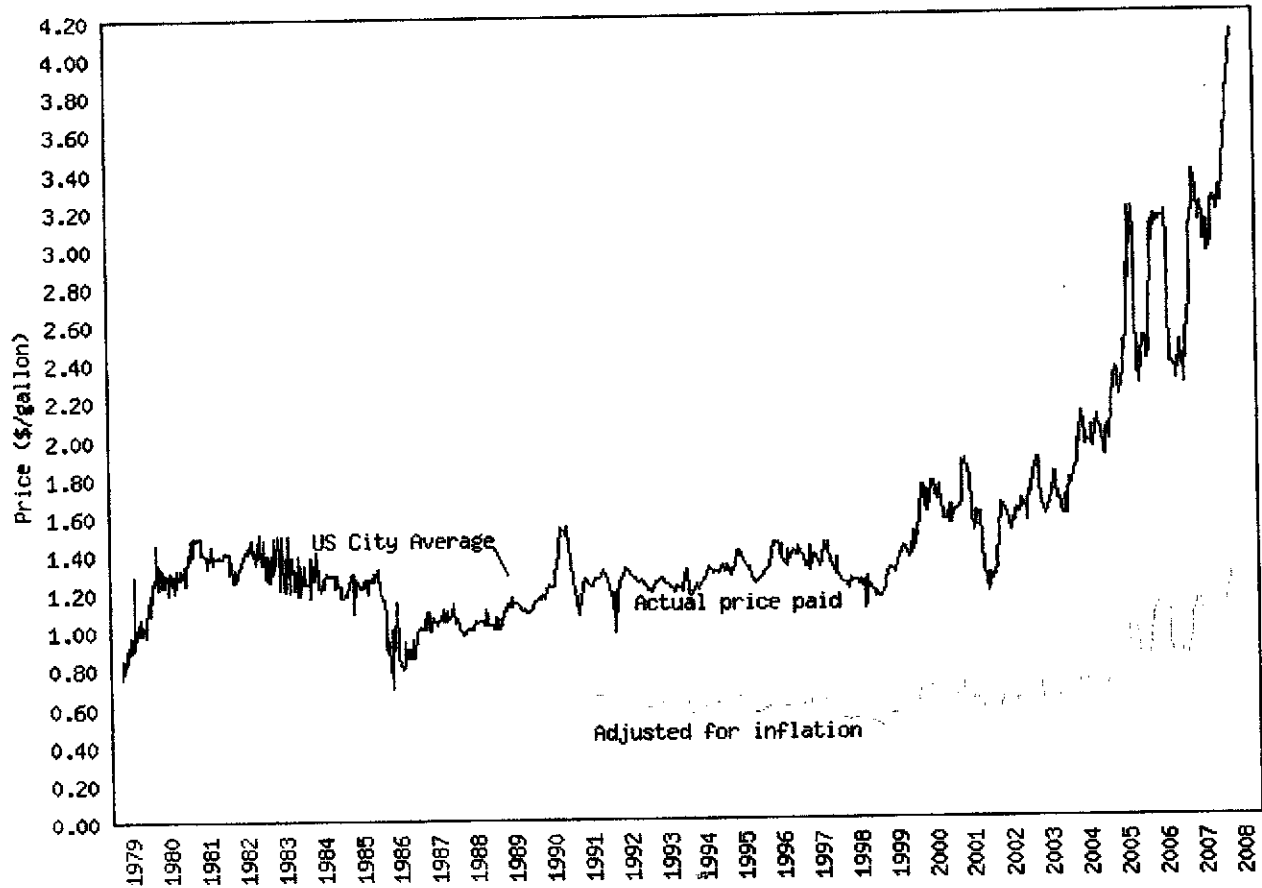
Year	Intercept Surveys
2007	1826
2006	2044
2005	1974
2004	2272
2003	2585
2002	2411
2001	2929
2000	2235
average yearly	2284.5
per day	6.3

Florida Only Intercepts > 10 Miles

Year	Intercept Surveys
2007	532
2006	236
2005	897
2004	1084
2003	1212
2002	1233
2001	1473
2000	896
average yearly	945.4
per day	2.6

Source <ftp://cusk.nmfs.noaa.gov/mrfss/intercept/>

Texas Super-Unleaded Gasoline Price History





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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE) Orlando, FL	DATE OF MEETING June 12, 2008
YOUR NAME (PLEASE PRINT) Paul Ramirez	TELEPHONE NUMBER (& AREA CODE) 321-626-5983
MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE) 255 Easton Circle Oviedo FL 32765	
BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE) N/A	
DO YOU WISH TO MAKE A STATEMENT? (PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

DANIELLE SHELDON

TELEPHONE NUMBER (& AREA CODE)

(321) 543-3383

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

255 EASTON CIR, ORLANDO, FL, 32765

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☐

YES

☒

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

Josh Huff

TELEPHONE NUMBER (& AREA CODE)

321-961-6782

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

255 Easton Cr

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☐

YES

☒

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

Clay/Garalde

TELEPHONE NUMBER (& AREA CODE)

407-275-0015

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

5097 Lido St Orlando Fl 32807

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☒ YES

☒ NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

Dennis Parker

TELEPHONE NUMBER (& AREA CODE)

407-261-0939

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

1360 Stratford Rd Maitland FL 32751

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Central Florida Offshore Anglers

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☐

YES

☒

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

Margot Stiles

TELEPHONE NUMBER (& AREA CODE)

202 833 3900

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

Washington DC

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Oceana

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☐

YES

☒

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

Erion Dougherty

TELEPHONE NUMBER (& AREA CODE)

813-737-4468

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

2182 Edeto AVE

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

EDF

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☐

YES

☒

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

Jack Riedel

TELEPHONE NUMBER (& AREA CODE)

352 406 5463

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

12022 Pine Ct Leesburg, FL 34788-4517

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☐

YES

☒

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

Robert Welch

TELEPHONE NUMBER (& AREA CODE)

407-574-0048

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

726 E. Blvd Alt. Attamont Springs FL 32701

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☒ YES

☐ NO

Unsure



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE) Orlando, FL	DATE OF MEETING June 12, 2008
YOUR NAME (PLEASE PRINT) CHARLES WEE	TELEPHONE NUMBER (& AREA CODE) 407-709-5376
MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE) 6314 GREENHILL DR OKC OK 73122	
BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE) 	
DO YOU WISH TO MAKE A STATEMENT? (PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)	
<input checked="" type="checkbox"/> YES	<input checked="" type="checkbox"/> NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

John Polston

TELEPHONE NUMBER (& AREA CODE)

1-386 756-7833

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

P.O. Box 21607 Port Orange Florida 32129-1607

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Kings Seafood

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)



YES



NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

Michael P. Egner

TELEPHONE NUMBER (& AREA CODE)

386-589 3404

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

203 River Rd Oak Hill FL 32759

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)



YES



NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

Steve Proctor

TELEPHONE NUMBER (& AREA CODE)

904-993-9134

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

2312 Pine Island Court Jacksonville, Florida 32224

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)



YES



NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

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

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

BOTTOM DOLLAR CHARTER FISHING

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☒

YES

☐

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE) Orlando, FL	DATE OF MEETING June 12, 2008
YOUR NAME (PLEASE PRINT) JEFFREY A PAGE	TELEPHONE NUMBER (& AREA CODE) 407-556-7853
MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE) 11220 CREDIT CT ORLANDO FL	
BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE) RSP	
DO YOU WISH TO MAKE A STATEMENT? (PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)	
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

Joshua Giordano-Silliman

TELEPHONE NUMBER (& AREA CODE)

843-819-6778

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

1170 N Shadow Dr Mt Pleasant, SC. 29464

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☒

YES

☐

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

Allen Cary

TELEPHONE NUMBER (& AREA CODE)

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

Mt. Pleasant, SC 29464

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Atlantic Offshore, Inc.

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☒

YES

☐

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

DENNIS C. YOUNG

TELEPHONE NUMBER (& AREA CODE)

904-565-1767

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

10802 LUANA DR. N. JACKSONVILLE FL 32233

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

SEA DANCER CHARTERS, & JACKSONVILLE MARINA

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☒

YES

☐

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

Dennis O'Hern

TELEPHONE NUMBER (& AREA CODE)

727 692 6902

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

4604 49th St N #34 St Pete FL 33709

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Fishing Rights Alliance

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☒

YES

☐

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

CLAYTON DOERR

TELEPHONE NUMBER (& AREA CODE)

904-824-1618

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

412 COOPERS COVE RD. ST. AUGUSTINE, FL 32095

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE) NA

RETIRED

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)



YES



NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

SCOTT REYNOLDS

TELEPHONE NUMBER (& AREA CODE)

904 626-9666

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

4378 Ocean St ATLANTIC Bch FL 32233

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

MAYPOW Chryton Boat (King Neptune) Heart Boat

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☒

YES

☐

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

HOBART JOOST

TELEPHONE NUMBER (& AREA CODE)

904-358-1206

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

336 7TH ST ATLANTIC BCH, FLA 32233

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

SELF

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☒

YES

☐

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

John Barber

TELEPHONE NUMBER (& AREA CODE)

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

on mailing list

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Deep Blue Sea

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☒

YES

☐

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

Dave Hill

TELEPHONE NUMBER (& AREA CODE)

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

on working list

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Central Florida Offshore Anglers

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☒

YES

☐

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

Libby Fetherston

TELEPHONE NUMBER (& AREA CODE)

727 595 2188

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

449 Central Ave, Suite 200 St. Petersburg, FL 33701

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Ocean Conservancy

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☒

YES

☐

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Red Snapper (Emergency Rule/Interim Action)

LOCATION OF MEETING (CITY & STATE)

Orlando, FL

DATE OF MEETING

June 12, 2008

YOUR NAME (PLEASE PRINT)

BARRY FREEMAN

TELEPHONE NUMBER (& AREA CODE)

386-566-8950

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

1841 FOROUGH CIR PORT ORANGE FL. 32128

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

SEA SPIRIT FISHING

DO YOU WISH TO MAKE A STATEMENT?
(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

☒

YES

☐

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Josh Huff

TELEPHONE NUMBER(& AREA CODE)

321-941-6782

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

255 Easton cr

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☐ YES

☒ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

DANIELLE SHELDON

TELEPHONE NUMBER(& AREA CODE)

(321) 543-3883

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

255 EASTON CIR, ORLANDO, FL, 32765

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☐ YES

☒ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Paul Ramirez

TELEPHONE NUMBER(& AREA CODE)

321 626 5983

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

255 Easton circle Oviedo FL 32765

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

N/A

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☒ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

JOHN BAUMANN

TELEPHONE NUMBER(& AREA CODE)

407-694-5419

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

1643 MOUNT VERNON ST. ORL, FL 32803

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

BOODREAU'S BOWDOQUE'S RADIO SHOW

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☐ YES

☒ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

BUFFY BAUMANN

TELEPHONE NUMBER(& AREA CODE)

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

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

OCEANA

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐

YES

☒

NO

SG Amendment 16 (Gag and Vermilion Snapper)

☐

YES

☒

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Dick Brame

TELEPHONE NUMBER(& AREA CODE)

910-338-0072

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

517 Braddock St, Wilm, NC 28409

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CCA

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☐ YES

☒ NO

17

☐

☒ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Jack Riedel

TELEPHONE NUMBER(& AREA CODE)

352 406-5463

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

12022 Pine Ct, Leesburg, FL 34788-4517

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Central Florida Offshore Anglers

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☐ YES

☒ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

JEFFREY A PAGE

TELEPHONE NUMBER(& AREA CODE)

407-836-7853

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

11220 CREAD CT

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☐ YES

☒ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Joe Klostermann

TELEPHONE NUMBER(& AREA CODE)

772-461-0499

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

251 Bimini Dr

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Fisherman

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☐ YES

☒ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

TELEPHONE NUMBER(& AREA CODE)

DAVID Allison

202-833-3900

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

1350 Connecticut Ave., NW 5th Floor, Washington, DC 20036

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Oceana

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☐ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☐ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Frank Waitz

TELEPHONE NUMBER(& AREA CODE)

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

1223 RUTH AVE JAX BEACH, FL 32250

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☐ YES

☒ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Robert Welch

TELEPHONE NUMBER(& AREA CODE)

407-574-0048

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

726 FL Blvd - Altamont Springs FL 32701

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☐ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☒ NO

↑
unsure



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Dennis Parker

TELEPHONE NUMBER(& AREA CODE)

407-261-0939

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

1360 Stratford Rd Maitland, FL 32251

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Central Florida Offshore Anglers

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☐ YES

☒ NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Corinne LeCLAIRE

TELEPHONE NUMBER(& AREA CODE)

386-679-1999

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

#745 779 E. MERRITT ISL. CSWY, MERRITT ISLAND FL

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☐ YES

☒ NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Margot Stiles

TELEPHONE NUMBER(& AREA CODE)

202 833 3900

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

Washington DC

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Oceana

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☐ YES

☒ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

TELEPHONE NUMBER(& AREA CODE)

Joshua Giordano-Silliman

843-819-6778

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

1170 N Shadow Dr

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Mt Pleasant, SC. 29464

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☒ **YES**

☐ **NO**

SG Amendment 16 (Gag and Vermilion Snapper)

☒ **YES**

☐ **NO**



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

CHARLES WEST

TELEPHONE NUMBER(& AREA CODE)

407-709-5376

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

6314 GREENGATE DR ORLANDO FL 32822

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☒ YES

☐ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☒ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

CLAYTON DOERR

TELEPHONE NUMBER(& AREA CODE)

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

412 COOPERS COVE RD. ST. AUGUSTINE, FL 32095

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE) NA

RETIRED

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐

YES

☐

NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒

YES

☐

NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

YOUNG, DENNIS C

TELEPHONE NUMBER(& AREA CODE)

904-246-8929 or 565-1767

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

10802 LUANA DR JACKSONVILLE FL 32246

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

SEA DANCER CHARTERS & JACKSONVILLE MARINA

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Scott Zimmerman

TELEPHONE NUMBER(& AREA CODE)

(352) 619-0039

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

PO Box 501404 Marathon, FL 33050

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Florida Keys Commercial Fishermen's Association

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☐ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Ben Harris

TELEPHONE NUMBER(& AREA CODE)

772 546-1841

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

9277 SE Shavano St. Hope Sound, FL 33455

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Self

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☒

YES

☐

NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒

YES

☐

NO



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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Dennis O'Hern

TELEPHONE NUMBER(& AREA CODE)

727 692 6802

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

4604 49th St N #34 St Pete FL 33709

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Fishing Rights Alliance

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☒ YES

☐ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

SCOTT REYNOLDS

TELEPHONE NUMBER(& AREA CODE)

904 626-9666

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

4378 Ocean St. Atlantic Bch FL 32233

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

HEAD BOAT (King Neptune)

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☐ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

(Raybee)
Kristin Raabe

TELEPHONE NUMBER(& AREA CODE)

877-411-4272

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

PO Box 730248 Ormono Beach, FL 32173-0248

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Aquatic Release Conservation Inc.

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

CAPT BILL KELLY

TELEPHONE NUMBER(& AREA CODE)

305-394-5333

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

129 TEQUESTA ST TAVERNIER FL 33070

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

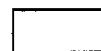
*ISLAMORON CHARTER BOAT ASSN
SOUTH ATLANTIC CHARTER BOAT ASSN*

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)



YES

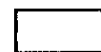


NO

SG Amendment 16 (Gag and Vermilion Snapper)



YES



NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Elisby Fetherster

TELEPHONE NUMBER(& AREA CODE)

727 895 2188

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

449 Central Ave, Ste 200 St. Petersburg, FL 33701

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Ocean Conservancy

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☒ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Christy Clow

TELEPHONE NUMBER(& AREA CODE)

877-411-4272

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

PO Box 730248 Ormond Beach, FL 32173

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Angler Conservation Education

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☒ YES

☐ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

John Barber

TELEPHONE NUMBER(& AREA CODE)

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

on mailing list

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Deep Blue Sea

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☒

YES

☐

NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒

YES

☐

NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

DAVE HEIL

TELEPHONE NUMBER(& AREA CODE)

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

on mailing list

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Central Florida Offshore Anglers

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☒ YES

☐ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Bill Bird

TELEPHONE NUMBER(& AREA CODE)

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

PO BOX 2809 Orlando FL 32802

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CCA-Florida

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☐ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Allen Leary

TELEPHONE NUMBER(& AREA CODE)

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

Charleston, SC 29464

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☒ **YES**

☐ **NO**

SG Amendment 16 (Gag and Vermilion Snapper)

☒ **YES**

☐ **NO**



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

DAVID CONWAY

TELEPHONE NUMBER(& AREA CODE)

772 219 7400 x 108

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

2700 S KANNER Hwy. Stuart FL

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

FLORIDA SPORTSMAN

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☐ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Greg DeBrango

TELEPHONE NUMBER(& AREA CODE)

336-668-2704

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

2036 66 Palm Dr Edgewater FL 32141

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Flying Tiger Fish Co

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☒ YES

☐ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

Jim Busse

TELEPHONE NUMBER(& AREA CODE)

321 4033035

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

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Seafood Atlantic

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☐ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

SID PRESKITT

TELEPHONE NUMBER(& AREA CODE)

321 212 8550

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

~~PO Box~~ 1351 S. Ridgewood Ave. #10 Daytona Beach FL 32114

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☐ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4055 FABER PLACE DRIVE, SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
PUBLIC COMMENT ATTENDANCE RECORD
Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

BROCK ANDERSON

TELEPHONE NUMBER(& AREA CODE)

321 536-0802

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

4320 HORSESHOE BEND MERITT ISL FL 32953

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

BOTTOM DOLLAR CHARTER FISHING

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐ YES

☐ NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒ YES

☐ NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

PUBLIC COMMENT ATTENDANCE RECORD

Orlando, FL-- June 12, 2008

YOUR NAME (PLEASE PRINT)

JEFF PAGE

TELEPHONE NUMBER(& AREA CODE)

407-856-1853

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

11220 CREED CT

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Please check the "yes" box below if you wish to make a statement.

SG Amendment 15B (bag limit sale, etc.)

☐

YES

☐

NO

SG Amendment 16 (Gag and Vermilion Snapper)

☒

YES

☐

NO