

## **South Atlantic Fishery Management Council**

### **Snapper Grouper Amendments 17A, 17B, and 18 Public Hearings**

**Newport News, VA  
November 17, 2009**

#### **Summary Minutes**

**Council Members:**

Mac Currin

**Council Staff:**

Rick DeVactor

*Mac Currin:* Yeah, before you get started – thanks Rick. If you would then, I think most of the comments are probably gonna be on Amendment 18, but if you move to another one or as you start out, state which amendment you're making comments about. And then, if you would pause for a second and if you want to make comments on 17B or 18 or another one, then just state these comments are on *[crosstalk]*.

*Patrick Caton:* 17B is on the Red Snapper.

*Mac Currin:* 17A is the Red Snapper. Make sure you state your name.

*Patrick Caton:* My name is Patrick Caton and I'm from Hattaras, North Carolina. And this first one's here on 17A about the Red Snappers is – I've talked to y'all down there in Florida and everywhere, you know, and y'all say that the fishermen are saying that there's more and more being caught and they're bigger and bigger. And shouldn't that, I mean, mean that it's working?

With the regulations and stuff in place that work – I mean they're working 'cause the fish are getting bigger and we're still catching them, and everybody's happy. And I understand that y'all have to close it down to end overfishing 'cause of the Magnuson-Stevens Act. But why can't y'all change that? I mean 'cause you're working with changing that.

I mean it seems like Congress is taking those jobs away from you sorta. I mean if they're making laws like that, well, they're just telling you how to do it about kinda just wiping out a whole fishery. But that's on there. I mean if y'all can work on changing that – I mean, I don't know, but – and then, on the deepwater stuff, there's so many things that I mean –

*Mac Currin:* 17B.

*Patrick Caton:* Yes, sir, 17B. There's so many days you can't fish to begin with because of the current, weather, some days they just don't bite. I mean a lot of days there's too much current even to fish out there. And I feel like, you know, there's a lot of natural regulation that goes on.

And I mean we could still take a lot, but I feel like there's just way too much. I mean I've been riding around out there the past few summers, and I run that charter boat and you just ride around

looking at the bottom and looking at the stuff. And there's so much stuff out there. You'll see 530 Snowy Groupers for the –

*Mac Currin:* 523.

*Patrick Caton:* Snowys for the whole recreational sector seems pretty low. I mean we could probably ride over, you know, two or three spots and there's 400 or 500 fish there. I mean I just – it's just [*background noise*] – seems like the fishing's so good and regulations kinda ruined it I guess, you know.

We've been out there and made one drop with six people, with two-hook bottom rigs and you'll fill them with over-your-limit of Snowys in one drop and you'll have to throw them over and watch them float away. And it just doesn't seem right then somehow. That's just what I got to say.

*Mac Currin:* Okay, thank you guys. Are you Rick Caton's son?

*Patrick Caton:* Oh yeah.

*Group:* Laughter.

*Mac Currin:* All right, Kelly.

***Kelly Schoolcraft:*** Yes, my name's Kelly Schoolcraft. I'm a commercial fisherman from Frisco, North Carolina, owner/operator fishing vessel Country Top. And my first comments are gonna be directed at Amendment 18. And Rick brought up the SEDAR, which is the right hand arm of South Atlantic, forming the basis for stock assessments, which forms your management plan.

But when the Snowy Grouper plan came into effect, in about 2006 I believe it was, the data that was used as the basis to formulate that plan came out in head boat data from Florida and head boat data out of North Carolina. And the years were from early '80s – early and mid-'80s to the early and mid-'90s. No up-to-date information, no commercial information at all came into play in formulating this plan.

When our own division found out about this it was two years into the SEDAR's process. SEDAR, I want to explain, when they get – when South Atlantic asked them to do a stock assessment, there's certain guidelines that SEDAR has that should – that as a rule, should be followed, but South Atlantic did not do that. And one of them was having port samplers in place. And they need to have

these port samplers in place three years out from the national plan goes into effect, and this did not happen.

And the reason I was told was because of the lack of money. That's not an excuse. There was, in fact, other entities that could have been contacted with the Fisheries' Information Network then that could have put port samplers in place and caught the data required, you know, for the stock assessment, but this wasn't done.

There, again, strictly head boat data was used in formulation of this plan, no commercial data. And when the division, our division, Louis Daniels found out about this – this was in 2005 – he directed his own fisheries' biologist to go out and start taking samples, measure them, aging them and all this.

And we have very good data that just totally was against what the South Atlantic was using and could have proved that stock was a lot better shape than South Atlantic claimed. We had the data, but South Atlantic refused to use it because when we started to do our data collection, it was already two years in the making.

And SEDAR, by their own guidelines, say that we need three years out. So South Atlantic chose not to use this data and, therefore, we lost our commercial fishery that we traditionally had. We went from 3,500 pounds a trip in 2006 to 175 pound trip in 2007. And, finally, the way it is now, 100 pounds a trip.

*Mac Currin:*

Are you gonna weave this back to 18 sometime soon.

*Kelly Schoolcraft:*

Well, that's what I'm saying. It is. And this revolves around trying – my view of South Atlantic trying to extend their jurisdiction up into Virginia, up into Maryland on data that is absolutely erroneous.

And without a doubt, if given a chance, science can prove that there's two different stocks of Snowy Group just like there's two different stocks of Sea Bass, two different stocks of King Mackerel, two different stocks of Golden Tiles and two different stocks of Flounders.

You know genetics has proven that and it's managed as such. Mid-Atlantic in April proposed to formulate their own plan for the deep-water species, and I urge the Mid-Atlantic to pursue that and to not take your plan as presented by the South Atlantic.

If you do take it or if you do allow the South Atlantic to extend their jurisdiction into deep water Blue Line Tows, Snowy Groupers 'cause basically that's the two fish that we're talking about, then comes into play 17B.

There again, my name's Kelly Schoolcraft from Hattaras, North Carolina, and these comments are directed to \_\_\_\_ and then 17B, the closure of all waters for farmed fish and \_\_\_\_\_ 204C. This would have a devastating effect – it's gonna have a devastating effect in North Carolina. And it will have devastating effect in Virginia and on the northern states.

I mean you all Virginians just got a fledge – just started a fledgling deep-water fishery, and basically it's recreation. So that recreation fishery will be taken away. And the science needs to be updated on this and Mid-Atlantic encouraged to formulate their own plan.

And it's through science and data that this can be proven that there are definitely two different stocks. And I urge Virginia and the Mid-Atlantic to proceed as \_\_\_\_\_. And I thank you very much for your time.

*Mac Currin:* Thank you gentlemen. Is there anyone else? Jordan I got your – I guess that you did not want to speak. Is there anyone here that would like to provide comments? Anyone else who would like to provide comments to the council?

*Mac Currin:* State your name again, if you don't mind.

*Patrick Caton:* All right, Patrick Caton.

*Mac Currin:* And then, which amendment you're speaking to.

*Patrick Caton:* I'm speaking about, I guess, 17B. And I've seen or know about of Hattaras doing any research. I've never seen anyone on the dock doing any measuring and never – I mean never had anybody ask me. Never – I mean no research. I've never seen anybody out there researching and I just – I've been floating around out there for four or five years now, and I just feel like we should get some up-to-date stuff.

I mean I could take y'all out there and show y'all, you know. If we could day when there is time, I'd love to take you out there and show you how many there are. But I just feel like the research ain't right and I wish I had my papers.

*Mac Currin:* That's fine. You can always – you know if you've got papers at home, you've got other comments you'd like to submit, Patrick, make sure you just get them to us before the 25th of November. Send them to the council office.

*Patrick Caton:* Okay.

*Mac Currin:* And they'll enter in the record and all the council members will see them, and they'll be distributed to everybody.

*Patrick Caton:* All right, I will.

*Mac Currin:* Thank you kindly and you can think about, you know, what you want to say and send them in \_\_\_\_\_. Anyone else? Well, I thank you all for being here. I appreciate you. I know you've driven a long ways, traveled a long ways as have many have to be here. And we appreciate your attendance. We will close the public hearing on these amendments. Everybody can get on their life. Appreciate it.



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

## PUBLIC COMMENT ATTENDANCE RECORD

### Snapper Grouper Amendments 17A, 17B and 18

LOCATION OF MEETING (CITY & STATE)

Newport News, VA

DATE OF MEETING

November 16, 2009

YOUR NAME (PLEASE PRINT)

Lauren Heeseemann

TELEPHONE NUMBER (& AREA CODE)

757-591-7331

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

100 Museum Dr. Newport News, VA 23606

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

NOAA Monitor National Marine Sanctuary

DO YOU WISH TO MAKE A STATEMENT?  
(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)

Amendment 17 A

YES

NO

Amendment 17 B

YES

NO

Amendment 18

YES

NO



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LOCATION OF MEETING (CITY & STATE)

Newport News, VA

DATE OF MEETING

November 16, 2009

YOUR NAME (PLEASE PRINT)

Patrick Caton

TELEPHONE NUMBER (& AREA CODE)

(252) 216-8430

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

Po Box 432 Hatteras, NC 27943

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A STATEMENT?  
(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)

Amendment 17 A

YES

NO

Amendment 17 B

YES

NO

Amendment 18

YES

NO





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LOCATION OF MEETING (CITY & STATE)

Newport News, VA

DATE OF MEETING

November 16, 2009

YOUR NAME (PLEASE PRINT)

KELLY SCHOOLCRAFT

TELEPHONE NUMBER (& AREA CODE)

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

P.O. Box 242 FAISCO NC 27936

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

F/V COUNTRY TIME

DO YOU WISH TO MAKE A STATEMENT?  
(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)

Amendment 17 A

YES

NO

Amendment 17 B

YES

NO

Amendment 18

YES

NO



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DATE OF MEETING

November 16, 2009

YOUR NAME (PLEASE PRINT)

Jordan Tomberlin

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252. 216. 8639

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

PO Box 432, Hatteras NC, 27943

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Little Clam Sportfishing, Hatteras, NC

DO YOU WISH TO MAKE A STATEMENT?  
(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)

Amendment 17 A

YES

NO

Amendment 17 B

YES

NO

Amendment 18

YES

NO



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LOCATION OF MEETING (CITY & STATE)

Newport News, VA

DATE OF MEETING

November 16, 2009

YOUR NAME (PLEASE PRINT)

FENTRESS "RED" MUNDEN

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

NC DIVISION OF MARINE FISHERIES

DO YOU WISH TO MAKE A STATEMENT?  
(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)

Amendment 17 A

YES

NO

Amendment 17 B

YES

NO

Amendment 18

YES

NO



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LOCATION OF MEETING (CITY & STATE)

Newport News, VA

DATE OF MEETING

November 16, 2009

YOUR NAME (PLEASE PRINT)

Lewis S. GILLINGHAM

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1035 MANCHESTER AVE, NORFOLK VA 23508

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

VMRC

DO YOU WISH TO MAKE A STATEMENT?  
(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)

Amendment 17 A

YES

NO

Amendment 17 B

YES

NO

Amendment 18

YES

NO