

PUBLIC COMMENT SESSION
DAYTONA BEACH SHORES, FLORIDA
JUNE 12, 2024

MR. ZALES, II: Bob Zales, II, representing the Southeastern Fisheries Association. I am going to try to breeze through this. We would like for you all to expedite the reopening of the rock shrimp area. Clearly, the shrimp fleet is in dire straits, and they need help in order to survive.

We also would like to see you all eliminate the commercial two-for-one permit process. The commercial sector is disappearing daily, due to restrictive regulations, imports, markets, and it doesn't need help from eliminating permits.

The SpaceX system, they currently are opening up comments for their EIS at the Cape Canaveral area. We would request that this council send comments in reference to that EIS, because the fishers in that area have problems. When they shut the area down, they can't transport across the fish, and there is debris, when they shoot these rockets up, that falls in the water, and there's pollution and other impact that negatively affect the fisheries there in that area.

The key comments that we have is for the accountability of the recreational sector. We're already on record supporting limited entry for the for-hire charter sector here, like they have in the Gulf, and we also support federal permits for the recreational sector. Now, if you all can figure out a different way to bring that accountability to that sector, we may support that, and be willing to consider it, but, right now, we see these as the best alternatives.

In your own data that has been presented here yesterday, and also in the recent publication of the final rule for gag grouper in the Gulf of Mexico, and I'm going to read a section from that final rule in the Gulf, that came out of the stock assessment area in Miami. It says: "However, because of the much higher numbers of gag that are released by the recreational sector, compared to the commercial sector, the total number of discarded fish to die from recreational fishing exceeds dead discards from commercial fishing. This results in additional mortality for the stock, and a lower projected annual yield, which means a lower OFL, ABC, and stock ACL. However, higher numbers of dead discards is not due to any change in how the recreational sector operates in the fishery, but occurs because the SEDAR 72 SRFS run data estimated greater fishing effort, and, consequently, a greater number of fish being caught, which included discards and the associated mortality from discarding fish."

In the Shertzer and Crosson paper that was referenced yesterday, in the conclusion, there's a reference of this. To end overfishing of red snapper, and this is for the South Atlantic, but, to end overfishing of red snapper, as required by law, resource managers should reconsider the policy of unrestricted effort of the private recreational fleet to this multispecies fishery. The benefits of restricted effort would include increased catch rates, larger landed fish, and fewer dead discards.

You all's own data, the Fisheries Services' own data, clearly says you've got to do something about this unaccountable effort, in order to get these fisheries back, because not only does it affect us, the commercial industry, but it affects the recreational sector and the for-hire sector. Thank you.

MR. HULL: Hello, council members, Science Center leadership, staff. It's good to see you all here on my shoreline, our coastal community, the epicenter of the South Atlantic red snapper explosion. Thanks for the opportunity to speak to you.

As a fisherman stakeholder, I'm forced to accept the unrealistic results of SEDAR 73, the stock assessment status for red snapper, and my comments are based in response to the base run model and inputs that were chosen by your SSC. In the model results, dead discards from red snapper, from the recreational snapper grouper fishery, continue to be the primary factor slowing the rebuild of this stock and the reopening of the South Atlantic red snapper fishery.

The SEDAR 73 stock assessment estimates that 500,000 to 800,000 red snappers are killed each year as recreational fleet discards. You must turn dead discards into landings. This is mismanagement, and there's an unsustainable loss of red snapper in the South Atlantic. I support the management strategies that can reduce it. As council members, I understand that you are forced to accept and manage the stock with the results of the SEDAR 73 red snapper model, which continue to provide unreliable stock status benchmarks that affect the reef ecosystem and the livelihoods of the fishermen in the South Atlantic.

Further, council leadership, as demonstrated, and stated, that, when the stock is considered rebuilt, you will have no more harvest, or discard mortality yield, than the current level. The private recreational sector is overcapitalized and has unlimited access to a limited resource. If this overcapitalization continues, all of our snapper grouper fisheries will become dead discard fisheries. The council must, and should, have implemented management measures in Amendment 35 for the private recreational sector to become accountable, controlled, and sustainable.

The problems that you have with the science, with the SEDAR 73 BAM model for red snapper, and the problems are, to accurately assess the South Atlantic red snapper stock. The stock assessments continue to be hamstrung by the use of the chevron traps and the fixed stereo cameras that routinely underestimate the stock structure for red snapper. The trap selects for small fish, and the camera can only estimate red snapper length, but not age. This is problematic for an age-based BAM model, where red snapper age is largely undiscernible for fish that simply don't grow much larger in length after age-ten.

Both the FWC's repetitive time drop hook-and-line sampling fisheries-independent index of abundance and the captain's choice handline index have demonstrated to catch and provide age information on red snapper that are neither caught in the chevron trap or seen in the chevron trap's affixed camera.

From SEDAR 73, it was stated that red snapper recruitment in the South Atlantic is that of a rebuilt stock. Fishermen from North Carolina to Florida have been telling you this with their observations from the water, and hopefully the council can change the red snapper modeling to be heavily weighted towards abundance, and recruitment, than age. I believe abundance is much more important for this fish than age-based assessments. Obviously, the stock continues to expand and grow, with the highest population ever, and recruitment levels are higher than they have ever been, despite the claim that the private rec sector is dead discarding this huge number

of animals, and so, obviously, the stock is doing quite well, and is rebuilt, in my opinion. Thank you.

MS. GUYAS: Good afternoon, everybody. I'm going to start with offshore wind. Let's start with the stuff for tomorrow. ASA supports a recreational-specific design oversight committee that works directly with the regional fund administrator to develop compensation procedures for recreational fisheries that are impacted by offshore wind development. I will just leave it at that, and I know that you guys are going to dig into that tomorrow, but I just wanted to plant that seed.

For Amendment 46, thank you for appointing me to the Private Angler Advisory Panel. As I've said at previous meetings, ASA is 100 percent in support of getting better data to characterize and inform better management of the recreational snapper grouper fishery. However, my concern, at this point, with the amendment, is that it is not clear how the permitting options in Amendment 46 will lead to measurable improvements in recreational catch and effort data.

In our meeting, the AP had a lot of fair discussions about how the permit would work, if it would ultimately lead to better data, and the answer to those questions were largely we don't know. A lot of those things are outside of the council's control, and I totally understand that, but we need a clear plan. Creating a permit without having a clear plan for how the data from the permit is going to be used, that is clearly communicated and has buy-in from the people who are going to be affected by permitting requirements, I think is extremely problematic, especially when trust is at an all-time low.

The council needs to be able to explain, in detail, how this permit would benefit anglers, and anglers need to be confident that this isn't going to be used against them, and I think that's one of the things that you will also hear in the report tomorrow.

Red snapper, I think you all know where we are on that at this point. We continue to advocate that red snapper harvest access be increased to match the progress that has been made in rebuilding the fishery, and it does not make sense to take drastic measures that will have devastating impacts on the economy, and recreational fishing, while we have lots of data collection efforts in place, like the Great Red Snapper Count, and we're doing exempted fishing permits to test new management schemes this year, and then there's other independent data collection efforts going on. All of those things are really important, and they're going to help us get better information, to get to better management of the fishery.

I will say we've been trying to encourage anglers to come to this meeting and provide comment, and, following yesterday's announcement, people said no. They just feel like they're not going to be heard, and I think that's really just unfortunate.

The last thing is for-hire limited entry, and this has come up many times. ASA has been opposed. The need is not apparent, and that continues to be the case. In past attempts at looking at this, the number of permits has been steady, and we have a decline in the number of headboats. We've got climate considerations, with species moving north, and the Gulf program has disbanded. I think if you -- It would be interesting to look at, since the Gulf was held up as a model of this, how implementing limited entry in the Gulf affected for-hire effort. I think you will see that it did not make an impact. Thank you.

MR. GENTNER: Hi. How is everybody doing today? I wanted to thank the council for this opportunity to comment. I also wanted to thank the council for postponing the for-hire limited entry process until more information is available. At this point, this effort looks like a solution in search of a problem. I have heard that the permit numbers have flatlined over the last few years in some locations. Maybe that's true, and maybe it isn't, but it's very important to obtain the trends in permit numbers over the last ten years.

Additionally, when terms like "overcapacity" are thrown about, it's very important to look at the data and pay attention to definitions. "Overcapacity" has a very specific and technical economics definition. Just because the quota is being caught in a short time, it does not mean that there is overcapacity. Many other exogenous factors could be driving this result. It could be an artifact of the regulatory regime, and it could be a mismatch between the actual abundance versus assessed abundance, which we have in several of our fisheries.

As another note, capacity is defined by the good being produced, and for-hire captains produce access, with harvest as a byproduct. That is, they are recreational fishing effort factories that can scale back their harvest byproduct, while still providing the same production of access. Capacity in commercial fishing is defined by the production of harvest, and overcapacity happens when total fishing power exceeds the availability of fish. If overcapacity is a potential purpose for this action, it should be estimated by an economist, and the actual implications and definitions of those two types of capacity should be discussed.

I also fully support the council really digging into the impact of limited entry in the Gulf of Mexico. Limited entry started in 2006, was finalized in 2008, with no reduction in permits, but it included a moratorium and limited entry, like what is currently being discussed.

Quickly looking at the federal for-hire effort since 2000 on the MRIP query shows that effort has doubled since 2000, and it rose steeply since the moratorium and limited entry was instituted. It's similar with harvest for red snapper. They both steadily increased, with increasing steeply, and how has that changed the definition or attainment of OY in the Gulf of Mexico?

The unintended consequences include a monetized permit that has climbed to over \$80,000 per permit. That's an increase of 400 percent in just the last couple of years, and that's a very high barrier to entry, and it also indicates there is clearly not enough permits for the demand that exists for recreational fishing access.

While we are on the topic of solutions in search of problems, the permit amendment needs to go away. It has been stripped of its use as a data collection tool, and, after the revelations on red snapper management from yesterday, what are they going to use that permit for? Limiting access is what it would be used for. If this amendment does not explicitly include data collection as its purpose and need, anglers will rightfully be suspicious of the aim of this permit. I have said this before, and we already have a sampling frame, through the saltwater license, and we aren't using it fully. Thank you for this opportunity to comment.

MR. GERCKEN: Hi, everybody. Just a quick background on myself, and I was born and raised here, and I started fishing on a headboat when I was thirteen years old, and I've been in the fishing community, in commercial, recreational, and for-hire, since then. I bought a snapper grouper permit in 2015, and I have used it every year since then, and I think I speak on behalf of

all the fishermen, commercial, for-hire, and recreational, in saying I'm very disheartened about the council's decision to shut down the groupers early, giving us less quota to fish.

Obviously, the red snapper, that's just something that's been going on for years, but the gag grouper especially, and I commercial dive for a living, and I don't really use hook-and-line methods, and so I'm actually seeing -- I'm one of the -- Some people call me crazy, but I would say I'm probably one of the lucky ones, to actually see what's going on, and I really like to see, you know, a healthy ecosystem, when I go down there.

There is sometimes when there is predatory fish that highly outweigh the baitfish, or the snapper grouper species, and it's disheartening to see the mismanagement, and I know you guys have a job to do, but I've spoke to some of you on the phone, in South Carolina, and a couple from Florida and stuff, and I've been wanting to give the science the GoPro footage, the video footage, the evidence, to show you guys, not just how you guys have FWC dropping cameras and cages and specific rigs and this and that, but actually give you the real science of really what's going on here, because it's very disheartening to see.

I make my living on the ocean, and I'm fortunate to have another job as well, but I really feel bad for the people who actually truly do nothing but fish. I feel bad for them, and I really hope that we can change things and get them going in a better direction.

Since as long as I've been fishing, we've had gag groupers from May 1 until December 31, and, without any action, closing down early, changing the quotas, anything like that, I've seen gag groupers explode, honestly, and I've seen -- Any diving range that I go, from seventy feet all the way to 180, in times, and I've just seen gag groupers -- The best they've ever been. Big fish in shallow, and little fish out deep, and all in between, and it's actually -- It's actually very nice to see, and so I feel like that's a mismanagement there.

Also, with the little bit of time that I have left, when I see video posts, and picture posts, from for-hire people, when they're running their charters, and these charters are holding up pictures of half fish -- You know, a charter has a specific number they have to catch before their limit is reached, whether it be amberjack or, you know, gag grouper or whatever, and so, you know, when these sharks, and these predatory fish, have such an impact on what these for-hire boats are able to keep recreational, and even commercial hook-and-line fishermen, and I really feel like something needs to be done.

I've seen it personally, and I'm willing to give the science any video evidence that I have, but, you know, we're killing all these fish, and we're just feeding them to sharks, and the red snapper, the grouper, everything is going in the right direction, but we still need to manage, and correctly manage, the issues that I've seen over the past twenty years of doing this, and so thank you for the time.

MS. STEPHENS: Hello, council. My name is Haley Stephens. I'm a fourth-generation Florida native, a wife, a mom, an owner of F/V Sea Spirit, the longest running and last standing headboat in Volusia County. I am also the founder of South Atlantic Headboats United, an alliance founded on resilience and respect with a mission to connect, educate, and empower our federally-permitted, Coast-Guard-inspected, multi-passenger fleet.

In less than two short months, we have been successful in contacting and connecting almost every headboat actively fishing in federal waters here in the South Atlantic. While my scoping pertains primarily to our homeport of Ponce Inlet, I am grateful to represent our next generation of watermen and women earning their livelihood on the water and carry on the tradition and legacy that so many have created that came before us.

Many of these historical vessels are older than the skippers who are operating them. You may be surprised to learn that 75 percent of headboats actively fishing here in the Northeast region are held by captains all under the age of forty years old. We sincerely appreciate the council's acknowledgement and comments received during the March meeting surrounding vessel limits and headboats, as well as the Snapper Grouper AP's discussion and official recommendations. We even more so appreciate the excellent further conversation that occurred earlier today to initiate a new holistic approach for vessel limits and headboats moving forward.

As previously mentioned, headboats hold a huge stake when it comes to EEJ considerations, and I recognize that there are a lot of moving parts and components, but I do feel inclined to address the fact that it speaks volumes that separate consideration for headboats is an issue that almost, if not everybody, was able agree upon. Myself and the mountain cousins thank you for that.

Additionally, I need to note that any type of bottom fishing area closures would absolutely positively put the few headboats that do remain out of business forever. I spoke to a really nice guy from NOAA who ensured me that they are not looking to put anyone out of business, and so please, please, please do not do that.

When it comes to limited entry, I understand the desire to work towards OY. I strongly believe there need to be management measures in place to ensure accountability from all sectors, private recreational included. If it were to move forward, I support the consideration for headboats to be exempt from limited entry, contingent on proof of them being active in the South Atlantic fishery, held in good standing and in compliance. The Southeast Regional Headboat Survey could serve as a tool to determine eligibility.

An online dashboard reporting system called VESL is what we currently utilize, and, while it's generally a user-friendly program, I do have suggestions on ways that it needs to be improved. There should be an added option to select when a healthy fish is released and we witness it being mutilated by a predator, such as a shark. A measure like the mutilated option could be helpful in determining actual discard mortality rates.

I am a huge believer that every success story begins with education. In the similar sense of pushing the snowball upward, as I embark further into my journey into the fishery management world, I am running towards the fire. People are calling me crazy, saying nothing will change, and nothing is going to happen, but if not me, then who, and, if not now, then when? I truly believe we can champion our fishery, beginning by empowering those at a local level, and I am incredibly grateful to be a voice for both our fishery and our fishermen. Also, lane snapper should be more than eight inches. Thank you for your time.

MR. COLLINS: It will be a little weird to be on this side of the table. For those currently on the council, my name is Mike Collins. I'm a retired United States Marine and former Administrative Officer of the South Atlantic Fishery Management Council. The philosophy

which I used in my Marine Corps career was accomplish the mission and take care of your people, and I carried this forward in my duties as the Administrative Officer.

I implemented and fought for many cost-saving policies while serving as the Administrative Officer, and we, as a staff, clearly accomplished the mission. Unfortunately, the current council failed on taking care of the people part. The logic for the termination of the post-retirement benefit associated with Medicare makes it clear, from the transcripts available to the public, that the council was either misled, had bad data, or somebody was blowing smoke up somebody's butt, or they're not fully aware that this is a fully-paid benefit that actually saves the council money.

The benefit is paid in advance by the employee, and it should be applied to all retired, as well as current, staff when they retire, as the first cohort will be gone well before the second cohort actually retires. The first cohort to receive this retirement benefit was promised that, if they went off the council paid healthcare, and onto Medicare, that, when they retired, the council would assist in paying part of the Medicare premium. Initially the council followed through with their commitment to the staff, and, in return, the staff did their part, as promised. Eight years later, for reasons only known to current members, since the meetings were held in secret, the council voted to breach their promise to the staff.

Although the action was couched as a money-saving effort, it's hard to comprehend how the council members would take away such a small benefit for retired staff that served the council for 196 years collectively, just to save less than one-half of 1 percent of their budget. Here's a straightforward example of the issue.

An employee on the South Atlantic Council staff, who is currently on the paid medical plan, turned sixty-five. The employee has the option to stay on the South Atlantic plan, to the tune of \$15,000 per year, or go on Medicare. The choice of going on Medicare would save the council tens of thousands of dollars as the staff member continues to work over the next few years before retiring, but, with your decision, you eliminate any incentive, and so there is no motivation to go on Medicare, which actually costs the council money.

I witnessed and was a small part of the council process, distributing minutes, giving the council the tools to get in and do their difficult tasks with as few distractions as possible. The process roughly, as I understood it, was disseminate the intent to implement a rule, or change, et cetera, to the stakeholders, notice this intention, and solicit input from the stakeholders, form alternatives, debate the alternatives, and make a decision. In my opinion, this standard manner of decision-making was abandoned.

The stakeholders were not notified of the intent, no solicitation for comment was offered, no data was presented to show and evaluate impacts on the council budget, no alternatives were formed, such as reducing the annual subsidy to fit budget needs were offered, and a closed session decision was made. All the above go against the norm for the inception of the Magnuson Act and the history of the South Atlantic Council.

As the Administrative Officer, I was heavily involved in the budget process, and the second-largest budget item is travel. As a result of COVID restrictions, I can't imagine how the council is not flush with funds. The council is restricted from drawing funds from the federal bank,

which is called ASAP, for more than a couple of weeks of need. Based upon my thirteen years of good and lean funding years, and a slowdown of travel, I would guess there are \$7 million in ASAP, and all of the 2024 funding hasn't even hit the account.

In closing, I would encourage the council members to ask the Executive Director to provide the exact amount of funds sitting in the bank, and I would also how motivating an employee to remain on a costly council paid health plan, instead of transitioning to a plan basically free to the council, saves money.

I stayed on my Marine health plan, instead of going on the council's family plan, easily saving the council over \$200,000 over my thirteen years. My motivation for sharing my thoughts and experience with the council is not to cash in on the benefits. For me, it is less than a hundred bucks a month, but instead it is in the spirit of accomplishing the mission and taking care of the people, fulfilling a promise. I enthusiastically encourage the council to revisit the issue. Thank you.

MR. KANE: My name is Dan Kane. My friends call me Hurricane Dan. I want to read three letters that I sent to Ashley Moody, and she's Attorney General of the great State of Florida. Honorable Ashley Moody, I am asking you to bring criminal conspiracy charges against all voting members of the National Marine Fisheries Service South Atlantic Council. Their actions in regard to the rules passed for red snapper are criminal.

My name is Dan Kane, Hurricane Dan. I started commercial fishing before I graduated from high school in 1976. I quit fishing for six years and ten months to serve our country in the Navy. Besides my service, all I've done is commercial fishing. Today, there are more red snapper in the Atlantic Ocean than I've ever seen. These great numbers of red snapper have overrun our waters for more than ten years.

The stock of red snapper is that there are more than 100 million pounds of these fish in the Atlantic Ocean. Sustainable fishing is 10 percent. Recruitment, weight gain in a year, is more than 10 percent, and that comes to ten million pounds for the sport fishermen and the commercial fishermen to legally harvest. Charter boats are sport fishermen, and they should have their own quota. I want one-million pounds for the commercial quota, three-million pounds for the sport fishermen and charter boats combined, and that leaves six-million pounds to ensure the snapper aren't overfished and for dead discards. To prevent overfishing, we could start the commercial quota at a half-million pounds, to be increased to one-million pounds at a later date. That is not too much to ask.

The commercial quota is now less than 125,000 pounds, a seventy-five-pound daily limit. That is not commercial fishing. We should have over a half-million-pound quota. A small, 125,000-pound quota has cost me over \$50,000 a year. That's \$300,000, to \$400,000, I have lost in the past five years. I have been robbed by the National Marine Fisheries Service, me and another 100 Floridians.

The National Marine Fisheries has been punishing the commercial fishermen for the actions of the sportfishing community. That is wrong, that is criminal, and this is a conspiracy. The rules, and the laws, pertaining to red snapper are making lawbreakers out of many Florida sport fishermen. The charter boats get no red snapper, and this is costing them about 25 percent of

their business. This is wrong, on many levels. You should share this letter with the attorney generals of the other states, Georgia, North Carolina, and South Carolina. You should also send this letters to Gina Raimondo, the Secretary of Commerce. The National Marine Fisheries Service is her responsibility. Thank you for the time and for helping me on previous occasions.

I read this at Jekyll Island, and I want to read it one more time, for possible penetration. The balance of nature in the Atlantic Ocean is gone. There are so many red snapper, and so many sharks, in the Atlantic Ocean, that most all other fish stocks are being wiped out by predation from these fish. It is my belief that the massive school of red snapper are eating 60 to 80 percent of all sea bass fry. It is my belief that red snapper are eating over 60 percent of all vermilion snapper fry. They are also decimating the stocks of porgies and most other reef fish stock, by eating the fry and juvenile fish that are small and slow enough that they can catch, like the grouper and the amberjack.

I believe 40 to 50 percent of the red snapper need to be removed from our waters, so that all the other species of fish have a chance at recovering. There are more sharks in the Atlantic Ocean today than I can ever remember. I started commercial fishing back in 1976. Sharks don't eat plankton. They prey on any and every other kind of fish they can catch, especially the grouper, amberjack, and kingfish. They also eat seabirds and sea turtles. I believe that 70 percent of the sharks in the Atlantic Ocean and the Gulf of Mexico need to be removed, and killed, to restore the balance of nature.

How to reduce dead discards of red snapper by 60 to 70 percent, let the sport fishermen and charter boats take these fish home to eat. By the stock assessment, red snapper, there is over ten-million pounds of these fish in the Atlantic Ocean. I mean, 100 million pounds, and sustainable fishing is 10 percent, and that's ten-million pounds divided between the commercial fishermen and the sport fishermen. One-million pounds for the commercial fishermen, and three-million pounds for the sport fishermen. The charter boats are sport fishermen. At least six-million pounds would prevent overfishing and for dead discards.

I believe the sport fishermen should have twelve Saturdays a year to catch seven fish per boat. That would be every other Saturday. This way, the fishermen could have red snapper for dinner three or four times a month. This would add up to about two-million pounds. The charter boats should be allowed to keep three snapper a day. Not being allowed to keep these red snapper costs them 25 percent of their charters. Three fish a day will add up to less than one-million pounds. The commercial quota should start at a half-million pounds and increase to one-million pounds at a later date, as the stock allows.

These quotas will allow all fishermen to harvest red snapper at reasonable levels. The suggested rules will make most all sport fishermen and all the charter boats lords of the red snapper. They will protect these fish, if they are allowed to legally catch them. Thank you for your time, and sorry that I overran my --

MR. DENISON: I appreciate you all letting us come up and speak today. My name is Douglas Denison, and I was born here in the early 1960s. I'm a dentist right down the road, and so, again, I appreciate you all having it here, so I can come by and let off some steam.

I have seen the fisheries change over the years. It's different from after World War II. World War II was a free-for-all, and it was unbelievable. After World War II, you could throw cornmeal at the Main Street Bridge, wait ten minutes, and throw a cast net, and catch all the shrimp you needed for the day.

I'm a realist, and I know that has changed, but the changes that I've seen offshore in the last few years is incredible, and I don't know if anybody is really listening. In the 1990s, and I think it was the 1990s, we had the twenty-inch limit on snapper. In the early 1990s, it was tough to catch a decent red snapper, and then they had the length limit, and the snapper came back strong, and they have come back strong, and they haven't changed, and now we can't keep them, and what concerns me, like the other captains have said, is that I really worry about the fishery stocks of triggers, sea bass, vermilion, porgies. I think they're getting hammered by the snapper, and we know that the sharks have totally multiplied.

It's difficult -- In the early 2000s, we would go to reefs, and we would be able to fish for mango snapper, and snapper, and do okay, but we wouldn't have to move six times in one area to get away from the sharks. It has changed, and my concern is that I don't know if the federal government is listening at all. I don't know, or understand, the science or the logic of the decisions that you good folks are making.

We know that the population of Florida has increased, and, what is it, 10,000 a day, and I understand that we have to make a happy medium between populations and fisheries, but, man, come on. Snapper have totally overrun the inshore and offshore reefs, not to mention -- I don't want to get into other stuff, but, I mean, the mahi decline, and, of course, that's probably overpopulation, but I'm getting off on another tangent, but it's just kind of fun to vent, and I appreciate you letting me vent, but it is real, and we do have a problem, and we're killing fish that we shouldn't be killing, and I feel that we can make a happy medium between the commercial fishermen, the recreational fishermen, and the eastern seaboard, and I really appreciate your time. Thank you.

MR. MULLALEY: Good afternoon, council. I've lived in Florida my whole life, and I'm a recreational fisherman. I do have friends that are charter captains, and, after the announcement yesterday of a one-day red snapper season -- I'm sorry, but it is a joke. All my charter captains, for the safety of their clients, and the safety of themselves, they're not even going to capitalize on red snapper season, because, I don't know if you've been out in Ponce Inlet during red snapper season, but it's I-4 on the water. It's dangerous, and there is people -- I am licensed through the Coast Guard, as a captain, and I know how to operate a boat. There is other people that own boats that don't, and the thing is, when you limit us to only one day, it's going to get even worse.

Also, the thing is, if you go offshore right now, and go fifteen miles, or even further, you can drop squid, or you can drop ballyhoo, or you can drop any bait you want, and you will hook into a red snapper, five red snapper to maybe one triggerfish, or to one lane, and it doesn't matter. You're catching more red snapper than any other species of fish out there, and, like other people have said, the sharks are getting worse and worse and worse, and I agree with that, but the thing is we're catching way more red snapper than any other species of fish, on the reefs, on ledges, going all the way out to 220 feet of water, and you're still catching red snapper, and so I don't know where the numbers are coming from that you all came up with your decision, but, from

literally Sebastian Inlet, all the way to Jacksonville, we're pretty much overrun with red snapper. You can drop anything, and they will eat everything, and so thank you for hearing me.

MR. MANGINELLI: Good afternoon, everybody. I am one of the many captains here running a for-hire vessel, and the limitations that you guys are implementing on us is outrageous, the shortening of grouper season, and, as everybody else said, the one-day limit, the one day for red snapper, and it is absolutely insane the amount of red snapper that are out there, as the gentleman before me just said.

Five, ten, fifteen red snapper to any other species of fish on any of the wrecks, the reefs, the ledges, and you cannot go out there and not catch multiple red snapper, and you send them down with the descending device, and, on your way down with the descending device, you get sharked, and it is outrageous to see the amount of dead discards from recreational fishermen, as well as some for-hire vessels, when they release one small one to get a bigger one, because there is a very short window of opportunity to get them.

As the gentleman said, you are implementing so many restrictions, for everybody to try to get out there in that one-day, two-day, three-day event, and it has caused more accidents between boaters getting out of the inlet, and at the docks, to try to get your one red snapper, and I just feel like, yes, there should be some sort of a limit on the size, and the bag limit, just like anything else, but one day is not what it should be. Thank you for hearing me.

MR. HORTON: Thank you, Madam Chair and members of the council. My name is Chris Horton, and I'm the Senior Director of Fisheries Policy for the Congressional Sportsmen's Foundation. I've spent a lot more time at the Gulf Council meetings over the years, because, honestly, before the states assumed management of the recreational red snapper sector, the meetings over there were a lot more exciting than they were over here, but it seems, nowadays, the party is certainly on this side, and I haven't heard that much clacking from the audience at a Gulf Council meeting in a while.

However, we found our way out of that red snapper mess in the Gulf with state management, and the states are in the process of improving those recreational data surveys that they developed, and that will ultimately lead to management of some other species in the future, we hope, and, in fact, since gag are primarily landed in the Florida on the Gulf side, the council and NMFS agreed that the Florida State Reef Fish Survey will be the primary source of catch and effort estimates, beginning this year.

Now, obviously, the South Atlantic is different than the Gulf, but the recreational fishing community, as you well know, is extremely frustrated with a one-day season, and they have pretty much lost all trust in this process, and who can blame them?

In the recreational landings data presented yesterday, the red snapper daily catch has nearly doubled in the last five years. Comparing the 2022 and 2023 landings data by state, Georgia has increased roughly 1,000 percent, South Carolina by 600 percent, and North Carolina by 1,700 percent. Not only are they encountering more red snapper, but they're encountering more red snapper farther north. What they are seeing on the water does not logically match the management direction from the National Marine Fisheries Service. I realize that just those two

years of data -- That there's a lot of issues with comparing those, but, hey, that's the data that can be used to get us to a one-day season, and it can be used as a relative index.

We have two problems here, a stock-recruit model, management model, that just doesn't really fit this fishery very well, and some really poor estimates of effort and discards. While we're stuck with the former for now, we can do something about the recreational catch data. However, a federal management permit proposed in Amendment 46 is not the answer. Anglers already strongly distrust the federal management system, and ambiguity as to how a federal permit would even be used, or if it could be used, to address these poor discard estimates renders this option extremely unlikely to be successful, but we've got to do something different.

Again, doing the same thing, and expecting a different outcome, is the definition of insanity. As I've said before, the National Marine Fisheries Service should be working with the states on a better way, through their own existing mechanisms at the state, or some new state-led methodology, to identify the universe of reef fish anglers, so that we can arrive at a better, more accurate effort survey. A new permit, or endorsement, should be with the states, and not through the National Marine Fisheries Service, if we want to be successful, and so thank you for your time.

MR. DOZIER: Good afternoon. I've done this two or three times now over the last couple of years, and, like Martha said, there's a lot of people that are just so discouraged, and so fed up, that they just don't want to come, and so I'm kind of here to represent northeast Florida. I'm from the Jacksonville area. I run a couple of fishing tournaments up there, the Northeast Florida Wahoo Shootout and the Old School Kingfish Shootout, two of the larger tournaments in the area.

The red snapper, believe it or not, is affecting both tournaments. You think of a wahoo tournament, and you think of a kingfish tournament, and a kingfish tournament, by the way, is limited to state waters, no more than three nautical miles offshore, and the tournament was last Saturday. I got four or five pictures of red snapper being caught in thirty-five or forty feet of water, and it's only a matter of time before these guys sheepshead fishing on the jetties are going to be catching red snapper, and it's true. It's 100 percent true.

The wahoo fishermen are now using live bait to target these wahoo in the wintertime. They're catching twenty and thirty-pound red snapper on live bonita on the surface, and it's true, and it's hard to catch bait, because you catch red snapper on your sabiki rig, and you catch red snapper on your diamond jig, and you catch red snapper on everything, and so I mentioned -- At the Jekyll meeting a couple of years ago, we talked about the red snapper deal, and we said that the two or three-day season, the free-for-all, is just dangerous, like another gentleman spoke to earlier.

Now you've done a one-day season, and you guys are setting -- Somebody is going to get killed. I said it last time I spoke, and it's irresponsible to send all these boats out in one day, and it's directly insulting to only get one day, and then make it on a Friday, so that the working man has to take a day off work to go try to catch one red snapper, and I think it's wrong. It's not fair to the charter boats, and it's not fair to anyone out there that a Friday, where, again, the working man can't even go, and so he can go out there on Saturday and probably pick up a floater somewhere or whatnot, but the descending devices did work, but, you know, it's just hard to --

It's just hard to fight the good fight, it feels like, guys, and it's like it's all take and no give from you guys, and, no matter where you go, you catch red snapper, and it doesn't matter.

They've taken over everything, and you can't catch anything trolling, and you can't catch anything bottom fishing. The charter boats go try to catch a kingfish, and you put a live pogy on the surface, and you catch a red snapper, and so, anyway, I think you guys are breeding poachers, and you're encouraging poachers, because people are so fed up with it that they're just going to take the law in their own hands, and it's a dangerous thing, and so hopefully we get a little more commonsense moving forward, but I appreciate your time.

MR. STEPHENS: Good afternoon. Thank you. My name is Captain Nic Stephens. I'm the owner-operator of the last remaining headboat out of Ponce Inlet, Florida, the Sea Spirit. I started as a mate nineteen years ago, and I have worked my way up from second mate, first mate, captain, and now owner. I have seen the fishery, and the industry, change in many ways over the past two decades.

First off, I would like to say that I fully support the AP's unanimous decision to change the rule on vessel limits for headboats, or the recommendation rather, and that is something that absolutely needs to happen, and I encourage everyone to listen to the AP meeting, held back in March, about the topic of vessel limits for headboats. It was very good, and, if you guys listen to that meeting, it's got everything you need to know about that topic.

I fully agree with the recommendations for alternative vessel limits for headboats. It's not only fair, but with little impact on the fishery and a positive impact on the dwindling South Atlantic headboat fleet. These regulations should be put into place immediately. Everyone unanimously agrees, and I formally request emergency action.

Second, something that I believe also needs immediate emergency action, that is the largest threat to our fishery, is the underfishing, and the overregulating, of the top apex predators, such as sandbar sharks and goliath groupers. It's completely devastating to our fishery, and it is undoing all of the hard work that this council has done to preserve our fishery. At this point, we are simply providing a food source, red snappers, groupers, basically any fish over three pounds, for the top predators to thrive.

The population of sandbar sharks and goliath groupers has absolutely exploded in the past five to seven years. What happens when you protect the fish at the top of the food chain? We're finding out first-hand, and the results are not good.

Just know that the fish that this council and NOAA worked so hard to protect, and to repopulate, are getting eaten, but just not by humans. Every bit of science, every regulation, every amendment, every rebuilding plan, every law to protect our fish and fishermen, is completely pointless until this predation issue is solved immediately, and, please, we need emergency action now, and I don't know what it takes.

I listened to the meeting yesterday, and it wasn't mentioned at all, goliath groupers and sharks. Whatever it takes to restore the balance to the ecosystem, and I don't know what the answer is to this problem, if it's allowing the sale of shark fins, and I don't know.

In the world of agriculture, farmers have the ability to protect their livestock from top predators. For example, if a coyote eats their chickens, or is overpopulating and eating the chickens, they don't protect the coyotes. The same thing is happening, and let the fishermen harvest the predators. If there is no emergency action, then at least give us the ability to collect data and report what is happening and what we are seeing. On the VESL data dashboard, there are no buttons to select and to report how many and what type of fish are getting eaten every day. There is no way to report what is eating them.

I am out on the water 300 days a year bottom fishing, from five to thirty miles out, and I'm telling you that there is a problem. I know that funding is scarce, but there should be at least two fisheries observers on every headboat in the South Atlantic, every day that it leaves the dock. There is no better way to get an idea of what's going on in the fishery than a headboat. There will always be an open spot available on the Sea Spirit for any NOAA scientist or observer, completely free of charge. Thanks for your time.

MR. HEMILRIGHT: Thank you, folks, for allowing me to comment. This is the twenty-five-year anniversary since the two-for-one limited access with reducing the commercial snapper grouper fishery. This effect has reduced the snapper grouper participants by over 70 percent, while the recreational sector continues to increase. There isn't an unlimited resource out there. The council needs to do away with the two-for-one, as folks in my neck of the woods are aging out and have vessels with permits, single permits, and they are almost unable to sell their vessel, because of the cost of getting into the snapper grouper fishery.

Having listened to the last two days of council discussion, with some of it going around and around, it's clear to me that the present council grapples with overcapacity of the recreational industry, and things will continue to get worse. Maybe the council needs to look at is the recreational industry overcapacity as the way in Amendment 8 with the snapper grouper fishery back in 1999. A simple vote around the table, with folks commenting whether they believe it or isn't, would be a good thing, a way to start.

We only have portions of a pie that are given to the recreational industry and to the commercial industry, and, until we learn how to count the recreational industry, this continuation of fish stocks reduced are going to continue.

I also want to comment on the blueline tilefish. Seven out of eight years, the recreational industry has continued to go over their ACL, to a tune of over 600,000 pounds. The continuation of that has had an effect on the commercial industry, and also the stock, and so that's why the council debates many things. Until you grapple with the way the council recreational industry and the overcapacity, no matter who wants to determine the definition, our fisheries will continue to go down.

It was interesting on listening to the Regional Administrator's comments yesterday, at the end of the meeting, when he asked the council do they plan on doing anything with red snapper, and I thought that my volume went out, as I heard crickets, and the Magnuson-Stevens Act, whether you like it or not, is mandated to end overfishing, and the council has failed to do so, and so it's a shame, but I'm sure there will be more to come. Thank you for allowing me to comment.

MS. HARRISON: I wanted to remind the council of their purpose, is to prevent overfishing, rebuild fish stocks, and protect, restore, and promote the long-term health and stability of our fisheries, and I truly believe that you all are failing at the stability and long-term health aspect of that, and I'm short on time, because it's my dinner rush, but I'm going to be frank. The commercial industry is pretty much ruined, and the for-hire industry is headed that way. You all are trying to rebuild these fisheries, and it's like watching a kid build sandcastles in the surf. The water comes in and takes all of your work, but you all keep trying, over and over and over.

Charter boats in my town, that were once booked solid, now go for weeks in between trips, and you know why? Because there are too many boats and not enough fish. Plus, more and more unpermitted charters are popping up every year, and so there's not enough fish, because most users are open-access and unaccounted for. There are too many boats, because it's open-access, and you have the last reporting, and so, until a cap is set, and everybody is reporting realistically, how can any fishery achieve optimum yield?

Limited entry is one of the strongest tools available to control overharvest of South Atlantic species across the complex, which is something that you all have been struggling to do regarding red snapper dead discards, correct? You need something to hold for-hire boats accountable, in terms of the logbooks, bag limits, illegal sales, fishing within the season, and what's proven effective for commercial boats is the possibility of their limited-access permit being sanctioned.

The following is an excerpt of rationale from the discussion on limited entry when the commercial industry implemented it in 1996. Quote: "This sphere of people is going to be much easier to manage. It will make it much easier to enforce. It will make the penalties associated with a violation more severe. Fishermen will be much more concerned about the possibility of a permit sanction and what implication that might have towards their future. These are positive things." End quote.

As you all know, in North Carolina, we are not part of the joint enforcement agreement, and so our fisheries have virtual zero protection beyond three miles, which has been very harmful. For reference, these are JEA numbers from last year, and I hope you see why we need a better solution than law enforcement just carrying the burden of responsibility. South Carolina started a saltwater enforcement team, and they doubled their federal referrals this year versus last year. Highlights were fourteen red snapper violations, six dealer violations, and sixteen snapper grouper violations. Georgia had twenty-six federal referrals, mostly snapper being caught out-of-season or undersize. In Florida, and, now, these were provided by Captain Pierce, and they're statewide, and they conducted over 6,000 hours of JEA patrol, 900 hours of land-based patrol, 267 citations, 475 warning. North Carolina had no numbers to report, but said they needed bodies in the field, and they're pushing that need.

We have twenty marine patrol. The Coast Guard is busy patrolling for migrants, and so their cutters are not readily available for fishery missions, unless happenstance and/or prior proper planning, and so what are you all going to do, other than just rely on law enforcement, because it's not fair and equitable right now. North Carolina doesn't have the resources to protect our fisheries alone. Thank you.

MR. NEWMAN: My name is Thomas Newman. I'm a commercial fisherman in North Carolina, and I also work part-time in the North Carolina Fisheries Association, and I'm also on

your Mackerel Cobia AP. First of all, I would like to thank you guys for having the port meetings in North Carolina. We had really good turnouts, and I think every fisherman, commercial fisherman, in town, in Hatteras and Wanchese, showed up, and it sounded like everybody was well engaged, and it was a well-held meeting, and thank you to Christina and all the staff.

Mainly what I wanted to talk about today is the snapper grouper two-for-one program that has been going on for twenty-five years, like has been mentioned before, and it's been a long time coming. There has got to be a stop put to this. Our community is just going downhill. I mean, it's sad to hear all your commenters, and it may be already too late, to be honest, and it's really just a sad, sad mess, and, every time that the commercial takes a cut, all the stuff gets reallocated to the recreational sector.

The recreational sector has never, ever, ever been held accountable for anything. They have gone over on so many fisheries, and so many fisheries have gone over their allocation, nothing has ever happened, other than, when stock assessments come up, it gets reallocated from the commercial to the recreational sector, and it's just the same old song, over and over and over again.

We complain that MRIP is not good information to do anything, but the only thing it's good for is to reallocate commercial quota to recreational quota. Nobody wants to do anything on the council about for-hire reporting, and we don't want to put any meat in SEFHIER, and we don't want to do any look into for-hire limited entry, and we don't want to look into a recreational permit, and we've been looking at that for fourteen or fifteen years now. There's no accountability whatsoever, yet we continue to let them fish, fish, fish, fish, until there's not going to be a single fish left in the South Atlantic.

We're turning into one big, giant bass pond, and guess what? These fish don't survive when you throw them back. These fish, all the migratory pelagics, all the bottom fish, they're all dead. They're dead when they come up. I don't care if you put a venting tool in them, or whatever you do, and over 50 percent of those fish die when you touch them. It's time to do something different. You've took every ounce of blood out of the commercial fishermen that you can, and it's time to start taking some blood out of the other side. Thank you for your time.

MR. COX: Good afternoon. Jack Cox, commercial, Snapper Grouper AP member, and I've been at this for a long time, since the 1980s, actively commercial fishing, and, you know, in 2016, the council looked at the for-hire limited entry, and that was done for a reason, because we were realizing there was overcapacity in the fishery, and a lot of these charter boats were fishing deep water, and there was a lot of discarding going on, and it's been a long time, and nothing has happened. There's a lot of talk, and no action, and the fishery is not sustainable. It can't handle it.

You know, I'm telling you, and I've been doing this for a very, very long time, and sometimes I just scratch my head and say, well, maybe it's just not enough. You know, maybe the council just doesn't have what it needs to understand what the fishery is supposed to look like, and that's -- I'm not being disrespectful to you guys, but, you know, it's just like Amendment 35. The agency didn't need to do an interim rule, and this was the job of the council, and I commend the

agency for doing what they had to do, because you guys didn't, but the for-hire sector has just exploded.

When I'm out there fishing, I can't begin to tell you the fish that I see discarded, and floating off, and what it's doing -- The impact that it's taking on the resource. You guys talk about, well, what do we do about new entrants, and this and that, and, well, you know, we figured it out in the commercial industry. There is new entrants coming into the fishery, and, you know, like we've been doing this for twenty-five years on the commercial side, and we need to go with limited entry, ASAP, on the for-hire snapper grouper sector, because I'm telling you that there won't be enough fish left to manage, or to catch, if you guys don't do something, and I'm sure you won't, because the council is good at kicking the can and we need more data.

Well, I don't understand what kind of data is needed. I mean, you want to figure out, you know, where is the fishery going on, and, well, it's in Hatteras, and it's in Morehead City. The Morehead City area has exploded in snapper grouper fishing, recreational and the for-hire sector, and it just can't handle it. I'm telling you right now that it's just -- We're going to fish this thing down to nothing.

Let's see. I had a couple of other notes here that I wanted to talk to you about. As far as the gags, the gags are not going to achieve the rebuilding schedule in our area, and I'm going to tell you, because it's not -- It's just not getting any better, and it's going to end up just like the red grouper. We haven't done a thing to help that fishery, and it's not gotten any better in the gags, and it's going to be the same way.

The next fishery we see that's going to be beat up, and collapsed, and it won't be long when we'll be having conversations about it, is the amberjacks. The amberjacks are absolutely getting hammered, and we're going to see the stocks, and the fishery -- We're going to have to do something about looking at the amberjacks, because, when you take the gags away, they're going to beat up on the amberjacks, and we have such a lack of enforcement in my area, in the southern Outer Banks of North Carolina, Morehead City, that people are just going to fish the way they want to, no matter what the council does, because there is nobody out there checking them. Thank you for your time.

MR. ODIN: Thank you for the opportunity to comment. My concerns are centered around keeping a viable commercial fishing industry in the South Atlantic region. It was interesting, on opening day, when Ms. Carolyn Belcher and Kerry Marhefka discussed a recent symposium in the State of Florida on the vision that various stakeholders had on the future of commercial fishing in that state. Issues included things like water quality and loss of infrastructure.

Infrastructure especially struck a nerve to me, since, in March of this year, a fish house that I sold to for over thirty years, and had business for over eighty-eight, closed its doors for the last time. I have yet to find a port of call, or a fish house, in Wanchese, where my second boat fishes, but there was one important omission from that discussion, which many people in the industry see clearly, and that is threat posed by this council in how it ignores the commercial sector, fails to ensure accountability for the recreational sector, and delays and avoids hard decisions at the expense of everybody.

The discussion yesterday on the for-hire control date, and limited entry, illustrates this perfectly. In 1999, our industry was rationalized down to around 1,100 permits, from almost 2,800. Including the initial rationalization, we have lost well over 2,000 permits, by my count, because of the ongoing effect of the two-for-one.

At this point, there are probably 500 permits active, and I doubt there are 300 true active commercial in that entirety. The charter sector, by contrast, has grown continuously, and now is well over 2,300 permits, up from around 1,100 at that same time. Since the first control date, back in 2016, this council has allowed 700 additional permits that been issued alone, which eclipses what are left of us, and yet, despite that, this council, yesterday, shrugged its shoulders and proposed a new control date on the for-hire, taking any significant decisions they might address and continue the expansion. From the commercial side, this is anything but fair. In the council's discussion, people questioned whether there was a need for charter limited entry. This is absurd. Recreational effort is expanding, and limited entry is one of the very few ways to get a handle on this effort.

As Andy explained earlier, this council has six or seven species either at or facing overfishing status, and most of them are a direct product of consistently increasing recreational catch. A specific example of the need for the charter limited entry can be found in my own backyard, and that is blueline tilefish.

Since the control date of 2016, the recreational blueline fishery has gone over its ACL seven out of eight years. As Andy made you well aware, these are shared resources, and what has ultimately happened in this fishery is that a resource that is supposed to be 50/50 is now 62 to 38 percent. Another example can be found in yesterday's red snapper discussion, where it was reiterated that significant effort reductions were needed and that a vast majority of the catch is from the rec sector. How can you quibble over that, after we have been dealing with the two-for-one for twenty-five years?

Another item on the agenda this week shows the same dynamic. You will discuss Amendment 46 and recreational permitting tomorrow. This was first brought up in the year 2010, but nothing has been done. By doing nothing, you ensure that recreational data continues to be poor, management continues to be hamstrung, and the only accountable sector remains the commercial, and it is simply the commercial sector -- It is this council's hope, I assume, that the commercial sector dwindles out of existence in the meantime.

I will finish this, and our time is short, given the loss of infrastructure and participants, and so, Andy, it's your turn at the plate. If our industry has a future, it's absolutely in your hands, because this council is incapable of addressing it. Thank you for your time.

MS. CLARKE: Good evening. My name is Laura Clarke, with The Pew Charitable Trusts. Thank you for the chance to comment today. The Oculina Bank Area of Particular Concern is home to dense thickets of ivory tree coral, which are found nowhere else in the world. This unique area contains both coral pinnacles and low-relief hardbottom that are essential fish habitat for many of the species managed under the Snapper Grouper Fishery Management Plan. This includes gag grouper, snowy grouper, red porgy, red snapper, and others. Removing habitat protections, while simultaneously trying to rebuild these stocks, could have negative impacts.

The Coral Advisory Panel advised that reopening any part of the Oculina Bank HAPC would put these corals at risk from damage by direct contact with bottom gear and sediment that is stirred up by the trawl gear interaction at the bottom. The area being proposed for reopening is designed to be a protective buffer against sedimentation. Studies show that silt and clay particles can be carried a significant distance from the source of disturbance. This could have detrimental effects on deep-sea corals, because these sediments can clog the coral's feeding mechanism, or even bury the reef communities, causing stress and mortality.

The currents in the Oculina Bank HAPC are strong and unpredictable, making it almost certain that some of these fragile corals would be killed. The strength of these currents was demonstrated first during the summer of 2022, when NOAA's own research crew had trouble deploying the underwater camera to observe the area.

We ask that the council not resubmit Coral Amendment 10, unless there is strong scientific data available demonstrating that sedimentation will not put these fragile corals at risk. We also encourage the council to seek input from your Coral Advisory Panel and your Scientific and Statistical Committee on the possible impacts of sedimentation caused by bottom trawling. Reopening this area could have significant ecological consequences, and so we encourage you to consider the best science available and seek the input of your scientific advisors.

Thank you for the opportunity to provide these comments. We look forward to continuing to work with the council community and stakeholders to protect valuable ocean habitat that is needed to sustain the region's fisheries. Thank you.

MR. GRAVITZ: Good afternoon, and thank you, council, for listening to this testimony. My name is Michael Gravitz, the Director of Policy for the Marine Conservation Institute. Marine Conservation Institute, and dozens of coalition partners, have opposed the shrimp fishery access area that Laura Clarke just mentioned, a buffer strip that protects the deep-sea oculina corals since 2021.

I will make some comments that are a little bit different from Laura's, because I am focusing, for the moment, on sort of the economic issues at-hand. Both economic analyses that have been done fail to justify the decision to open up the buffer strip known as the shrimp fishery access area. An economic analysis performed several years ago found there was no discernable benefit to be gained by the fishery from opening up this area.

A more recent analysis, the draft Shrimp FMP SAFE report, prepared by council staff and dated March 14, 2024, paints a picture of an amendment in search of a non-existent problem. Rock shrimp landings and catch per unit effort are both up dramatically in the last ten years, and this amendment could even make the economics of the rock shrimp fishery worse, and not better. Here's the evidence from your own SAFE report.

The catch per unit effort has been rising, on average, since around 2012, having more than doubled since then. CPUE in 2022 was at its highest since the dataset started in 1994. From 2013 to 2022, quote, there's been an increase in landings in the fishery. In 2022, the chart in your report shows close to one-million pounds of rock shrimp were caught. Again, it doesn't look like the fishermen need more areas to fish.

The economics of the fishery have certainly worsened. Inflation-adjusted prices have declined, from three-and-a-half dollars per pound in 2013 to \$2 per pound in 2022, a decline in real dollars of 40 percent, and, obviously, prices for things like fuel and labor and insurance have increased dramatically over the period, and so higher landings, lower prices per pound, and higher costs do not typically describe an industry where more production, in this case the catch of rock shrimp, will produce higher overall profits. More production could in fact drive prices lower and encourage rates of exploitation of the rock shrimp population that are in fact unsustainable. In fact, we don't really have any fishery-independent information on the rock shrimp.

The need for review by the Coral Advisory Panel, we note an interesting reluctance of the staff and the HEAP AP to present new information to the Coral AP or to ask for their advice on the issue at-hand. Nonetheless, it is obvious that you ought to officially ask the Coral AP, your fishery management council experts on deep-sea corals, about the advisability of this proposed amendment, and so, therefore, I call on you to ask the Coral AP to review the advisability of this proposal, after you present them with any new information on questions like which way do the deep-sea currents in the buffer strip flow, and how much suspended sediment from trawls would flow over the corals, and what is the current level of bycatch in the fishery? By the way, in 2008 to 2013, in a report you did, it showed that you caught two pounds of bycatch for every one pound of shrimp.

Finally, there is a tiny likelihood that last year's bottom survey of an extremely small area of the buffer strip would really find any corals at all. Without input from the Coral AP, your decisions, or recommendations, will look like they arbitrarily and capriciously ignored the council experts. Thank you very much.

MR. SITKA: My name is Xavier Sitka, and I've been involved in the northeast Florida fishery for about thirty years, and I had no intentions on commenting this, but, because I heard the word "Pew", I'm going to go ahead. I listened to your deepwater shrimp discussion, and the Coral AP, and, to go along with our faith as snapper fishermen, we have no faith in the council or National Marine Fisheries, because, in that discussion, you made it that you put VMS units on shrimp boats, and then you used the data that they had against them to close Coral Area 10, okay, and so we kind of know who runs National Marine Fisheries, and I would probably say it's Pew. You made a mistake on that, and you still haven't changed the lines for thirteen years, as far as the boundaries and the buffer zone, and, for the last guy, the current goes north-south, and so thanks Roy Crabtree.


(Whereupon, the public comment session was adjourned.)

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For those currently on the Council, my name is Mike Collins. I am a retired United States Marine and the former Administrative Officer for the South Atlantic Fishery Management Council. The philosophy which I used in my Marine Corps career was; *Accomplish the Mission and Take care of your People* and I carried this forward in my duties as the Administrative Officer.

I implemented and fought for many cost saving policies while serving as the Administrative Officer. And we as staff clearly accomplished the mission. Unfortunately, the current Council failed on the *Taking care of the people part*. The logic for termination of the post retirement benefit associated with Medicare makes it clear from the transcript available to the public that the Council was either misled or not fully aware that this is a fully paid benefit that actually SAVES the Council money. The benefit is paid in advance by the employee **and should be applied to retired as well as all current staff.**

The first cohort to receive this retirement benefit was promised that if they went off the Council paid health care and onto Medicare, that when they retire, the Council would assist in paying part of the Medicare premium. Initially, the Council followed through with their commitment to the staff and in return the staff did their part as promised. Then 8 years later for reasons only the current members know (since all meetings were held in secret), the Council voted to breach their promise to the staff. Although the action was couched as a money saving effort, it's hard to comprehend how the Council members would take away such a small benefit from retired staff that served the Council for 196 years collectively just to save less than one half of one percent of their budget.

 Here is a straightforward example of the issue. An employee on the SAFMC paid medical plan, turns 65. The employee has the option to stay on the SA plan to the tune of \$15,000 per year or go on Medicare. The choice of going on Medicare would save the Council tens of thousands of dollars as the staff member continues to work over the next few years before retiring. But with your decision, you eliminated any incentive, so there is no motivation to go on Medicare **which actually costs the Council money!**

I witnessed and was a small part of the Council process, distributing minutes, giving the Council the tools to get in and do their difficult tasks with as few distractions as possible.

The process as roughly as I understood it was:

Disseminate the Intent to Implement a rule/change etc. to the stakeholders.

Notice this Intention and Solicit input from the stakeholders.

Form Alternatives

Debate the Alternatives

Make a decision

In my opinion this standard manner of decision making was abandoned

The stakeholders were not notified of intent

No solicitation for comment was offered

No data was presented to show and evaluate impacts on the council budget.

No Alternatives were formed, such as reducing the annual subsidy to fit budget needs were offered.

A closed session decision was made.

All the above go against the norm from the inception of the Magnuson Act and the history of the South Atlantic Council.

As the Administrative Officer I was heavily involved in the budgeting process. The second largest budget item is Travel. As result of the COVID restrictions I can't imagine how the Council is not flush with funds. The Council is restricted from drawing funds from the "Federal Bank - ASAP" for more than a couple of weeks of need. Based upon my thirteen years of good and lean funding years and slow down of travel, I would guess that there are several million dollars in the ASAP (federal Bank) and all of 2024 funding has not even hit the account.

In closing I would encourage Council members to ask the Executive Director to provide the exact amount of funds sitting in the bank. I would also ask how motivating an employee to remain on a costly Council paid health plan instead of transitioning to a plan basically free to the Council saves money.

I stayed on my retired Marine health plan instead of going on the Council's family plan, easily saving the Council over \$200,000 over my 13 years. My motivation for sharing my thoughts and experience with the Council is not to "cash" in on the benefit. For me it is

less than \$100 bucks a month; but is instead in the spirit of Accomplishing the Mission (saving money) and **Taking Care of my People (fulfilling a promise).**

I enthusiastically encourage the Council to revisit this issue. I plan to continue to reach out to the Department of Labor, my Congressman, and various other appropriate officials. I am also going to reach out to all Council employees in the other Councils and encourage them to keep an eye on their promised benefits. However, I believe to date all of the other Councils have continued to take care of their employees and honor the promises they made to them. Only the current South Atlantic Council has failed its retired employees.

June 12, 2024

South Atlantic Fisheries Management Council
4055 Faber Place Drive, Suite 201
North Charleston, SC 29405

Re: Written Comment for June 2024 SAFMC meeting

Council Members and Science Center Leadership

Thank you for the opportunity to address the important agenda items concerning Snapper-Grouper Management and on Red Snapper Science & Release Mortality Reduction.

As a Fisherman stakeholder I am forced to accept the unrealistic results of the SEDAR 73 stock assessment status for red snapper. My comments are in response to the base run model and inputs that were chosen by your SSC. In the model results dead discards of Red snapper from the recreational snapper-grouper fishery continue to be the primary factor slowing the rebuild of this stock and the re-opening of the South Atlantic Red snapper fishery. The SEDAR 73 stock assessment estimates that 500,000 to 800,000 Red snappers are killed each year as recreational fleet discards, we must turn dead discards into landings (see Figure below). This is mismanagement and an unsustainable loss of Red snapper in the South Atlantic. I support management strategies that can reduce it. As Council members, you also are forced to accept and manage the stock with the results of the SEDAR 73 SA Red snapper model that continues to provide unreliable stock status benchmarks that affect the reef Ecosystem and the livelihoods of fishermen in the South Atlantic.

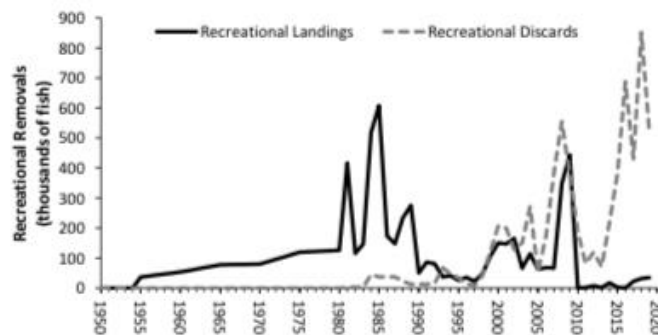


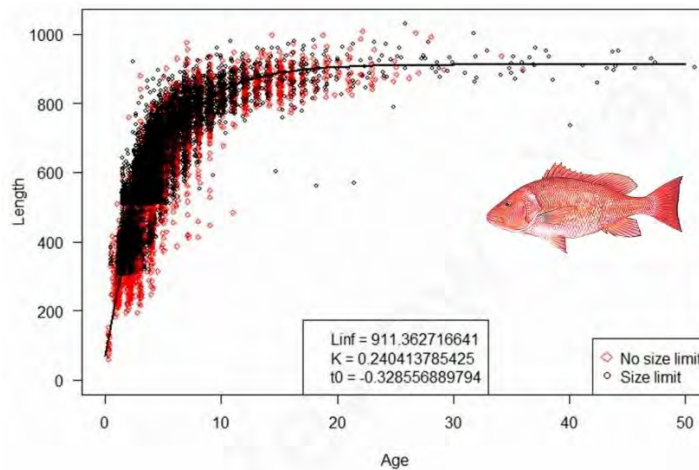
Figure 3.2.1.1. Red snapper recreational landings (black solid) and estimated dead discards (gray dashed) (numbers of fish) from SEDAR 73 (2021) by year from 1950 through 2019.

Council Leadership has demonstrated and stated that when the stock is considered rebuilt you will have no more Harvest or discard mortality yield than the current level. The Private Recreational sector is overcapitalized and has unlimited access to a Limited resource. If this overcapitalization continues all our S/G fisheries will become dead discard fisheries. The Council must and should have implemented management measures in Amendment 35 for the Private recreational sector to become accountable, controlled and sustainable. The Private recreational

dead discard problem has destroyed the accountable managed, sustainable harvest of the Commercial sector and seafood Consumers. A S/G bottom fishing season by area or time for the Private recreational sector could solve this year-round dead discard mismanagement. The vast majority of private recreational anglers' fish on the weekends and during the summer months. I ask you to research bottom fishing seasons for the private recreational SG sector ASAP.

Problems with the S73 BAM model for Red snapper

Problems continue to affect the ability of NMFS to accurately assess the South Atlantic Red snapper stock. The stock assessments will continue to be hamstrung by the use of Chevron traps and affixed stereo-cameras that routinely underestimate the stock structure for the simple reason that: 1) the trap selects for small fish, and 2) the camera can only estimate Red snapper length but not age. This is problematic for an age-based BAM model, where Red snapper age is largely indiscernible for fish that simple don't grow much longer in length after age 10 (see Figure, below).

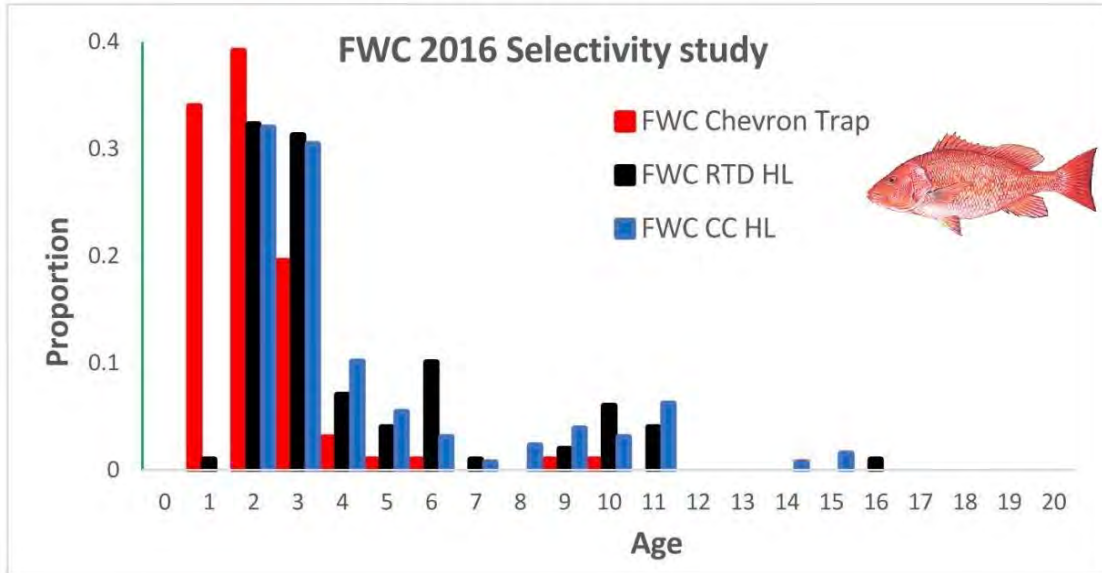


Both the FWC's Repetitive Timed Drop (RTD HL) fisheries independent index of abundance and the Captain's Choice handline (CC HL) index have been demonstrated to catch (and provide age information on) Red snapper that are neither caught in the Chevron trap or seen in the Chevron Trap's affixed camera.

From S73 RD-02 (pg. 21), the Florida FWC reported:

“Overall, Red snapper captured in Chevron traps had smaller average length than those in the stereo-camera. This is largely attributable to decreasing capture probability with increasing size, especially in individuals over 600 mm FL [\sim > age 4].

In contrast, the hooked gears captured larger Red snapper on average than were observed on stereo-video.”



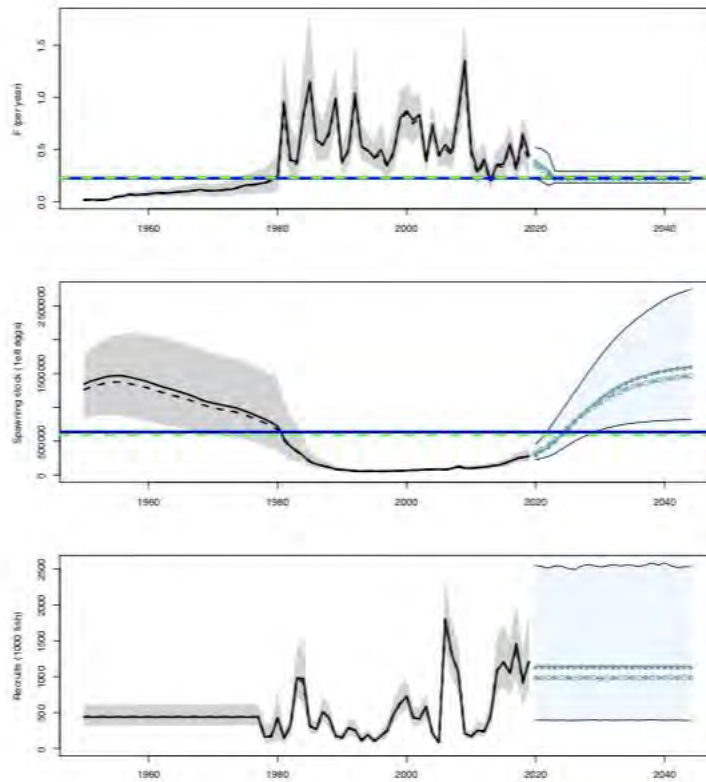
Comparison of FL FWC age structure analysis from 2016 selectivity study of fisheries independent and dependent gear-based paired-method assays (from S73 RD-02, Fig. 32), for Chevron trap (n=92), Repetitive Time Drop hook and line (RTD, n=96), and Captain’s Choice hook and line (CC, n=121).

Science center leadership has stated in the past that cooperative hook and line sampling similar to RTD would be implemented at a federal level in the SA range. Hook and line sampling should be a priority to get a more accurate age structure of our S/G species. Why do we not have cooperative fisheries independent hook and line sampling on a closed fishery?

“Red snapper recruitment is that of a rebuilt stock”

South Atlantic red snapper recruitment rates have been spectacular for many years. This has been obvious to NMFS stock assessment scientists who said in S41, **“red snapper recruitment in the South Atlantic is that of a rebuilt stock.”** Fishermen from Florida to North Carolina with their observations on the water have observed and told you the same. If these Red snapper recruitment rates continue, the S73 SA RS SAR (see Figure, below) indicate the stock will be rebuilt within 5 years and overfishing will no longer be occurring. Why did the SSC not choose high recruitment in the model, when recruitment is that of a rebuilt stock?

Figure 57. Projected time series under scenario 2 – fishing mortality rate at $F = F_{30\%}$ and higher than expected recruitment. Expected values (base run) represented by solid lines with solid circles, medians represented by dashed lines with open circles, and uncertainty represented by thin lines corresponding to 5th and 95th percentiles of replicate projections. Solid horizontal lines mark $F_{30\%}$ -related quantities (projection benchmarks); dashed horizontal lines represent corresponding medians. Spawning stock (SSB) is at time of peak spawning.



The S73 RS model is sensitive to Natural Mortality estimates

Natural mortality estimates play a driving role in stock assessment model benchmarks and was a significant source of uncertainty in the S73 SA RS assessment (see SEDAR 73 SAR). The estimated natural mortality rate which determines rebuilding age structure has been changed in successive SEDAR SA Red snapper stock assessments, from $M=0.13$ in S41 to $M=0.11$ in S73 utilizing different methods of estimating M (see left Figure, below). Also, setting the Natural Mortality much higher at $M=0.2$, as was done in a model sensitivity run (see right Figure, below), actually improves the stock status to a rebuilt stock status of Not Overfished and much lower Overfishing rate. Killing more fish with M creates a rebuilt stock in the model and

reduces overfishing faster. Clearly the SEDAR 73 model results to stock status are inaccurate and do not represent reality as seen in the ocean.

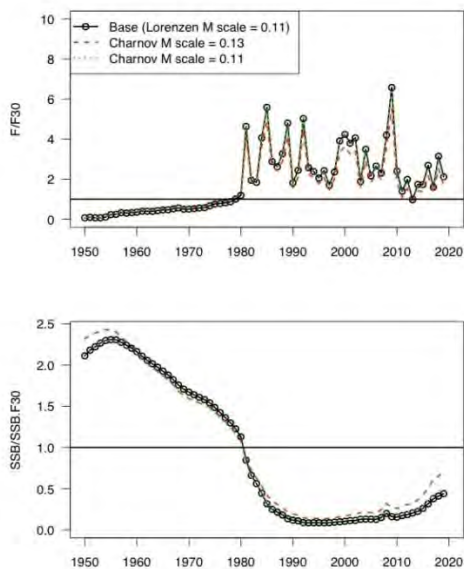
ABUNDANCE IS MORE IMPORTANT THAN AGE

As an Observer During the SEDAR 73 assessment I asked how many Red snapper over 20 years of age had been observed from the age readings. The response was that in the last 42 years 30,705 fisheries dependent samples have been taken. This resulted in only 141 Red snapper over 20 years of age. That is not even 1 Percent. It is time for the NMFS to admit that we are never going to rebuild the Red snapper stock to have an abundance of over 20 up to 51 year old fish, as used in some Natural Mortality estimates. But from a population sustainability perspective, using a 28 year old fish as a rebuild target will suffice. The difference in this life history model estimate is literally the difference between having a nearly rebuilt stock versus one estimated rebuilt in 2047. It is time for the council to advise their SSC to use abundance and recruitment as the primary indicators of determining stock bio-mass and harvest levels.

March 2021

South Atlantic Red Snapper

Figure 52. Sensitivity to shape of natural mortality vector, using the Charnov estimator (sensitivity runs S10, S11). Top panel: Ratio of F to F_{MSY} . Bottom panel: Ratio of SSB to SSB_{MSY} .



SEDAR 73 SAR Section II

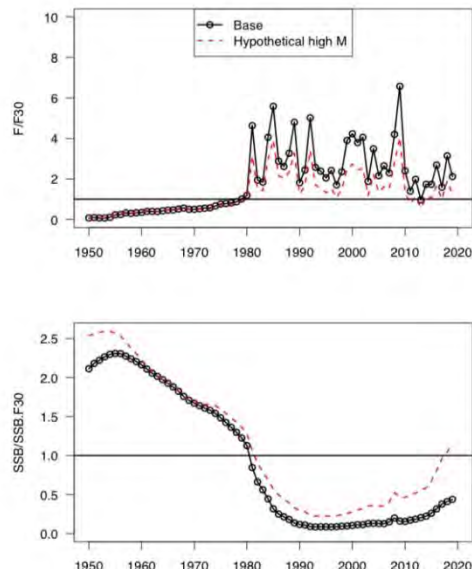
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March 2021

South Atlantic Red Snapper

Figure 53. Sensitivity to hypothetically high natural mortality (sensitivity run S14). Top panel: Ratio of F to F_{MSY} . Bottom panel: Ratio of SSB to SSB_{MSY} .



SEDAR 73 SAR Section II

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Assessment Report

SEDAR is currently conducting a multi-year research track assessment for red snapper, now is the time to fully engage with your SSC to implement changes so the model better resembles reality of the ocean.

Thank you for your consideration of this comment.

Respectfully, Jimmy Hull

Ponce Inlet Fl.

Public Comment
6/12

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Public Comment
6/12

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Representative
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Public Comment
4/12

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SAFMC June 2024 Council Meeting

Attendee Report: (6/10/24 - 6/14/24)

Report Generated:

06/17/2024 02:45 PM EDT

Webinar ID

270-060-715

Actual Start Date/Time

06/12/2024 07:15 AM EDT

Staff Details

Attended

Yes

Interest Rating

Not applicable for staff

Attendee Details

Last Name

First Name

Atkinson

Seth

Baker

Scott

Barbieri

Luiz

Barrows

Katline

Beal

Bob

Bianchi

Alan

Bogdan

Jennifer

Bonura

Vincent

Brogan(Oceana)

Gib

Brouwer

Myra

Bubley

Walter

Buntin

Jesse

Bunting

Matthew

Byrd

Julia

Carrigan

Abby

Cermak

Bridget

Chansky

Brian

Cheshire

Rob

Clarke

Lora

Coggins

Lew

Cox

Jack

Cross

Tiffanie

Curtis

01Judd

DeVictor

Rick

Dixon

Michael

Dover

Miles

Dukes

Amy

Dyar

Ben

Emory	Meaghan
Every	Langford
Finch	Margaret
Flowers	Jared
Floyd	Brad
Franco	Dawn
Geib	Rob
Gentner	BRAD
Gervasi	Carissa
Glazier	Ed
Glazier	Ed
Goebel	Jennifer
Gore	Karla
Gravitz	Michael
Guyas	Martha
Gwin	Earl
HILDRETH	DELAINE
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Haymans	Doug
Helies	Frank
Helmey	Judy
Hemilright	Dewey
Horton	Chris
Howell	Samantha
Hubbard	Dylan
Huber	Jeanette
Hudson	Joseph
Iberle	Allie
Johnson	Denise
Karnauskas	Mandy
Kean	Samantha
Kellison	Todd
Kent	Russell
Kittle	Christine
Klasnick	01Kelly
Klibansky	Lara
Klibansky	Nikolai
Knowlton	Kathy
LaVine	Britni
Larkin	Michael
Lazarre	Dominique
Lee	Jennifer
Lee	Max

Levy	Mara
Locascio	James
Lombardi	Michael
M Borland	Gary
MCCLAIR	GENINE
Mahood	Bob
Malinowski	Richard
Mallory	Ryan
Marhefka	00Kerry
Masi	Michelle
Mathis	Grayson
McGovern	Jack
McWhorter	Will
Mehta	Nikhil
Mendez Ferrer	Natasha
Meyers	Steve
Murphey	Trish
Neer	Julie
Newman	Thomas
O'Shaughnessy	Patrick
Oliver	Ashley
Package-Ward	Christina
Poholek	ariel
Potter	Caroline
Potter	Caroline
Ramsay	Chloe
Read	David
Records	David
Reeder	Kelly
Riley	Rick
Robbins	Megan
Roller	00Tom
Rose	Tyler
Runde	Brendan
Sauls	Beverly
Seward	McLean
Shervanick	Kara
Silvas	Rachael
Smit-Brunello	Monica
Stam	Geoff
Starbeck	Haley
Stemle	Adam
Stephen	Jessica
Stephens	Haley

Sweetman	CJ
Thompson	00Laurilee
Travis	Michael
Vecchio	Julie
Walia	Matt
Wiegand	Christina
Williams	John
Williams	Erik
Wilms	Sean
Withers	Meg
Woodward	00 Spud
carvalho	avelino
colby	barrett
collier	chip
foss	kristin
gloeckner	david
griner	tim
hallett	fletcher
iverson	Kim
laks	Ira
marinko	Jeff
moss	david
murphy	allison
oden	jeff
sandorf	scott
sica	Xavier
thomas	suz
vara	mary
young	Jerome