

**PUBLIC COMMENT SESSION
JEKYLL ISLAND, GEORGIA
MARCH 5, 2024**

MR. YOUNG: I'm not sure if this is the timeout chair or I'm getting court martialled. Good afternoon. I want to thank you for giving me a few minutes just to introduce myself. For those of you that have not met me, my name is Jerome Young, and I'm the new Executive Director for the Florida Keys Commercial Fishing Association.

I am a third-generation commercial fisherman. I am, currently a lobster and stone crab fisherman. I've been in the business now for twelve years, and I did a few things before I got back into it with my father, who is retired now, and so I've taken over. I've been on the board of the association for twelve years, and so I've got a little bit of knowledge. I would just say that most of our business is with the Gulf, and so this is my first meeting here. Primarily, my business is with the state, with Jessica, and I want to thank her for her help, and her staff's help, for being so approachable and helpful.

As far as the Atlantic, and what this council speaks to, we've got kingfish and yellowtail, and I would just say, for the yellowtail fishermen, the catch has been down for a few years, and they have no really particularly reason for that, for whatever that's worth, and they wanted me to mention that.

The kingfish, we're down to eleven boats, and they're currently out fishing right now, and they've got 70 percent of the quota filled, but it's taking a little bit longer than it has in the past, and we usually fill it within two or three days, and primarily the reason for that is they have self-imposed different rules amongst themselves to lower the catch, to try to increase the quality and the price, and so they're doing more trips, and they realize, when they go out and find them, and they have to come back out, and they've got to find them again, and it's taking them a little bit longer than they expected, and so we'll see how long that lasts, but they are making the effort, and I know the guys are putting a lot of money into building new nets, smaller and more manageable, and they're putting chillers on their boat. They're clipping the fish, and they're not rolling them, and so they are making the effort, and, again, there's only eleven, and those permits only get transferred to families, and so, eventually, they will be gone.

Anyway, I just wanted to thank everyone here for your time and effort spent trying to effectively manage all the different fisheries and user groups, and I know it's tough. I haven't been doing this for very long, but it's very difficult to get everyone to agree, and, every time you think you've got something figured out, they come up with something new, and someone like me comes up here and says something, and it changes your whole plan, and I guess, in closing, I just want to add that, on behalf of all the commercial fishermen that I represent, that we are here, and we're listening, and we do care. Thank you.

MS. GUYAS: Hi, everybody. Good afternoon. I am going to bounce around and hit a couple of topics. Let's start with SEFHIER and limited entry. I really appreciate, Amy, your presentation about South Carolina's experience with charter reporting, and I feel like there's definitely lessons to be learned there that could be applied to SEDAR, and, I mean, I know how much work it is for your staff to make that program successful, and to maintain compliance, and so I really commend you all for that.

I agree with the conversation about decoupling SEFHIER and limited entry, and I think it's reasonable to work with an AP and for-hire businesses on that. Limited entry, and moratoriums, have come up at this council, for for-hire, several times over the years, and ASA has been opposed, because the need has not been apparent. The number of permits has been pretty steady through time, and we now have climate change considerations, with species moving north.

The Gulf program, at least for SEFHIER, has been disbanded at this point, and so it's not really clear why you would do that in the name of SEFHIER, especially considering Shep's comments that limited access must be aimed at achieving OY. It seems like we've identified a tool, or folks have identified a tool, that they would like to use, that being limited entry, or a moratorium, but it's not really clear what the problem is to be solved there.

On golden tile, the recreational season, I know, was announced to be closed at the end of Wave 1, and I've been hearing, from a lot of folks, that weather has been an issue in the first two months of the year, and so people were not able to get out on the water. Considering that season was closed based on projections, I would ask that the Regional Office review that data, when it comes in, and, you know, I understand the quota is very small, but, if there is the possibility for a reopening, please consider that.

The Florida EFPs, we definitely support moving those forward, especially considering that secretarial action may be on the table for red snapper, and that may be the only opportunity for harvest this year, and we appreciate the discussion by the council on the sixty-snapper-limit one. You know, I think maybe one way to think about that is the cooler space on a recreational vessel, and I doubt there's really very many vessels out there that have the capacity to retain sixty ten-to-twenty-pound red snapper on ice, and bring it back into port, and so that may be one way to think about that.

On black sea bass, thanks to John. I thought that was a really outstanding presentation that put together all the pieces, and this is going to be a tough one to crack, again with species moving north, you know, low recruitment, and overfishing isn't the problem here, and so like how to deal with that is going to be really challenging, but we do need to get, you know, our arms around getting better discard and catch estimates. I mean, this is a shining example of why, and it's not - - Unfortunately, the federal recreational permit concept for snapper grouper I'm afraid is not going to be the tool to solve this, in this case, you know, because there's a lot of fish coming from state waters, and black sea bass are being caught with all sorts of different species, and so it's complicated. You know, what we're really talking about is MRIP changes, and we need to think bigger picture, and so thanks for that discussion.

One other thing to flag for you all, that is not on your agenda, but I wanted to talk a little bit about the Florida Keys National Marine Sanctuary. For those of you all who have been around for a few years, you know that the sanctuary is working on rulemaking to update regulations for the sanctuary. As part of that, they are working on a protocol for cooperative fisheries management between you all, the Gulf Council, FWC, and the sanctuary and NOAA, and that lays out how fisheries management is handled in the sanctuary.

That's all being updated parallel to rulemaking, but not in the public eye. We're hoping that that will be issued, or the updated protocol will be issued, before the final rule is issued, and we have

encouraged the sanctuary to defer to fisheries management authorities in developing fishing regulations for the sanctuary.

There was an article in *The Key West Citizen*, a few weeks ago, that indicated that maybe that may not be exactly what's happening here, and I can't speak to that firsthand, because I don't see the documents, because they're not out in the public, and so we are concerned, you know, with the final rule being eminent, how the protocol for cooperative fisheries management is going to change, and affect fisheries management, and so we would ask for you all, since you all are a signing party, to allow some kind of public review of that before signing the dotted line, and so thank you.

MS. MCCOY: I'm Sherylanne McCoy from Cape Canaveral Shrimp Company, out of Cape Canaveral, Florida. I would like to thank you for the opportunity to submit public comment to the council. As long as the recreational and charter-for-hire sectors are not held accountable, we're going to continue seeing lowered ACLs. Now is the time to move forward with limited entry for the charter-for-hire sector and federal permits for the recreational sector. Establishing a limited-entry program, with required reporting, for the for-hire sector will provide accountability and better data for stock assessments.

If the boats do not report, they would not be able to renew their permit. This will also cap the effort in the sector. Issuing a federal permit for recreational boats would be the first step in making this sector accountable. Lack of accountability in the recreational sector is causing lower ACLs for everyone. The commercial sector has been held accountable for years, and not only was the snapper grouper fishery capped with limited entry, but the two-for-one was also introduced, which has further reduced effort beyond the original cap.

There are only two commercial docks left now at Port Canaveral. Our family business has been leasing from Port Canaveral for over fifty-five years. Our leases, insurance, payroll, taxes, supplies, electric, water, packing supplies, equipment, and almost everything that goes into maintaining a fish house and a dock, has gone up, while the pounds across the dock have continued to go down.

We maintain a bulkhead for unloading product, along with a fish house with a freezer and ice machine. It's becoming harder and harder to remain economically viable, due to decreased landings, trying to sell against the flood of cheaper imports, and the increased prices of running a business. The vessels in the commercial fleet are also encountering the same issues, higher insurance, higher fuel, higher bait, higher repair costs, diminishing working waterfronts, and also dealing with lower ACLs.

Yesterday, you heard Kerry speak regarding the scamp allocation and the importance of retaining every pound available to survive economically. The boats are also suffering from these lower ACLs. The boats that access our dock are providing seafood to the non-boating seafood consumer, those that do not have access to the resource. They don't live near the coast, and they don't own boats, and they may not be able to afford to hire a boat to take them fishing, or they may not just want to go offshore, and some people get seasick and choose not to get their seafood that way. We offer a variety of seafood, with a wide price range, providing seafood for all economic levels.

There does not seem to be any light at the end of the tunnel, until we have all sectors accountable and reliable data to use for stock assessments. Steps need to be taken to provide accountability in all sectors, sooner rather than later. Accountability may give more pounds to all sectors. Thank you.

MR. ZALES: Bob Zales, II, Executive Director of Southeastern Fisheries Association. To give you a little bit of history, and when I met Amy on Monday, I was asking her about somebody that some of you all may know, and some of you may not, and his name was Charlie Moore, and he was working with the South Carolina department, and he pretty much developed the for-hire form that they had for data collection.

I worked with Charlie, and the people at S&T, way back then, to work on data collection for the boats in the Gulf, and we ended up doing several things. The first thing we did was to create limited entry in the federal permit process. That federal permit limited entry has done great things for the for-hire sector in the Gulf. Number one, it added professionalism to the fleet, and it provided accountability for the fleet. An unexpected thing is it added quite a bit of value to the vessel owners, and the permits started out that, if you sold them in the range of about \$6,000, that permit today is upwards of \$35,000.

It also worked -- At the time, I wasn't for it, what they call sector separation in the red snapper fishery, and clearly it has worked. Sector separation divided the recreational sector between for-hire vessels and private recreational vessels, and, due to sector separation this past year, the for-hire vessels in the Gulf had an eighty-plus-day season for red snapper, and that wouldn't have happened without limited entry, and so I would encourage you to move forward as quick as you can for that, because it's a positive thing.

I was chairman of the AP that helped develop that federal limited-entry permit, and we went through a whole lot of stuff, and we worked out a lot of things, and I'm listening today, and, most everything you all have talked about, we already have been there and done that, and a lot of the problems that were initially with it we worked out, and they're not there anymore, and the program works really good.

Andy talked about, I think, having a vision of where we need to go. With the limited-entry permit, and also with the private recreational licensing, the goal is -- There is two goals. The goal for the for-hire permit is to bring them into compliance with being able to account for what they do in federal waters, and the same thing is for the private rec side.

The other common thread that's been discussed this week, between every fishery that you've been talking about, is discards. The whole goal of these permits is to be able to provide accountability to the fishers that are fishing in the EEZ, so that you can get a number of the people that are actually fishing there. That gives you effort information. It's a multifold process. The first part of it is to create the permit. After that, then you work on data collection. Then you know how to do it, and, when it comes to data collection, it's real simple.

Amy talked about the VESL app that they use. In the Gulf, when we had that program running, that was a real simple, easy thing to do. Everybody has got a smartphone today, and, most private recreational anglers that I've talked to, they would love, and they beg, to give data. They just need a mechanism on how to do it, and clearly it's a voluntary system, and the Fisheries

Service has issues with that, but they've become more accustomed to working with that, because that data is not 100 percent, and it probably never will be, but it's better than what they're working with now, because clearly the FES system, in our mind, is a joke.

I mean, the agency itself says that there's problems with that data, even though it's considered BSIA, and so that has created a lot of problems, and, when you deal with these discards, and you do the discard mortality -- The commercial sector has discards, and they're not 100 percent in accountability, and they're very good, but the recreational sector is far from that. They don't have any accountability at all, and we don't have a clue what's being caught, when it's being caught, that's thrown back, what's kept, and that's the whole reason behind creating these permits.

The only sector fishing in the Atlantic and the Gulf of Mexico that doesn't have a federal permit is the private recreational boat. Everybody else has got a federal permit. Enforcement can work with this, and there's a multitude of ways to play with it, and we would encourage you all to do all you can to expedite this process, because it's needed to help with our stocks of fish, to get them in a better position and for us to be able to fish more, and so thank you very much.

MR. HULL: Hi, everybody. It's good to be here, and it's good to see some familiar faces. I did provide written comment, and I would like to highlight some of that right here. Number one, I support the Mackerel AP and the council's goals and objectives in conducting port meetings with fishermen and stakeholders in the mackerel fishery. This will provide real-time conditions and assessment of the current management effects on fishermen and stocks, and port meetings not only for mackerel species, but for all different species. I think the port meetings that we used to have in the past were very beneficial.

As far as SEDAR 90, the red snapper assessment and the terms of reference, hopefully you will read my comments, and I don't want to get deep into it, but, you know, I feel that, you know, we're missing the mark, in the assessments, by relying on a total age-based assessment. I think that abundance is far more important, in our red snapper species, than age alone in determining the success of the stock and its ability to do what -- You can see, with your own eyes, what it's doing, and all the data shows what it's doing, and so I believe abundance is much more important than age and that we need to either weight age heavier in the model, or as heavy as age, or, if they're not, and maybe run a different model that's based more on abundance than age, and see if it gives us some relief, because we need reality to match the results, and the interpretation of the results, of the stock assessment.

We all agree that there's more red snapper in the environment than there has ever been, according to our records, and the recruitment is the highest that it's ever been, and the expansion is the highest that it's ever been, and it's causing -- Call it climate change, okay, and we can put that under climate change, and perhaps the reason that red snapper has done what it's done is because is climate change, and so we need to address the current problems that that's causing for us. I fish out of Ponce Inlet, Florida, which is, you know, the northeast coast of Florida, and so all of my comments, and opinions, are based on the area that I fish, and I've fished all my life.

I fully support the FWC's EFP hotspot studies, and I believe -- I kind of see where this is going, and I think that it's very beneficial to gather that data. In listening to the conversation today about private recreational solutions to reduce effort, and still have access, and provide, you

know, happy anglers, and I think that, if successful, it could provide the information needed to, you know, show some results that could happen with different management ideas to change the way that you conduct the private recreational reef fish fishery.

You know, having a continued dead discard fishery is just -- I mean, it's just not the -- First of all, it's illegal, but you're not supposed to be -- It just doesn't make sense, and you shouldn't be wasting the resource to have an open fishery so that people can just dead discard, and I don't think that most private recreational anglers, that I know, what to do that, and so I fully support that, and I hope that it's successful.

To go to the Amendment 36, the gag and black grouper vessel limits, and then also on-demand gear for black sea bass, obviously, you've been talking about grouper, yesterday and today, and we need to cut back. You know, our grouper stocks are -- Our inshore grouper stocks are not in good shape, but to have these limits -- I would refer back to your Snapper Grouper AP, you know, and their recommendations, and you have members from all sectors, and they're professionals, and they're educated, and they will give you really good advice.

Also, on vessel limits for different species -- You know, these vessel limits that you're coming up with for some species are not going to work for headboats, and you're going to have to come up with something different. Vessel limits aren't going to work for headboats, and you've got to think about that.

On Amendment 36, the black sea bass pots, I was involved in the EFP, and, if you read my comment, you will see that it's been very successful, and we need to continue to allow fishermen to use this gear, to continue to develop it, because, down the road, who knows where we're going to need it, and it's pretty flawless, the way it is now, and some of this gear is still being developed though. The gear that I was using was flawless, and it worked perfectly, and so we need to allow it as an allowable gear, and I think it could be done easily on the existing regulations that you just have, and you just need to allow that, in the buoy and marking regulations, as acceptable to use.

The stowage part of it, if you read my comment, it's pretty simple. You need to put the float in the trap, and have it unbaited, and it's that simple. I talked to law enforcement earlier today here, and we were talking about, you know, how can they pull one of these pots, and I said, well, it's very simple, and you can see the pot. You will be able to see it on your plotter, you know, and, so if they get trained, and they want to go pull a trap, a pot, to check it, they can -- They will be able to do so, if they have the ability to do it, and they will just have to know either how to repack it or to contact us, and tell us what they did, you know, and there's not very many of us in this fishery, and it's very small, and so it's doable.

All of it's doable, and, obviously, I support the private recreational permit and education requirement, for all the good things that it could potentially do for all of us, because that is the big elephant in the room that is causing a lot of problems for everyone, is the unaccountability of that sector. Thank you very much for all your hard work. You guys work hard.

MR. KANE: Hello. My name is Dan Kane. In the fleet, I'm known as Hurricane Dan. I am the old salt. I'm going to start with the bountiful fish 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 by predation by these fish.

It's my belief that the massive school of red snapper have, and are, eaten 60 to 80 percent of all the sea bass fry, and it's my belief the red snapper are also eating over 60 percent of all vermilion snapper fry, and they are also decimating the stocks of porgies and all other reef fish stock, by eating the fry and the juvenile fish that are too small, and too slow, to catch, like the grouper and the amberjack. I believe that 40 to 50 percent of the red snapper need to be removed from our waters, so that all the other species can have a chance at recovering.

There are more sharks in the Atlantic Ocean today than I can ever remember. When I started commercial fishing, back in 1976 -- Sharks don't eat plankton. They prey on any and every kind of fish they can catch, especially the grouper, the amberjacks, the king mackerel, and they also eat the seabirds and the sea turtles. I believe that 70 percent of the sharks in Atlantic and the Gulf of Mexico need to be removed, to restore the balance of nature.

Another one, and an old salt red snapper permit, and, today, red snapper stocks are at eighty-five million pounds, to 105 million pounds, and sustainable harvest of this robust stock is 10 percent. I started fishing in 1976, and, today, stocks of red snapper are greater than I've ever seen in my life. I would like to harvest this fish year-round, before I'm too old or dead. Except for serving my country for six years and ten months in the Navy, commercial fishing is the only job that I've ever had. I am the old salt.

I'm asking for a special old salt red snapper permit for all the old-timers. To qualify for this permit, you must be sixty-five years or older and must have owned a snapper grouper permit for at least twenty-one years. The permit holder must be on the boat when the snapper are caught, and the permit holder must be on the boat when the fish are unloaded. The old salt landing limit should be at 500 pounds a week. This is less than seventy-five pounds a day. To fish seven days a week is not healthy or safe. Most societies in history respect and revere their senior citizens, and this is a chance to give us the respect that we deserve.

Sustainable harvest of red snapper, today, the red snapper stocks are over eighty-five million pounds, and probably closer to 105 million pounds. Sustainable harvest is 10 percent. What I'm asking for is less than that, and I want five-million pounds. What I would like is one-million pounds for the commercial fishermen, two-million pounds for the sport fishermen, and a good portion of the sport fishermen's quota shall go to the charter boats. The charter boats are sport fishermen. The other two-million pounds are for the dead discards that the sport fishermen throw back.

I would like to start this slowly, at a low level, and work our way up to the five-million pounds. First, let us start at 330,000 pounds for the commercial harvest. This should be at 500 pounds a week, and this will allow the bigger boats with a crew to participate. Seventy-five pounds a day is not safe. I am what you call a beach boy. A decade ago, fishing too hard, and too many days in a row, I fell asleep on the way in and put my boat on the beach. It was a \$60,000 mistake. The sport fishermen, start at three weekends a year, with seven or eight fish per boat per day, regardless of the number of fish on the boat. Charter boats get one fish a day at this time.

In two years, do an assessment. If stocks are still strong, increase the catch limits and the commercial quota to a half-million pounds. The sport fishermen, increase their weekends to five weekends a year. Charter boats, allow them to catch two fish a day, and give the headboats fifteen fish a day. In two years, do another stock assessment. If the stock is still strong enough, increase the catch as such, the commercial quota to three-quarters-of-a-million pounds. For the sport fishermen, create the catches at six or seven weekends a year, and the charter boats, and the headboats, keep the same. In two years, do another stock assessment. If the stocks are still strong enough, increase the commercial quota to a million pounds. For the sport fishermen, go to eight weekends a year. For the charter boats, increase to three or four fish a day. The headboat limit, increase to one fish per person, not including the captain or crew.

Then, on the way in yesterday, I was thinking, and a weekly quota. Allow the commercial guys to unload on Tuesdays and Fridays, to make enforcement easy, half the quota on Tuesday and the other half on Friday. That way, your law enforcement could spend most of their time chasing the sport fishermen.

To reduce dead discards by 60 to 75 percent, give the charter boats two or more fish a day, and give the headboats fifteen or twenty fish a day. The sport fishermen, consider giving them ten or twelve Saturdays a year. Every other weekend, let them fish at seven fish a day per boat, or maybe ten fish. If you let these people fish, they will quit being criminals, and catching fish when they're not allowed to, and the dead discards will be reduced by up to 75 percent, and the sharks are eating more red snapper than all the fishermen are killing combined. Sharks are a problem, and maybe you need to let the shark fishermen thin the sharks, and we need to reduce the sharks. They're horrible. Ask anybody. Thank you for your time.

MR. VENKER: Good afternoon. My name is Ted Venker, and I'm with the Coastal Conservation Association, and I debated whether or not to comment today. I don't spend a lot of time at this council meeting, and so I don't know a lot of the history, and I'm very likely to step off a cliff here, and so I hope that you'll be patient with me.

I do spend a lot of time in the Gulf of Mexico, at that council, and I wanted to comment today on the discussion on limited entry for the charter-for-hire sector. There are a lot of things, in my opinion, that happened in the Gulf that are better off staying in the Gulf, and, conversely, I think there are a lot of things that you guys do here that I wish that you would export to the Gulf, but I heard some concerns, yesterday, over the idea of limited entry, and someone brought up the idea of it leading to sector separation, and that was dismissed as being way far out in the future, so far out that it shouldn't be a concern right now.

That reminded me of how sector separation went in the Gulf of Mexico. We opposed it there, purely because we thought it would lead directly to catch shares. The only way you can get to catch shares is by doing limited entry and then sector separation, and those are the first steps. In the Gulf, we were assured, by all, that catch shares were not the goal there, and they were not on the table, and they were way far out in the future, and no one was talking about catch shares, and they only wanted to have their own sector, to have their own quota, and to be better able to manage their own season, which are perfectly reasonable goals, if it stops there.

The whole sector separation debacle was a really long, contested debate, and it eventually passed the Gulf Council, I think, on a vote of ten to seven, with a sunset provision that turned out to be

somewhat meaningless, and I wouldn't swear to it, but I'm fairly certain that, at the very next meeting, Amendments 40 and 41 were introduced at the Gulf Council meeting, which were catch share amendments for the charter-for-hire industry and the headboat industry, and so that was the playbook in the Gulf. It went limited entry, and then it went to sector separation, and then, all of a sudden, we had these catch share amendments appear.

What you may think is way out in the future, when you're talking about limited entry, has a way of sneaking up on you faster than you may think, if you go down this road, and I'm not saying that is what is going to happen here, and the circumstances may be completely different, but I'm just saying that that's the way it went in the Gulf of Mexico, and so I just wanted to say, today, that you are right to be careful here, and you are right to wonder if this is a solution in search of a problem, and you're right to wonder where this road leads, because there are many things that you might not want to import from the Gulf of Mexico, and the idea of limited entry in the charter-for-hire sector may be one of them, and so thank you very much.

MS. AINES: Hi. I'm Alex Aines, and I work as a scientist at Oceana, and I just had a quick comment on Regulatory Amendment 36 in the snapper grouper fishery. Since 2019, Oceana has worked to protect endangered North Atlantic right whales from both entanglement and vessel strikes. We strongly support the addition of on-demand pots as an allowable gear for commercial harvest of black sea bass.

Since 2017, the U.S. and Canada have confirmed nine mortality and thirty serious injuries from entanglement, and more than 86 percent of North Atlantic right whales have suffered at least one entanglement during their lifetime. The South Atlantic Fishery Management Council has an opportunity to benefit both fishermen and North Atlantic right whales, by allowing on-demand gear to be used during seasonal closures, while also removing additional ropes that might entangle whales. This action would build upon years of at-sea trials and set the precedent that fishermen and whales can coexist.

The South Atlantic Fishery Management Council would be an example of how to modernize fisheries, by embracing whale-safe gear. Oceana offers its commitment to support this action and calls upon all fishery managers facing entanglement challenges to embrace on-demand gear. We will continue to stay engaged on this action, and we also submitted written comments. Thank you for the opportunity to additionally comment in-person today.

MR. STEPHENS: My name is Nick Stephens, and I'm from Ponce Inlet, Florida, and I own a headboat there, Sea Spirit, and we're one of nine headboats left in Florida that fish in the South Atlantic, and I've been doing it for nineteen years, on the headboat, and I've been the captain for ten years, and I just recently took it over, with my wife, a few weeks back, and so this is my first council meeting.

We have a vested interest, obviously, in the fishery, and my main concern is vessel limits for headboats. I know, in Amendment 36 for gag and black grouper, the vessel limit is two, and I would like to request a draft Alternative 4 for headboats to be completely separated from everyone else. We're basically different. We have multiple passengers on the boat, and we should be regulated as such.

A vessel limit would not work, not just for grouper, but for cobia as well, which is also two per vessel, and, for vermilion snapper, lane snapper, things like that, if there is any time in the future where there would be a vessel limit, it would definitely destroy our fishery as a headboat. There's not many of us left, and that would definitely hurt us big-time, and so please no more vessel limits for the headboats.

Also, I agree with the old salt there about his shark problem, and that's definitely predation, and we do our online reporting every day, and we have a 100 percent rate on our reports, and we try to keep up with that as best we can, and there is no way to way to report predation at all on our reports, at the end of the day. There is a section for releases, red snapper, and you can click that we caught sixty a day, and we released sixty a day, and you can say you descended, or you can say you vented, but there's no way to say that a fish was eaten by a shark, or a goliath, and there's no way to say what is eating your fish, if it was a sandbar shark, or was it identified, and I feel like we should have a way to at least report that for data purposes, because, I mean, there's a shark problem. The sandbar sharks are public enemy number one for us in Daytona Beach.

Proposed Amendment 35, Action 2, which is to prohibit the use of more than one hook per line for the snapper grouper recreational sector, and I oppose that. I feel like, if you're trying to reduce the mortality rate of red snapper -- When you're on our boat, and you're dropping a single rig, you're pretty much guaranteed a red snapper, and, when people are getting tired of catching red snapper on a single rig, I give them a double rig, a multi-hook rig, and they catch less red snapper, and I'm not saying you're not going to catch a red snapper on a double rig, but your chances greatly decrease, and I think that is absolutely ridiculous, to have a multi-hook to reduce the mortality rate for red snapper, but that's pretty much all I've got to say, and thank you for your time. I appreciate it.

MS. STEPHENS: Hello, council. My name is Haley Stephens, and I am the co-owner of F/V Sea Spirit out of Ponce Inlet, Florida, and this is also my first meeting, and I'm so happy to be here, and thank you for having me. I am a supporter of accurate scientific data, and I am also an advocate for fishermen. I represent the new generation of fishermen and women who are earning their livelihood on the water, and I can say that there's not very many of us.

When it comes to collecting fisheries data, some may argue that there is simply no better resource than to utilize the headboat fleets here in the South Atlantic. We serve as a time-efficient and cost-effective tool with the availability and willingness to work alongside the council to collect the data needed to make the correct decisions.

I would like to address a concern stemming from Amendment 36 of the snapper grouper aggregate vessel limits. To quote James Hull, the AP member, vessel limits do not work for headboats. Some may even speculate that a blanket recreational limit, applied to both six-pack for-hire vessels as well as the private recreational sector, in addition to the headboat being included, may be almost viewed as a discrimination against the multi-passenger vessels. Please consider this a formal request to reevaluate, and to reconsider, vessel limits and to recognize headboats as a separate entity moving forward.

I would also suggest creating, and assembling, a new AP for headboats or multi-passenger boats, and I would be more than happy, and willing, to assist you in any way that I can with that. In the particular case of Amendment 36 for snapper grouper, I am formally also requesting an addition

of draft Alternative 4 to consider a separate framework for those headboats. I would also like to express that we are in favor of the FWC hotspot red snapper research initiative, again recognizing the headboats as an incredibly resourceful tool to be able to collect the data that we need to move forward to ensure the success of our fisheries.

In closing, nobody cares more about the fisheries than those who earn their livelihoods on the water. That's so important that I'm going to say it one more time. Nobody cares more about the fisheries than those who earn their livelihood on the water. I appreciate your time. Thank you so much.

MR. HAGEN: My name is David Hagen, and I would like to thank the council for the opportunity to speak here today, and I especially like the five minutes. One problem that you're going to have with the control date on the charter boat permits is I have numerous fishermen that have come to me and lease South Atlantic permits from me, and they had these three-pack charter permits, but they have to give them up, because only one person, or entity, can own permits, and so it's an open-access permit, and they just get them under my permit, but, if you're going to make it necessary to have a control date, which you've already set, and you're going to go to limited entry, if a fisherman can show his trail that he owned these permits at the time of the control date, and he only had to give them up in order to get a South Atlantic permit, he should be vested and allowed to get these charter boat permits. The only reason he didn't have them is because he had to get my permit, and so you need to look out for that.

Another thing, and I have no fight in the dog about the recreational fishermen, and they go out there and do what they want, and I don't care, but I Googled how many people are coming to Florida every day, and it's over 1,200, and that equals out to about 8,500 people a week are coming to Florida.

I picked a random number. One-half of 1 percent -- If that number fishes on the east coast, either by buying their own boats or hiring charter boats, or going on headboats, and that's an additional 400 people a week. You multiply that just by fifty, and that's a staggering number. You've got to get control of the recreational sector. You've got to do something to keep them from running me over. You might as well put a bullseye on my boat on Saturday and Sunday, if it's two to four, ten to fifteen out of the Southeast.

The other thing that I would like to talk about is the two-for-one. Unfortunately, you all are going to talk about that tomorrow, and I'm going to talk about it today. I own twenty-one South Atlantic snapper grouper permits, and I lease them out, and I do quite well, but, if you can't come up with \$8,000 to fish, you don't belong to be fishing. People call me, and I may not have a permit for them, but I can find them a permit, and there's no waiting list for people to list a permit. There's plenty of permits out there, and the two-for-one is working. Don't fix it if it ain't broken. It's not broken.

It was put there to get the number of commercial vessels down, and, about five or six years ago, at one of these same meetings, one of these great scientists got up and said that the Atlantic could only support 140 vessels. Well, there's way more than that now. There's way more than 140 vessels, and it's now impossible to be a fulltime commercial fisherman. You better have something else that you can do on the hill.

What was I going to say now? You get old, and you can't remember stuff. CRS. Darned it, and it was important too. Oh well. Oh, and the man, and I think it was the old salt guy, and he was talking about how much red snapper, and you would all be surprised. Well, I spearfish commercially, and I can go down and tell you that the greatest predator on the face of the Earth is the lionfish.

I worked with a PhD professor out of the University of South Florida, and I sent him several lionfish, and he said that he took sixty-one fry out of this one lionfish, and that's sixty-one fish, and I don't know what they were, but I'm sure they were snapper grouper, vermilion, or something like that, and so you all don't see them, but they are there. I will agree with everybody else that there's too many red snapper, and there's danged sure too many sharks. If you go out there diving at night, you better tighten your belt, because you're going to see them, and you're going to have to deal with them. Thank you for your time, and, unfortunately, I forgot the last thing I was going to say. I didn't have it written down.

MR. CURTIS: Hello, everybody. This is kind of surreal. I'm a long-time listener, and a first-time caller, and so my name is Joseph Curtis, and I run a six-pack charter boat out of Mayport, Florida. How fitting that David went ahead of me, because that's really what I'm worried about. I lease a federal king mackerel permit, and I am not listed as a permit holder. I've had these permits in the past, and I have reported on them. I've done my due diligence to do it the right way, and I think you all really have got to be careful in the way that we word these things moving forward.

Shutting people out, and losing livelihood over technicalities is -- You know, I've worked a long time on the South Atlantic, for close to a decade, and I'm one of the younger guys in the fleet, and it would render all my hard work kind of useless if the wording really wasn't, you know, more inclusive, and that just really scares me, and so that's kind of why I'm here today. I just really wanted to stress that we really need to put a lot of thought into the future of these limited-access for-hire deals.

I would also hate to see this, and I know that, Monday morning, I listened in, and just kind of some of the first thoughts that came to mind from people was that we needed to mirror the Gulf, and I think that's, honestly, terrifying, and it's not what we should do at all, and I think there is an amazing opportunity to be very innovative in the way that we proceed. A lot of the limited-access, or essentially no-access permits -- You know, if you're not born around it, you're not getting into it, and I talked with Tom earlier, or later last week, and aging out is occurring, and there is not people there to necessarily replace that, well, they're under their own permits, or they're working for somebody else, or they're leasing, which I understand that's the rules that we play by, but I think that there's really room to get this right this time around, and I don't think the Gulf is necessarily all-in on what we should be looking at.

I think the council really needs to align on the goal, and I know I saw some -- You know, I listened to that, where there wasn't really -- As a group, the decision wasn't there on what to do, what is the driving goal behind this, and are you reducing effort, and are we -- You know, are we going for data, and what's -- We really have to dial that in, before any real, you know, options can be, you know, discussed.

Now that I'm kind of through all that I had to say on that, I just wanted to really touch on the vessel limits for the headboats. That is a -- Sixty is not enough for those guys. I did that for, you know, a few seasons, and sixty would drive that out of business so quick it's not even funny.

I think that hotspot idea, with the northeast Florida fleet, I think that's a fantastic idea, that being allowed to play around, and really get, you know, some real numbers as to what's going on, and I think that's huge. I love the idea too of the SEFHIER shark predation. If that's something that the council seeks, I think that's an easy add-on to the end of SEFHIER, because, a lot of times -- It's happening more and more and more, where our fish are coming in half, no fish, et cetera, and so, I guess, to sum it up, I'm for the for-hire access limitations, as long as they're done correctly and inclusively. Otherwise, I want to thank you guys for all your hard work and keeping up with all this stuff. Thank you.

MR. TAYAG: Hello. This is my time at a meeting as well, and my name is Oz Tayag, and I run the Headboat Majesty, out of Mayport, Florida, and I do just want to double-down on the vessel limits for the headboats. I don't think it's super fair that we are included with the -- You know, for example, two cobia per vessel, and, for a six-pack boat, that's fair, but, for us, having forty to sometimes fifty people, it kind of caps us out when we've got on a good bite, which could be rare nowadays.

Other than that, sharks are horrible, and they are just -- Almost every day, I get to see a couple of them, and they're eating snapper, beeliners, sea bass, triggerfish, and I've seen grouper being eaten, what little we do catch, because of the red snapper, and so just those couple of things, with the red snappers and sharks. They're pretty bad out there, and I spent 120 to 150 days out there a year, and they're bad, and I just wanted to touch up on those things, and hopefully you guys keep digging and work hard to find a resolution for that, and so just double-down on the vessel limits for headboats, and so, if you all can consider maybe separating the rules, and having our own rules, and, like he was saying, there's only nine of us around, and so certain things could lead to bad trips, and just it would deplete the headboat industry. That's it. Thank you.

MR. PALMER: Good afternoon. Well, I will be the oddball here, and the recreational fisherman with no commercial background on that. The background that I do have, quickly, is fishing in the Gulf, while stationed over there, roughly in 2010 to 2013, 2015 to 2018, and then now stationed over here in Jacksonville, and, for one, I refuse to be the recreational fisherman that's going to sit there and complain about the rules, complain about what the quotas are, without actually putting any input and trying to put the feedback back in there.

I've heard some of the echoed comments with the Atlantic red snapper, and that's kind of my, you know, prime concern, because, after going out there -- You know, the first year in the area, going out, going to publicly-marked -- You know, FWC provided spots, and I see exactly what -- Frank was the guy that I initially got in touch with, and he saw exactly what he mentioned of, hey, undersized red snapper, undersized red snapper, and they're still loaded, but they're all undersized, and then, you know, after spending a year, two years, three years over here, moving to spots that aren't those public spots, and that's not the same case out there.

I had a recent trip, a couple of weeks ago, with fifty to sixty in the twenty-plus-pound range, with three or four, or maybe five, undersized red snapper, and they're just everywhere, but what you're not seeing, and what isn't out there, due to how many are there, is any of the other fish. It

was a ninety-plus percent red snapper catch, and probably 95 percent that are released healthy, but they were all released, and they're completely decimating the reefs.

On an average day, we'll move to six, seven, eight different spots, trying to get away from them, and it's impossible to get away from them. They are everywhere, trying different baits and different rigs. We caught them everywhere from bottom rigs up to flat lines on the surface, and they just -- There is such an abundance of them that, you know, there are going to be dead discards, and, based on the rules that I'm reading, that's a big factor in it, and the fact of not being able to catch a moderate amount of them, throughout the year, and they overload the reefs, and they also take out all the other fish, and so not only can we not, you know, harvest the fish that we are catching, but they're killing all the other fish that are out there as a potential.

Sharks, again, we're getting some of them, and, you know, depending on the reef, you might get lucky with the sharks, and you might not, but just every single, you know, relief, over two foot on the bottom -- You know, I generally fish between eight and twenty-five or thirty miles offshore, and every mark that's got more than a couple foot of relief is just loaded with these things, and so I don't know if the data they're pulling is, you know, only off these marked reefs or what, but, from just a few years here of fishing the area, I can say that, you know, the assessment that there are too many undersized ones is not an accurate assessment, but that's kind of my comment on the thing.

I think there needs to be better data. Listening to some of the ideas of getting more recreational data, I guarantee you there's people out here that want to provide it, and I can tell you that the data that they're getting now is flawed, because I'm hearing, from so many people, that, hey, the common understanding is that a discard is a dead fish, and so you only caught the one that you caught, and not the fifteen or whatever that they returned, and it's skewing the data, and so whatever it is to get better data information is needed, but the number of the fish are drastically higher than what is getting recorded out here for the snapper, and it's decimating the reefs of any other wildlife on there. Thank you for the time and the ability to comment.

MR. MAHONEY: I just wanted to go over a few things before the council addresses the overview of Amendment 8 tomorrow. I did a written comment too that will detail it a little more, about the initial aim of the objectives that were in the eight bullet points, indicating the intentions of the objectives in that amendment, and there is indication that many of these intensions of the objectives weren't met.

I am going to highlight a couple of them here, and promote a mechanism to vest participants, and this is probably the closest to hitting its objective, as in the case for market owners and pack houses operating during the time of the Amendment 8, and it gave them the opportunity to buy out the other harvesters in their areas, resulting in the ability for packhouse owners to multiple their quotas. Though it negatively impacted the majority of fishermen, the market owners really benefitted from the harvesters' struggles. It also restricts entry, and it limits the opportunities for new participants to become vested in the fishery, and it hinders the goal of the encouraging participation and investment in the long-term sustainability of the snapper grouper fishery.

A couple of them I can do together, to prevent continual dissipation of returns and minimize local depletion, and all the Amendment 8 did was it resulted in excessive fishing efforts. In places like Morehead City, North Carolina, which was mentioned in the March 2024 discussion

document, under recent Snapper Grouper AP discussions, on page 2, it says, in Morehead City, North Carolina, one member commented that stocks aren't healthy, and, in particular, declining are groupers. Then, in the very next sentence, in Morehead City, North Carolina, there's been newer and younger participants. Now you're seeing a decline in stock, and an increase in participation, which is outpacing the local fishery's sustainable limits. I will let you all read, hopefully, on the rest of those, as there's a good amount of deficiencies there.

I've got a privacy violation that NOAA has indicated that the council is accountable for, and they suggested that I make a public comment on it, and it's dealing with the sharing of vessel logbook information with the permit holders that lease their permits, and sharing landings is one thing, but, when vessels are selected for an economic survey, which involves filling out trip expenses at the bottom section of each logbook report, permits owners, that are leasing their permits, have access to the lessee's vessel expenses, and the sharing of this information to permit holders charging annually for access to lessor's vessels is logically inconsistent. Not only is it a privacy violation, without consent, but it contradicts any attempt to promote stability in Amendment 8's objectives, and so I hope that you all will come up with a fair solution for this violation.

I've talked to a few council members about this, and the lack of compliance with Magnuson-Stevens is evident, and the lease option, that's been identified as a means of new entry to the commercial fishery, by the council, isn't even supported by the Magnuson-Stevens Act, nor NOAA, which is the reason the council is responsible for the violations without consent.

Some of the members might say that the consent was given when agreeing on the lease, but they're uniformed, as lessees are not made aware of this until the vessel is selected for the economic survey, and, in addition to that, consent to share economic data from vessel owners cannot be made on an agreement to lease a permit, as it isn't supported by the amendments outlined by the Magnuson-Stevens Act.

The graph, in the Amendment 8 section, that lists the ACLs and their lack of fulfillment, it's easily observable that the lack of fulfillment of those ACLs is in correlation with a decrease in permits, even though some of the market owners don't agree, which is their choice, regardless of their reasoning not aligning with the science, the few species that are in fact reaching their ACLs will benefit from a more even geographical distribution of harvesting.

Some species, like black sea bass, which you all are talking about, and you're currently addressing it, and they are perceived to be in a decline, and I haven't personally observed this, but there's little pressure on black sea bass off the coast of Beaufort County, where I fish out of, because there's only one commercial vessel engaged in harvesting, and most recreational vessels, that make up the effort off of Beaufort County, are targeting pelagics.

The few vessels targeting black sea bass are outliers. The amount of pressure associated with over effort in localized areas could induce an otherwise nonexistent migration of the species to areas with less pressure, having unnatural effects on spawning that negatively impact recruitment in those areas where over effort is occurring. When Amendment 8 is brought up, every year, a different species is inserted into the supporters of the noncompliant amendment's monologue, resulting in the snapper grouper fleet's lack of fulfillment of the sector's annual quotas. As a result, we have fell behind on the amount of harvesters that we need in an industry to fulfill these quotas.

In addition, red snapper, which have been locally depleted in areas off of North Carolina, which North Carolina should probably be thankful for, as, everywhere else, they've become a total nuisance, having a vessel like ours participate in harvesting relieves some of the pressure in areas where effort exceeds sustainability that results in local depletion and is benefiting the fishery holistically.

I also think an education aspect in this amendment must be implemented on new entries to the industry, prior to participation for new permit holders and new vessel operators. Curriculum coverage should include, but not be limited to, weather patterns, safety, communications, and best fishing practices. This action would give much needed protection to new entries that are serious about participation in the commercial sector.

DR. BELCHER: Andrew, do you have any other points that you would like to bring up, because we're two-and-a-half minutes over your five-minute mark.

MR. MAHONEY: Yes, there is, and I'm just having a little bit of an issue getting through this part of it.

DR. BELCHER: Okay. I'm going to ask, right now, that we go to the next person in the queue, and, if you can get that straightened out, we can circle back to you after this person.

MR. MAHONEY: I appreciate that.

MR. GRUNDY: Thank you for the opportunity to comment. Ben Grundy at the Center for Biological Diversity, a national nonprofit conservation organization. I am commenting today on Snapper Grouper Regulatory Amendment 36. The Center for Biological Diversity strongly supports the addition of on-demand pots as allowable gear for commercial harvest of black sea bass. Pop-up, or on-demand, fishing gear is the solution to marine mammal entanglements in fishing gear, and its advancement is critical to protecting threatened and endangered marine life.

For critically-endangered species, like the North Atlantic right whale, entanglements in fishing gear are pushing this species closer to extinction, and scientists estimate that there are around 360 of these whales left, with fewer than seventy individual being reproductively-active females, and, at the same time, more than 85 percent of this whale population has been entangled in fishing gear at least once.

We are encouraged by the support from members of this council, and members of the fishing community, for the advancement of pop-up gear as a solution to entanglement. The gear testing, and trials, conducted under the exempted fishing permit have demonstrated the efficiency, and the efficacy, of pop-up gear, and I would like to give a special thanks to the participants, who are actually on the water testing this gear, for their time, their feedback, and their contribution to getting this gear to the point it's currently at.

Adding on-demand pots to the list of allowable gear for the commercial harvest of black sea bass will reduce entanglement risk for North Atlantic right whales and other marine mammals that navigate our shared waters, and it could allow fishermen to continue to fish with pop-up, or on-demand, gear during seasonal closures, without an exemption, due to that decreased risk of

entanglement, and so, overall, we ask that the South Atlantic Fishery Management Council continue their support of entanglement reduction efforts and act swiftly to expand the use of on-demand gear in the black sea bass pot fishery. Thank you.

MR. NEWMAN: My name is Thomas Newman, and I'm a commercial fisherman from North Carolina, and I just wanted to speak on the two-for-one permit for snapper grouper species. You know, I was twelve years old when this was initiated, and this has been twenty-five years of reducing the number of snapper grouper permits, and it's beyond time to end that two-for-one provision.

Ending the two-for-one provision doesn't change anything, and we're still working with the same number of licenses that we have right now, and allocations aren't going to change. The number of boats aren't going to change. The only thing that's going to change is to make the barrier to entry easier for younger fishermen, and people who want to get into this fishery, and it's ridiculous that, for twenty-five years, we've had to go through hoops just to get a snapper grouper permit. We're already losing enough fishermen, and enough structure, as it is, and we need to keep what we've got.

I just really think the issues plaguing all the South Atlantic species aren't commercial issues, and the issues are over effort in the recreational sector, and excessive dead discards. The commercial sector could have room to grow, if we would get these dead discards taken care of, and figure out how to actually get real data from the recreational sector, and so, you know, get the discards under control, get the recreational sector accountable, and let's get some mandatory reporting going, and please do away with these two-for-one permits. Thank you.

DR. BELCHER: Andrew, what we would like to ask you is, if you would, would you please submit your remaining comments in written format? We want to make sure that we get your comments, but it would be good if we can have that written form from you, and are you okay with that?

MR. MAHONEY: Yes, I am, but if I could just ask that you grant me a little bit more time. I feel that, at this point in the process, it would be beneficial if I'm allowed to continue, in order to completely inform the council of these obstacles, and it will only take another minute.

DR. BELCHER: We can grant you that next minute.

MR. MAHONEY: Thank you very much. Okay, and so I was at the curriculum covered should be weather patterns, safety, communications, and best fishing practices, and this action would give much needed protection to new entries that are serious about participation in the commercial sector, and it would give them a better chance of making it home to their loved ones.

I have a couple of things that I hope will be addressed in accordance with NOAA, and an amendment to the Magnuson-Stevens Act should be added acknowledging leasing of the permit as an option for stakeholders to -- It should also address allowance of permits in other fisheries in the -- (Part of Mr. Mahoney's comments are not audible on the recording.)

MR. SMILLIE: Andrew, we're sorry, but you are breaking up significantly. Can you check your Wi-Fi connection, and you're beyond your minute, and so I do believe that we have some

written comments from you on the public comment option for this council meeting, and so we'll be sure the council members review your written comments, and, if you wish to submit any other ones, that comment form is always open.

(Whereupon, the public comment session was adjourned.)

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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

Public Comments
Wed., March 6, 2024

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Wed, March 6, 2024

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