

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SNAPPER GROUPE AMENDMENT 14 (MPA) PUBLIC HEARING

**Atlantic Beach, Florida
January 19, 2004**

Summary Minutes

The Marine Protected Area public meeting for the South Atlantic Fishery Management Council convened in Atlantic Beach, Florida, on Monday, January 19, 2004, and was called to order by Chairman Anthony L. Iarocci.

Mr. Tony Iarocci: Good evening ladies, and gentlemen. I am Tony Iarocci. Tonight I am acting as chairperson on behalf of the South Atlantic Fishery Management Council. Other members of the meeting board are as follows: Kerry O'Malley and Julie O'Dell. We would like to thank you all for taking the time to attend.

The purpose of this informational public hearing is to give you the opportunity to -- I'm losing my breath -- to comment on social and economic impacts that may be associated with specific marine protected area sites that are proposed to be included in Snapper Grouper Amendment 14.

It is the council's intent to gather information that is not available through traditional data sources -- logbooks, surveys, et cetera -- so that the council has the best possible information before any final decision is made.

This meeting is different from a traditional public hearing in that the council will not be making any final decisions after these informational public hearings, and not all measures expected to be included in Snapper Grouper Amendment 14 are included for comments during these informational public hearings.

A second round of public hearings, likely to be held late this year, will take a more traditional format and enable you to comment on all alternatives, including proposed MPAs to be considered in Snapper Grouper Amendment 14.

Your input concerning social and economic impacts of specific proposed marine protected area sites will be collected and used in developing Amendment 14 to the Snapper Grouper Fisheries Management Plan.

This informational public hearing will be conducted in the following manner:

First, Kerry O'Malley of council staff will present a brief overview of the issue. Following the

council presentation, there will be a short period of time to allow for your questions.

Then I will call you to the podium to make a short statement on the specific impacts of the proposed marine protected area that is likely to most affect this area. And the two alternatives are on the back charts.

Everyone who wishes to provide input will be called upon. After everyone has had a chance to speak on these sites, we will then proceed through the list of the other eight proposed MPAs in the same manner until everyone has had a chance to provide input on the impact of all the proposed areas.

The council has taken a lot of time and a lot of input and held a lot of meetings up and down the coast hearing from the fishing. This isn't a pro or con meeting on MPAs. This is site specific to your area.

This is informational gathering. We want to hear from you guys how it's going to affect you. And if you do look -- I hope you all had a chance to grab this document. If you're looking ahead in it, there's going to be a slide coming up.

It's on Page 33, the start of this area, what type of fishing you do and specifically how it's going to pertain to your fishing in the area, how you fish and what it's going to do to you in this area. With that said, Kerry, if you could go ahead and start your presentation.

Ms. Kerry O'Malley: For the people who are standing up, I just want you to know that I think Julie is in the process of getting more chairs, so momentarily, we will have some chairs for you. There are some free ones up here. If you want to sit down, feel free to go ahead and do that.

I also want to make sure, again reiterate, if you did not get this document when you came in, please make sure you get one. My name is Kerry O'Malley. I am a staff biologist with the South Atlantic Council. I have been working on the council for six years and for almost all of it, we've been working on these marine protected areas. And I have been involved.

Some of you have probably seen me at a lot of these hearings in these areas, or I've been to your fishing club or down to the docks, but we've tried to get around as much as we can. We're glad you're here tonight for this part of the process. It's still early.

We've been doing this for ten years now, and we've been to Jacksonville five or six times to have meetings. But this is not the last time we'll be here. As Tony said, I want to reiterate and I'll say this a couple times, there will be no final decision made on anything after this public hearing.

We still have another round of public hearings and more public input. It won't be until late the end of this year before we even have another round of public hearings and well into 2005 before any final decision is made.

So we just want to make sure -- I'll keep saying that, because I think it's really important that you know that. Okay, Julie is going to come up and turn it up. Okay, again, there are going to be two rounds of public hearings on what is Snapper Grouper Amendment 14.

Amendment 14 is the fishery management plan amendment that will include marine protected areas in it. This is the first of two. After the second one is when the council will go into final deliberations, not after this one.

This isn't a traditional public hearing. For those of you who have been to public hearings we've held before, this isn't traditional in that the final decision won't be made.

We are actually here looking for information from you to put in our document to make sure that we have assessed all the impacts properly, and we really know how these things are going to affect people. Usually, we do that through a completely different process.

All management measures that are going to be included in Snapper Grouper Amendment 14 are not on the table for discussion tonight. There is a whole host of other management measures that I'll briefly go into that are legal requirements to -- we'll get to that, but let me tell you these couple things and I'll explain to you what we're going to look at and what we're not.

This public hearing, though, is traditional in that it is being audiotaped and videotaped. Every member of the South Atlantic Council, which is 13 voting members, will receive a video tape of tonight's hearing and hear your testimony, whether they're from your area or not. And it will be audiotaped and transcribed.

Initially, the reason we are having two public hearings, which is not usually what we do, is because our Marine Protected Areas Advisory Panel recognized that this is a very hot topic, even though the council has been doing it slowly over many years.

It's very controversial. So they asked that we do two rounds of public hearings to make sure that everyone had a chance to give their input. Again, this is a way we're out here to gather information from you, which is a little non-traditional.

We'll take that information. We'll put it in the fishery management plan amendment so you can actually see the information you give us. It will be in the fishery management plan amendment, and then it will go back out to public hearing.

I'm going to veer off track for one second about MPAs just so you guys understand everything that's going on, and someone else doesn't come around and you feel like you've been steamrolled or anything like that.

There was originally a fishery management plan called "Snapper Grouper Amendment 13B." That's about as bureaucratic as you can get right there. The purpose of Snapper Grouper Amendment 13B is to fulfill the legal requirements of the Sustainable Fisheries Act.

That's the Act that we all go to work under and that we have to manage the fish under. The things we need to do under this fishery management plan amendment are identifying maximum sustainable yield and optimum yield for all the species in the snapper grouper complex.

There are 72 of those species. You guys know they're everything from grunt to jacks to snappers to groupers to tilefish. There's just a wide range of species. They're all very different and they're all managed very differently.

We must also come up with rebuilding plans. If fish are overfished, we need to have, within 10 years or a certain timeframe, we've got to rebuild them no matter what management measures it takes. That's the law that Congress put up.

One of the things we were doing was these rebuilding plans and now these SFA requirements for deep-water snapper grouper species. What we decided to do, looking at marine protected areas for deep-water snapper grouper species anyway, it was more appropriate that we do those SFA requirements under Snapper Grouper 14.

So just recently, we took that bottom bullet, we decided to do those management measures under Snapper Grouper Amendment 14. Those are the measures that we will not discuss here tonight. They just got moved into the plan. They're still being developed.

Those will come in the second public hearings. So you will have a chance to look at those like you normally would any other management measures. But tonight we just wanted to get out early and talk to you about these marine protected areas.

Deep water species, for those of you guys who don't know, technically, we consider the deep water species -- I'm sure everyone has their own different version of what they are, but under the council's plan, they're speckled hind, snowy grouper, Warsaw grouper, yellowedged grouper, misty grouper, golden tilefish and blueline tilefish.

Why are we focusing on deep-water snapper grouper species? Because they're more at risk than most of our snapper grouper species. They live forever relative to fish. I mean, you can see out there yellowedged grouper live to be 85 years old.

They're slow growing. They mature very late in life. They don't reproduce a lot. And the traditional management measures are less successful because of where you catch them. And they're less likely to go back alive, so it's hard to have minimum size and things like that in the snapper grouper species.

Okay, this is where we've got to slow down for a second because we've got to get everyone up to speed in case they haven't been involved in the whole process. It's really important. I might be a little tedious, so just bear with me.

As I said before, the council started looking at MPAs in 1990. Originally, we had what we called the "Snapper Grouper Plan Development Team", which is all of our scientists.

The Snapper Grouper Plan Development Team are all our expert scientists. They came to us in 1990 and said, "If you don't do these marine reserves, you're going to have problems managing your snapper grouper species".

That was a new concept at the time. The council wasn't even sure that it was something that could work, and we weren't quite ready to move. We had an initial round of scoping meetings in 1992, so 14 years ago was the first time we came out to the public with this idea.

Again, it's not like we're going to sneak up and do it on you quickly, because it has taken us a long time to even get here. After the scoping meetings -- which got very negative reactions -- well, you know, it was really mixed. The people who were from the environmental community loved them and then most of you went out and didn't like them. It probably hasn't changed that much.

But, we got such mixed reactions, it was so controversial, the council said, "You know what, let's take some time and really look at these things". So they spent the next part of the '90s having review panels.

In the meantime, they were developing more and more fishery management measures for these snapper grouper species. If you guys can remember back to the early '90s, the bag limits and size limits we have now weren't even in place then. It has changed quite a bit in just 10 years with how much we've had to ratchet down.

In 1997, the two big ones, Snapper Grouper 8 and 9 -- probably everyone in this room has been affected by one of them. Snapper Grouper Amendment 8 was the limited entry for the commercial fishery. And Snapper Grouper Amendment 9 was a whole host of bag limits and size limits. And it was incredibly restrictive.

In 1998, again, looking at having to make more cuts, the council formed a Marine Protected Areas Committee and Advisory Panel. For those of you who don't know, our advisory panels are made up of citizens. They're not council members.

They're regular citizens. They're commercial fishermen, recreational fishermen, charter; some of them are people from the environmental community. They're from all walks of life, industry as well.

They are the ones who advise us, and then the council will make a decision. That was formed in 1998. In 1999, that advisory panel advised the council to move forward with marine protected areas in lieu of having to take very drastic management measures.

In January through April of 2000, we did informal meetings. Tony was at some of them. I was at all of them. You probably met Kim Iverson, who has been in a bunch. Anyone who called us, we would go to your fishing clubs, your docks, your house, your whatever, and we'd come and just sit down and talk to you about MPAs.

We met with probably 1,000 people in the South Atlantic just through that process. And all we did was talk about how MPAs were the worst idea you'd ever heard or the best idea you ever heard. That's all we talked about, not where they would be put or anything like that.

In 2000, we went out for another round of scoping meetings. Again, all we did was talk about whether or not people supported the concept of marine protected areas. We never talked about siting or anything like that.

In September of 2000, the council, once again, voted that we needed to move forward with MPAs, because these were the only things that were going to work for deep-water snapper grouper species. We're going to stop for a second and make sure that we're all on the same page with what is an MPA, because this is what the council voted on in 2000 for the South Atlantic Council only.

I know you guys will probably hear it from the National Marine Sanctuary; you hear what is happening in California; you hear what is happening at the Great Barrier Reef. This definition is specific to the South Atlantic Council.

Marine protected areas are a network of specific areas of marine environment reserved and managed for the primary purpose of aiding in the recovery of overfished stock and to ensure the healthy fish stock fisheries and habitats.

There are four types of MPAs that the council would consider. The first one is a permanent closure with no take allowed. It's the most extreme. It's the one probably everyone is most afraid of. You just take a box and close it off, and no one can go in there. You can travel through there and that's all you can do.

The second one is a permanent closure with some take allowed. It's highlighted because that's what we're here to consider. The sites that we have proposed currently are these sites. In our case, what we're talking about is not allowing fishing for snapper grouper species but allowing trolling for all pelagic species or any other species in that area.

The second one is a limited duration closure in those cases. That would be like a spawning area closure where nothing is allowed to be taken, but we knew there was spawning happening. And the third one would be a limited duration closure with some take allowed.

That would be a spawning area closure, say, for snapper grouper species but you could troll through there for pelagic species. A little more -- we're almost done with our little history lesson.

In 2001, we came out, again, and visited everyone again and went on more scoping meetings. This time these scoping meetings were different because we came out with maps, and we asked the public to draw boxes on maps and tell us where they think we should put MPAs.

Instead of the council or the scientists coming down and drawing the boxes, we decided it was best if we let the public draw their own boxes. We used our advisory panel. We used anyone that wanted to tell us. They could write to us.

They could come to the meeting. That's how we started coming up with the boxes we have now. They've been refined a little. But all of our boxes came from some member of the public in some form.

We've met many more times to refine the sites. There will be tons of time for talking later, but I would appreciate it if I could have your attention. We've had a couple more meetings where the council has refined the sites.

They knocked off anything that didn't pertain to deep-water snapper grouper species for consideration at this time. They reiterated the fact that they're only considering prohibiting bottom fishing and not any other kind of fishing in this area. And they voted again to move forward with Amendment 14, which is the MPAs for deep-water snapper grouper species.

In October, when the council did decide to move the Magnuson Act or the Sustainable Fisheries Act measures into Snapper Grouper Amendment 14 -- those were those other measures I told you we're just going to put off to the side; we'll talk about them when we come back next year or later this year -- we decided the informational public hearings would be happening in January and February. You guys are the first one we've had. We'll be doing one in Stuart tomorrow night and one in Islamorada Thursday night.

Then we head on to other states. The traditional public hearing, the one where the council is going to take all the input and make a final decision, is not expected to happen until late 2004. It might even be 2005.

Real quickly, we'll just go through some of the sites that we're talking about. You can comment on any of them. We're going to start and focus on the one right off of here because we assume that's what people are mostly interested in.

If you travel and fish and you have information about other sites, please feel free to give us information on that, but we'll just as soon start close to home. But just so you know, this is an area called the Snowy Wreck MPA. It is off the coast of North Carolina. It is off the south port, if you remember that area. It's about 65 miles offshore. And it's a five by ten mile box.

These are three options off of North Carolina. You guys will notice, you're a perfect example where there are two boxes on your map. That is an "either/or" situation. There will not be two sites off of this area. There will only be one. The council is just trying to decide where the best site is, so let's make sure you're all clear on that.

This site off of South Carolina, there are three boxes. The council would only choose one of these boxes. This is off of Little River, South Carolina, if you're familiar with that area. This is another site off of South Carolina off of Charleston, about 60 miles off shore. Again, two

options for the council to choose from.

This is a site off of Georgia. This is getting a little closer to you guys, so I'm sure some people have gone up there to fish. It's an area near an area called "South End", about 60 miles off shore. That should be a couple pages ahead of the North Florida one.

Here is the North Florida option. I can bring it up here later when we talk about it if people need to see it clearer. It's also on the back wall. Again, there are two options. There will only be one box. That is the council's intent.

Here is an area called Sea Bass Rocks off of Hobe Sound, your area, about nine miles off shore. That's our one closest inshore. It's two by four miles. It's also our smallest site. This is an area called the "Florida East Hump" or "Unnamed Hump."

Originally we were looking at a site called the "Islamorada Hump." Here is an example of how this process works. Scientists came to us and asked us to look at Islamorada Hump. We put it on a map. There was a huge outcry because it's a very economically important area to those fishermen down there.

We went down three or four times with staff, met with anyone who wanted to meet with us and came up with an alternative box that is geographically, oceanographically, scientifically just as sound as the Islamorada Hump but has less economic impact on that area.

This is the compromise we came up with, and the Islamorada Hump is no longer on there for consideration. So the process does work if you're involved, it really does. These last few sites don't exist yet. They're boxes that are over a bunch of sand, proposed to be experimental artificial MPAs.

In all the years we've been out doing this every time and I'm sure we'll hear it tonight, don't take our bottom. Why don't you take -- in Charleston we have the Cooper River Bridge, which is a huge bridge they're tearing down. Take the bridge and put it on some sandbar and then close that off.

There are a lot of scientific questions about whether or not that's going to work, so what we've committed to do is to pick two sites and just try and see whether or not that will work. This is one of them. It's close to shore. It would be a Type 1 MPA, meaning no fishing would be allowed.

There is currently nothing going on there right now because it's sand bottom. But we would try it out and see what happens. And here is one down here that's very, very deep offshore, that is just on sand bottom, and we would try to create an artificial reef there. It would be a Type 2, meaning no bottom fishing allowed, but trolling would still be allowed.

Here is what we need from you tonight. And I've got to reiterate, and I know this is going to be frustrating to people, we are not here to debate MPAs. The council has been doing this for 14

years now. The council keeps saying they're going to use them for deep-water snapper grouper species.

We have come and we've battled about MPAs many, many, many times. We are here tonight to talk about these specific areas, how they will affect you economically and socially, and we're here to get information so that we can do a proper economic analysis and social analysis, and we can figure out how people would be affected by these sites.

So, what we need are a couple things. If you look in your document on Page 35, you will notice a Table 10 and a Table 11. I'm going to be specific to your sites. Understand that you can comment on any site in this document, but because it's closest to you, I'm just going to focus on this.

If you look at Table 10 and 11, those are what we know about of landings from your area from those two proposed sites. How we got those landings, and they're on the back wall and feel free to get up and look at the two charts I have on the back wall, is the commercial logbook which -- I have some commercial guys in the audience.

You know that your grids are 60 by 60, your reporting grids. The proposed sites are 10 by 10, so if a million pounds, for instance, came out of logbook area 6395, and that 10 by 10 box falls within there, we don't know whether all million came from within the little box or from a completely different area.

We have no way to assess how that is going to hurt you economically. So we need you to let us know what percentage of your catch comes out of that area or at least help us figure out a way that we can assess economically how badly you would be hurt or not hurt by this site.

There are also landings back there from a headboat logbook. Those grids are a little smaller, so we have a better idea but we still don't know for sure how much catch you've got at these areas.

So, what we've gotten out of the logbooks is on Table 10 and 11. We're focusing on deep-water snapper grouper species, actually all snapper grouper species, because you won't be able to catch any in that area.

We also need to know what type of fishing you do at that specific site. I know people do all kinds of different kinds of fishing. Do you bottom fish at that site, or do you just troll for your bait? Where you fish out of, that helps us assess any community impacts that may be felt by a site.

How many bottom fishing trips do you make in a year at that site? The main species you target? And what other areas or sites could you fish, if this area was closed? This is the kind of information we need tonight.

We're going to have to cut people off if they start to get in a lecture with us about marine protected areas, because that's just not why we're here. We'd be happy to talk to people after the

meeting individually, if they have something they want to get off their chest, but we really need to get this information tonight of what's on the back wall.

So what we're going to do is start with the site off of North Florida. You can come up one by one and answer these questions. I'm going to leave them up there. And then we'll find out if anyone has any desire to talk about other sites off of Florida or off of any of the other states that you have information on.

I said we'd do a quick question and answer session, and we will. Oh, a couple important housekeeping things. You've got to come up to the mike to speak. You have to state your name, because everything is transcribed, even when you're asking questions, because the person who is transcribing them isn't here. So please make sure you state your name clearly and speak only at the mike.

Mr. Iarocci: Thank you, Kerry. Please, when I do call you up, the specific impacts of the proposed marine protected area in this area that's on the charts. And try to follow through the information on the front panel right here, because these are the questions we need to answer.

As Kerry had stated earlier, we've taken counsel way before I got on the council. I was one of the -- I sat always in the back of the room and bashed the council before I became part of the process.

There was nobody that bashed or spoke badly against the council more than I did back then. I fought the net ban and went through all the other stuff that went on and dealt with all the user groups. It does work if you are a part of this process.

The council does listen, and we are here to represent you. That's part of the job we're doing here. On the way up, I was reading some magazines about sport fishing and different things, and it said, "Extremists push for northern closures".

In Fiji, there are a lot of areas where these other groups are just going ahead and just closing off these vast areas. The council is not doing that. We've taken so much time to try to do the right thing and make sure we don't socially and economically impact a lot of you guys. With that said, I'll call somebody right after Kerry speaks.

Ms. O'Malley: I'm sorry, just real quickly, if you are not on our mailing list or not getting information pertaining to these meetings or anything else the council is doing, there are orange cards at the table you signed up on.

Make sure you fill that out. You can give it back to me or you can send it in yourself. If we're out of orange cards, come up to me and give me your name. We want to make sure everyone is getting information that needs to get the information. I will personally stand over the girl's shoulder and watch her put them in there if that's becoming an issue, yes.

Mr. Iarocci: David Hagan, please. You were last to come in here, so I'm calling you first, big

boy.

Mr. David Hagan: My name is Dave Hagan, and I've got two commercial boats. We spear fish commercially. And I'm going to try to answer these questions. Is that better? We spear fish commercially on both sites, Option 1 and Option 2.

We fish out of Jacksonville, Florida. We fished about 148 days last year. We target amberjack, snapper grouper, mangos, American reds and lobster. I mean, we'd just have to fish some other areas if that area was closed. But if we're going to close something, we ought to figure out if there is going to be any enforcement.

What I would like to see is, since I don't work in lat-long, I work in TDs, I'm going to have to go home and figure both these boxes out to see how many regions I've got in there, because I'm just not real happy with lat-longs. I mean, I'm going to have to get to it eventually, but I don't right now.

But, of the two options, I would prefer Option 1. It would impact me less. If you do Option 2, then you're going to make me an outlaw. That's just the way it is. I'd say about 70 percent of my total catch comes out of the second option box or that area thereof, right around there.

I fish more southeast of Jacksonville than I do east of Jacksonville. If it's an option, I'd like to see Option 1 cut in half on the west side. In other words, push that line east by 50 percent and take the deep water, because it seems like to me that you all want the deep water species, and why you're in 22, 23, 24 fathoms, I don't know.

If you want the deeper fish, then you ought to go out deeper. That's just me. Some of the other things one of the gentlemen back there asked me to ask you about was knots and feet, because a lot of this stuff is like metric stuff that he and I don't understand.

So, is the council going to do stuff for us? We ought to be able to: A. figure out what they're talking about; and B. figure out where you're talking about it. I mean, maybe up there in South Carolina-North Carolina, they know all that stuff but down here in Florida, I don't know it. I'm just an old, dumb commercial fisherman; so put it in TDs, knots and feet I can understand that.

Another question I had was as the way I understand it, this has just got to do with fish, not lobster, is that correct? As long as we don't have any fish on the boat, we'll be able to harvest all the lobster we want in that area?

Ms. O'Malley: For the record, that is correct. The prohibition would be on retention and possession of snapper grouper species.

Mr. Hagan: See, and this is the same problem that we had about powerheading anywhere in the South Carolina state waters, in federal waters but off the state of South Carolina. You're going to put these areas out there, and we're not going to be able to transport fish through those areas.

You make no thing about that at all. So if I'm fishing legally in Georgia, to get to North Carolina I've got to offload, because I can't transit federal waters in South Carolina with powerheaded fish.

So you're going to have the same problem down here where you're going to do about -- if I fish three days someplace and I want to go across one of these boxes, I can't go lobstering in one of those protected areas if I've got fish on the boat. Is that correct?

Ms. O'Malley: If you have snapper grouper species onboard and it was not a case of emergency, that is correct.

Mr. Hagan: See, so you're going to need to think these things out a lot more carefully than you have. I'm not going to take up any more of your time, but I might come back later after everybody else has made some good points that I'm going to write down and talk again.

Mr. Iarocci: Dave, let me ask you a question. Do you do any trolling through those areas?

Mr. Hagan: I don't take bait. Rod and reels are like -- I don't know what those are.

Mr. Iarocci: Thank you, David.

Mr. Hagan: Thank you.

Mr. Iarocci: Richard Dyal.

Mr. Richard Dyal: My name is Richie Dyal, captain of the vessel, Seven Arrows. I just want to know if you're allowed to set bottom longline gear for coastal sharks in the MPA?

Ms. O'Malley: The council doesn't manage coastal sharks, so it has not come up. The federal government, National Marine Fisheries Service, would have to make that rule, and they've never made any inclination --

Mr. Dyal: So that means I can fish in the area, correct?

Ms. O'Malley: If we go forward the way it is, yes you can.

Mr. Dyal: Okay. Another thing, I do quite a bit of snapper group fishing, too. And you're protecting the deep-water species. And you're in 23 fathoms. I'm sorry, but there has never, ever been a frigging tilefish caught, a yellow edge, and a misty grouper -- so I want to know just who came up with this?

I mean, is this you all's ten years of investigation? Let me tell you something, all you've got to do is come ask about five or six people, and they could have told you in one day what has taken you all I don't know how many years to come up with here.

It seems to me to be some kind of frigging joke. But a deep-water species is not inside of 50 fathoms. You ain't going to find them inside of 50 fathoms. I don't know who has told you all that you all will, but you won't because I know quite a few fishermen, who have been out there since the '70s, and never caught a yellow edged grouper in you alls MPA -- never.

So I mean, I would love for you all to tell me who came up with this that that's going to be the closed area for a deep-water species. I haven't had time -- I just got this piece of paper.

I would have loved for you all to have mailed this to me about a week ago, so if the weather would have been good, I could have showed up here and had a little more information on my side, more than what you all have, because what's happening here is just another way to railroad us.

And why the hell do you all care if somebody is trolling in that area? If it's closed, let's close it. Let's be done with it. Let's don't ever think about it again, just like, you know, just the whole thing.

Why would somebody want to go in a closed area? I mean, that's a damn sacred ground for you guys, right? I mean, that's what you all want is a closed area. Well, let's don't let nobody go in there.

If something comes up on the radar, you zoom over there, you all give them a ticket and take their permit and be done with it. They're out of there, if they're going to go fishing in that area. But you all ain't going to do that. There's no possible way you're going to do that.

Closing that area is just like telling me that I can't go catch swordfish three miles off the beach. Well, no shit, because they ain't there. Okay? They ain't there. I'll answer your questions. My homeport is Mayport.

Okay, I make about 15 to 20 bottom fishing. I fish year-round, non-stop. You know what I'm saying? We do this for a living. It's year-round. It's life-long. That's how fucking long it is. All right, the main species -- I'm sorry. I'm sorry.

Mr. Iarocci: For the record, Richie.

Mr. Dyal: I'm sorry. Well, that's the thing. You're talking about my life.

Mr. Iarocci: Give everybody the opportunity to speak.

Mr. Dyal: I'm sorry.

Mr. Iarocci: Next time I'm going to ask you to leave the podium.

Mr. Dyal: That's no problem. I'm sorry. That's no problem. All right, the targeted species is basically anything that bites these days, okay? Anything that bites in that area is coming on

board and going to town.

Just like Mr. Hagan said about outlaws. There have been outlaws for years now, as soon as you all come up with your list of what you can and can't do. The other areas that I would fish, the entire East Coast. That's what we do.

That's where we -- I mean, that's what we do. We fish everywhere. Whatever it takes, wherever you've got to go, that's what we do. And you know I've been thinking. You know what a good thing would be?

The very best thing you all could do is let's close from Canada to the Gulf of Mexico. You all give us your paychecks and we'll quit fishing. How about that? You won't see another commercial boat out there.

That's all it would take, just pay us off, and we'll be done with it. And let me tell you something, 10 or 15 years from now, you'll have so many fish out there, you can walk on them. It's a fact, plain and simple, you can't manage a fish in a little box.

You people think that you all can come up with all this information. That's a joke that you think you're going to manage something in a little box. Who got to draw these boxes? Somebody's kids? Huh?

Mr. Iarocci: Richie, I've been --

Mr. Dyal: I know you've been --

Mr. Iarocci: I've been on the council for a while and let me tell you something. I've never seen you at a meeting before tonight.

Mr. Dyal: Hey, I've been on the Dolphin/Wahoo Advisory Committee. Okay? I've been on the Wreckfish Committee. So, do I get to go leave my work for two weeks and go to one of you all's meetings, because that's what it costs me? It costs me roughly \$10,000 to come to one of you all's meetings.

So are you all going to pay me to come to a meeting? Are you all going to call me on the phone and ask me what I'm catching? I don't never hear none of that. I was on the Dolphin/Wahoo Advisory Panel for three years. You never called me.

I'm the only man out there fishing in this area. Did they ever say, "Hey, what's going on?" You know. No, they never did. It's the same thing you all are doing. You all are just covering your butt when somebody comes by and sues you guys for closing this area. That's all this is all about.

Mr. Iarocci: All right, we're going to have to move on. Thank you.

Mr. Dyal: Thank you very much. Thank you for your time.

Mr. Iarocci: All right, Al Cumbe.

Mr. Al Cumbe: I'll try not to use any bad words, I promise. I'm Al Cumbe, Blue Water Charters. I do about 200 trips a year in the proposed 2 location. We fish snapper and grouper on a regular basis.

The state has already cut us down to having two per person, and for the recreational guys it's still two per person. If you go out there recreationally, you get two snapper, two grouper, you go home.

That location has been conveniently written up in the magazine or -- excuse me -- the brochure you have does not show the 21-Fathom Curve in it. And Proposal 2 has about 800 spots of fishing in it. They did not put the 21-Fathom Curve in there for a reason. I'm pretty sure it's because it would really affect a lot of people, because it's real hard to detect.

I also run a tackle shop in St. Augustine, so some of these people here might know me. But I've spoke with a lot of people. Proposal Number 2 is crazy. Actually, Proposal Number 1 is crazy. They're both off the Inlet, both inlets.

The location for these proposed sites would be more beneficial for everybody with a lot less opposition if you put them, in my opinion -- and this is just solely my opinion -- is 25 miles south of St. Augustine or 25 miles north of Daytona which would put it somewhere around the Flagler area where there are no inlets.

The fishery is very seldom fished, because there are no inlets. And it's not heavily commercially fished. There is still a lot of bottom out there but not a heavily fished. It would solve the problem that we're sitting here tonight so angrily talking over, which would certainly cool down a lot of tempers.

I think putting a fishery off of an inlet would be absolutely crazy. Secondly, enforcement. There is no way to enforcement. I'm a retired law enforcement officer. There is absolutely no way, other than satellite cameras taking pictures of vessels fishing in that area, to enforce it.

We can't enforce the law enforcement that we have -- the state can't enforce it. We have enough problems with Homeland Security, so we'd have to pay somebody else to try to enforce these locations. They're not roped off.

People that are not familiar with that location or where they can fish will certainly be fishing in those areas. It's another one of those proposals that obviously can't be enforced, or nobody could absolutely, without a shadow of a doubt, say that they're not fishing in that area unless they absolutely look at that chart as far as the closed area.

So, answering your questions, I do fish a charter boat, so we do all the pelagic species. I

personally have to purchase, as a charter boat captain, a pelagic permit in order to keep these species of fish, okay?

Recreational fishermen can buy a state license and catch snapper and grouper, two per day, and I have to pay the state an extra hundred-and-something dollars a year to do the same thing for my passengers that fish on my boat on a hook and line.

We don't keep any more fish than anybody else does. It just means that we have to pay for it. I need my glasses, but I can't read that fast. Thank you. Tell us the species types, again, all the pelagic grouper snapper.

And, like I said, the better location would be to close south of St. Augustine where there isn't anybody, and nobody is going to complain or you'll have very little opposal. There's plenty of live hard bottom. There is plenty of natural bottom.

I know that because I have about 600 other targets off Flagler that are fished regularly by people that will make that long 25-mile ride before they can go bottom fishing. I can't do that as a charter captain. I have to put people on fish. I go due east; St. Augustine, or I'll do due east a little southeast or a little northeast. But the gentleman before me spoke and he's right.

I managed to shanghai a copy of this paper that you have to show to all my customers, and I personally didn't know it until -- I heard rumors of it and so I had to go investigating it to get this copy of this meeting.

This meeting is not posted, and certainly if it was -- if you went down to the Conch House Marina, and you walked down the docks and you said, "Okay, charter captains, on the wall here is a list.

We're having an opposal meeting in reference to Zones 1 and 2 for fishing for snapper grouper." I'm certain that this room would be full of nothing but charter captains and/or captains of vessels that fish regularly in that area. The people don't know about it. Nobody knows about it. And I get a lot of that from the Marine Fisheries via computer. Is my time up? Oh, I'm sorry. Okay, ask me a question.

Ms. O'Malley: You said you also pelagic fish in addition to snapper grouper fishing. Would you still fish for pelagic species in those areas if they were closed to bottom fishing?

Mr. Cumbe: Well, let me ask you this; if I'm going to make a 50-mile run and, again, this is not quite 50 miles. This starts at the 21-Fathom Curve. You're talking 130 to 180 feet of water, okay? It would not be feasible for me as a charter boat captain to run to 130 to 150 feet of water to bottom fish or to troll only to keep a couple of fish, because the federal species on king mackerel and stuff -- and I know that the wahoo and the dolphin are next to be restricted -- I got wind of that from the Marine Fisheries.

So they've about restricted everything as far as the species, and then all the federal pelagic fish

are all RS'd commercially, and us as charter boat/headboat captains, we have to pay the extra fine -- I call it a fine.

We have to pay the extra fine to keep only the same fish that I would if I was fishing recreationally. Not only is that not fair, the thing is that we've got to drive, if I was fishing recreationally, that far to keep only two fish -- two grouper or two snapper.

I don't know if you can figure that out a pound, but that's a pretty good chunk. So, no enforcement and that's some of the things that need to be addressed. You can't enforce an area of that nature that far out. There's just no way.

Ms. O'Malley: The last thing I wanted to tell you is that we are accepting comments via e-mail and written comments through February 27th, so feel free to have any of the people you know, who unfortunately did not hear from me about this meeting, no matter what the circumstance, to make sure that they can get in touch with our office.

Mr. Cumbe: Right, I get the Marine Fisheries e-mails daily. From the FMC, I get them daily. I did not get an e-mail on this meeting tonight, so we've got wind of it and made copies of it, stuck it on my calendar, made sure that everybody that I knew that needs to be opposing this --

Mr. Iarocci: Thank you, Al. Like I said, this is a preliminary. This is just an information-gathering meeting right now. When we do have the full-on public hearing, we're going to probably have to get a room four times this size and a megaphone speaker with --

Mr. Cumbe: Yes, one thing I would say is, I understand what you're saying. This is a preliminary meeting. But it's going to be like the manatee zones. You're going to listen to us bitch, and then we're going to end up having to do it anyway.

Ms. O'Malley: The council's website is www.safmc.net. Under the first picture, the very first bullet is informational public hearings.

Mr. Iarocci: Thank you, Al. Next speaker, Michael Leary.

Mr. Michael Leary: My name is Michael Leary. I'm a 56-year old Florida native and lifetime resident of Amelia Island, Nassau County. I've also been a sport fishing captain, owned and operated my own backwater shallow fishing catch and release fly fishing guide service.

If you'll indulge me for one moment, we've listened to an awful lot of other things. My comments are going to be more generic about the marine protected zone than they are specific. If you had told me, for one moment, my life would adjust to make a very compelling point
_____.

How many of us are here tonight because to defend what you perceive to be your god-given right to fish raise your hand. How many are here tonight out of concern for healthy and abundant resources, raise your hand.

Well, that's interesting. And it's unique to most of the meetings that I've made. It looks like we've got about a 50 percent breakdown both ways. Your work is about management and conservation, which is our responsibility as anglers, recreational anglers, and for that matter commercial fishermen.

Rights are another matter. When I was born in 1947, there were approximately 2 million people in this state. Today there are 16 million people, residents. I submit that there are probably an additional 4 million people in this state, 20 million people that are part-time transits or tourists. Excuse me? Whatever.

All the associated impacts of these 20 million people have a detrimental effect on our environment and our resources, without considering the consumptive use of the resource that is catching, killing and taking fish.

Something that we don't seem to understand is the state continues to grow, and I can't imagine we can do much more. These impacts of reduced habitat and pollution and the consumption of taking fish will, in fact, reduce every one of your rights. You'll have more and more regulations. You have them if you're paying attention. I'm speaking loud. You can't hear me?

Mr. Iarocci: Mike, if you could, you asked for a minute because we've got a lot of people, if you could speak closer into the mike and if you could get back to the subject at hand.

Mr. Leary: I'm sorry.

Mr. Iarocci: Thank you.

Mr. Leary: I think I've made my points about the difference between our responsibilities as stewards and management and conservation. I have a couple comments regarding some of the points that were made already.

One is about enforcement. Not only are all our upland games rules and regulations, but also all of our marine regulations are largely voluntary. There is not going to be law enforcement behind every buoy or in every boat.

That's dependent upon a conservation effort, which I think at this late date -- it's the third millennium -- we're rather short on. I'm more concerned with our rights. I have another question for the panel regarding spawning closures. I've been through this before in management of some of our inshore species, spotted sea trout, for example.

Now there was a period when they, just for example, when they wanted to close the North Florida -- or maybe it was closed, I don't have a good memory of that -- they closed the take of sea trout from November to December.

I attended a hearing, and a lot of the anglers were pointing out that, well, sea trout don't spawn in

November and December. The purpose of the regulation was to protect the fishery when it was under the most pressure.

My question is to you about spawning closures, and I'll ask it in this manner. Fish that are caught in November-December, January-February, the 12 months of the year, and put in the cooler, when do they spawn?

Ms. O'Malley: Fish in general?

Mr. Leary: Yes, any fish.

Ms. O'Malley: You've got to be more specific. You really need to get back to this, because we're not going to let anyone else go off on this. We need to answer these questions.

Mr. Leary: But what is a spawning closure?

Ms. O'Malley: We have a March and April spawning closure for gag, April for amberjack.

Mr. Leary: And that's when the fish spawn?

Ms. O'Malley: There's a regulations brochure.

Mr. Leary: Is that because that's when the fish spawn?

Ms. O'Malley: That's when they've best identified their spawning. The spawning season closures are being addressed in Snapper Grouper Amendment 13 and are being modified, so there will be time to talk about that. You need to get back on track. Now.

Mr. Leary: Okay, well, I don't know what track is.

Ms. O'Malley: I need you to answer these specific questions about these sites, because that's what we're here to talk about.

Mr. Leary: Well, a spawning closure will be specific to a certain time of the year. My question is, aren't we better protecting fish when under the greatest pressure, that period of time of the year, than we are when fish are spawning, when fish spawn? Any fish put in a cooler never spawns.

I think that's also part of the purpose of why you designate or have designated specific areas, that that's where the greatest pressure is to protect the greatest number of fish instead of some remote area. That's all I have. Thank you.

Mr. Iarocci: Thank you, Mike, that was a very valid point you just made. James Mitchell, please.

Mr. James B. Mitchell: James Mitchell, St. Augustine, Florida, a charter captain, a private recreational, fish out of St. Augustine; 45 maximum bottom trips a year; main target species: snapper grouper, mahi, king, wahoo, highly migratory species, pelagic.

I object to these sites. These are prime sites. I can't understand, like the other fisherman here, why these sites were picked. If you went 100 miles offshore, that would be great for the fishermen like myself that don't go that far.

We go 21 bottom to 55-60 miles out and troll for wahoo, come back in for snapper grouper. I'm in agreement with some of the other spokesmen for moving the targeted areas out, especially Option 2, moving it south towards Daytona, like they're referring to.

I'm in agreement with people I've talked to about subsidizing the fishermen. The shrimpers got subsidized millions of dollars last year. I think everyone here -- we can just fill out our cards. They can give us \$6 million. We'll quit fishing for two years and everything will come back. That's my comment. Thank you.

Mr. Iarocci: Thank you.

Ms. O'Malley: James, I'd like to ask you a question, but I need you to answer it into the mike. I'm sorry. It's the same question that I asked Al, I think. If you couldn't bottom fish in those sites, would you still go out there and troll for any other?

Mr. Mitchell: We would definitely troll for pelagic species.

Mr. Iarocci: Kevin Hardison, please.

Mr. Kevin Hardison: My name is Kevin Hardison. I am a recreational fisherman as well as a part-time charter boat captain. I am opposed to these areas. In fact, I'm opposed to all these closed areas. I think you should find a better way to do this.

And I feel like, you know, they're too close to these inlets. I know I don't get to these areas that often in my boats, like some of the small boat charter captains, but the few times I get out, it's inconvenient to stray out to the inlets to where these areas are.

I would have to go somewhere else, basically, to fish, further south or try to find some other areas, but I feel it's my right to fish, and it's my right to keep the fish. I don't think this is the right way to have our resources commercially sold to the extent that the _____ sources, especially when the combustion of these resources are not going _____.

We've found a lot of these fish shipped to overseas markets -- anyway, to answer your questions, the types of fishing I do in these sites, we just do basically snapper grouper fishing. I do troll for pelagic species in these areas.

I guess if we had to have these areas or were made to have these closed areas, then I'm agreeing

with some of the others that they be placed in areas that are less convenient or further south from these major inlets.

Mr. Iarocci: Thank you. Donald Brown, please.

Mr. Donald Brown: My name is Donald Brown. I'm captain/ owner/operator of the fishing vessel Mule Train out of Mayport Florida. It's a 47-foot McCoy Hull. We fish offshore here anywhere from 25 to 30 trips a year.

We stay up to a week, weather permitting. We like to fish six fishing days. For the operating expenses and the crew and everything else, it takes quite a bit of fish to make a living at it nowadays.

We fish for snapper grouper mainly; groundfish, and anything that we can catch that's of value fish-wise, time-wise, that we can sell and help us make a paycheck. We, also at times, catch dolphin, king, and wahoo, whatever is available with flat lines or hand lines.

We mainly fish with electric bandits anchored up on site. There ain't much that I can say that hasn't already been said, especially, since you put Ritchie and David up here first, anyway. But, the main thing I want to emphasize, I've charter fished out of here since 1970, for about 10 years.

I did stop for a while and just sport fish for about 8 years. And since '85, I've strictly commercial fished. It's what I do for a living. I've done all three. I know what's involved in all of it, and I know the fish and the species and areas fairly well.

For instance, snowy grouper, up until about five years ago off of St. Augustine and Jacksonville and Fernandina, all through that stretch, I fished mainly between marine land and Brunswick -- I normally don't go no farther south and no farther north -- up to 300 foot of water. I don't fish any deeper because of the gear and what's available.

Snowy grouper has just all of a sudden got to where you can hardly find them. I don't even go out there where we used to catch them years ago, because there's not enough out there to make it worth our while with our time.

The sizes are small, and they're not plentiful at all. We used to catch them, an abundance of them. I don't know why they've gone, why they've disappeared, but they have. I can count on both hands in 30 years the number of snowy grouper that I've caught inside of what you call the "Continental Shelf" or the "Break" or the "Edge."

That's where it drops from 180 foot to 200 foot of water. You get inside of that, and if you catch a half a dozen of them in your lifetime you're doing good, because they're just not there.

You go on the other side of the Continental Shelf where she drops to 200 foot off to 180 or other areas where there is not a predominant drop but where that depth of water persists, you start

getting about 225 to 240 foot you start seeing the snowys. Two hundred forty to 300 feet is where they work a pot when they were here.

As far as closing an area to protect the snowys, if you close the Break or anything inshore of that, you're never going to help the snowys one bit whatsoever. I've never caught, in my 30 years, a yellow edged grouper in this area, not one. I haven't seen one except pictures.

I've caught a few blueline tilefish -- excuse me, I've got a cold -- I've never seen one except in the fish houses from the boats that go out in the deep water which I understand, several hundred feet soft or mud bottom, I'm told.

I don't know because I've never fished for them. I understand that they burrow down into the soft bottom, and it's several hundred feet to I don't know, thousands of foot, wherever the soft or mud bottom is at.

I couldn't tell you, but you're not going to catch one of those inshore of these targeted areas. Warsaw grouper, you can catch one within sight of land here, but the biggest part of them are out there in that deep water on the other side of the Continental Shelf.

Party boats catch those. I've heard they've been caught off the pier here, so they're widespread. It's just that when you catch them off shore, if you catch them, 50 percent of the time they're not going to survive. They blow up. They embolize. Their eyes are out of their head. Their bellies all swollen up. Their insides are hanging out.

It's just coming up from the pressure from that depth. I don't know if you all have sent observers out on any commercial boats or snapper boats to see the way that they catch these fish and where they're caught, but basically, I agree with what most of the people are saying here.

If you're going to protect that species which is the deep water species, target the deep water; don't target and hurt the people that are making a living and/or fishing, charter fishing, whatever it may be, in 125, 130, 140, 150 foot of water.

Anything under the Continental Shelf is not going to help your situation. You're going to have to go on the other side to help these fish. No matter where you close it, somebody is going to be unhappy, wherever you close it.

But you're going to hurt less people, and the economic impact is going to be much less if you go to where they live, to where they're raised, to where they spawn in. The one thing I agree with totally, always have, if you're going to close something, close it when they have the best chance to recuperate

Close it during spawning season regardless of what species they are where they can reproduce. You get reproduction; you're going to get enough that live that will bring the species back over the years.

Mr. Iarocci: Thank you.

Mr. Brown: Anything else that I didn't answer? Where would I fish? Like I do every time I go outside these jetties, I try to talk to my fellow fishermen on the way out to see where they're at and what they've been doing, how long they've been out. And that's very helpful a lot of times, depending on the moon, the tides, the currents, the weather.

There is a lot involved in it, a whole lot. You try to get a little bit of help before you get outside of land to try to figure out which direction to go or how deep to use to start with. But we'll go wherever we need to feed our families and pay our bills. Thank you.

Mr. Iarocci: Thank you, Donald. Let me ask you a question.

Mr. Brown: Yes, sir.

Mr. Iarocci: You mentioned about the snowy grouper. We used to have a whole fleet of boats. We used to use jerk rigs down there. We used to use electric and hydraulic reels, and we set our buoys all through anywhere. We fished a lot of 5-6-8-900-1,000 feet for our snowies, and it was all deep water. And there's hardly any snowies down there right now.

But you were saying the shallow water -- your depth of water up here you're looking at -- from what depth would you say is your pertinent --

Mr. Brown: When I fished for snowy grouper -- you can still go out there and catch a few, but you're not going to catch them inside the Continental Shelf, the Break, where it drops from 180 to 200 foot.

You might once in a while catch one right there, but normally you've got to go another half a mile out where you get about 240 foot of water, they start showing up. They used to be out there between that and 300 feet before they were the thicks.

And 300 foot is about a mile and a quarter off the Continental Shelf. Of course, there are plenty beyond that in certain areas where the bottom structure is right, but it's hard to fish them with set gear with the type of gear we use, because the anchor won't hold in that soft shell bottom.

Mr. Iarocci: Thanks a lot. Good comments, Don. Ron Bo Surrency.

Mr. Ron Surrency: Hi, I'm Ron Surrency. I run a charter boat and a commercial dive boat out of Mayport, and I fish, kind of trailer, and I kind of do a little bit of everything. I do a lot of sport fishing and king fishing, the whole nine yards.

I probably fish about 200 days a year. I probably troll for marlin and dolphin and stuff like that probably 30-40 days a year. These two areas, I kind of agree with Richie. It's hard to manage the type of fishery that you all are trying to protect in a box.

I think you kind of need to -- if you're going to close this, the fish are in that much trouble -- you need to kind of close it during the spawning season and give the fish a chance, to close it down to everybody.

I think if you put a protected area in this area -- there are so many inlets from Cape Savannah to basically St. Augustine that all these people with these fast boats can get to these areas.

If you close these areas, it's going to create a lot of pressure around these areas, so it's going to probably be a little bit more worse for the fisheries, different fisheries, than actually the fish that you all are trying to protect. That's kind of what I think about it.

Mr. Iarocci: Ron, do you do any trolling in those areas?

Mr. Surrency: Yes, I do. I do a lot of -- catch the black fins in there. And I marlin fish. Inside of 21 fathoms you get king fish and stuff like that in there. I run a lot of fishing charters in there. I probably wouldn't go in there on my charters if I couldn't bottom fish in there because the fishing was slow.

I mainly work on a ten-hour day and try to make customers happy. And even if I'm commercial fishing there, I'm trying to utilize the best time, trying to make the most money with the time I'm out there and the weather that we've got to stay out there.

So if I couldn't switch up and go bottom fishing with my customers or just doing commercial fishing, I probably wouldn't even be in there. The people that are going to be in there, either they don't know any better, or they're in there poaching.

That's another thing, it's just so hard to -- and I don't agree with it. If these fish live that long and it takes that long to spawn, and they're in that much trouble, I think the thing to do is just to close it, like the Jew fish and give the fish a chance.

Find out when they're spawning season is and give the fish a chance. But to make a closed area, I don't think this is the right road to take. And that's all I have to say.

Mr. Iarocci: Thank you, Ron. Fred Odom.

Mr. Fred Odom: Yes, my name is Fred. Now, I run a little snapper grouper boat out of Mayport. I fish probably 25 weeks a year. And I run three-to- six-day trips.

I see one number on here that just scares the hell out of me. It says "Grid 3080". Well, you can go look at my records, and every one of them has got 3080 on it. Now, I'm going to tell you that's where I make my living. I have never caught a legal snowy. I haven't seen a yellow edge except in a book or a tilefish.

I just don't understand where these areas came from. I think it was Richie who said, somebody's children just drew a little square because, I mean, all you have to do is ask anybody that fishes

out here, and they'll tell you that the list of fish that I saw in the newspaper yesterday are not in these grids.

I don't have enough knowledge to be pro or con on the protected area. I'll need more data. But I can tell you that these are not the grids to do it, if it's done. You've got to get out further. Man, these are deep-water fish. Get on past the Break.

I believe the suggestion that was made to get further away from the inlets is an excellent suggestion. Not only will you avoid hardship on the commercial people, but also you're not going to stop these 400-500 small boats that leave this inlet on the weekends.

I mean, there's no enforcement. That's been mentioned. There is no way that's going to be enforced. In the first place, they don't know any better. It's not intentional. They are not going to know any better.

You're going to have to get out of range of these small boats. And you're going to have to get out of the area that people depend on for a livelihood. But first and foremost, put it where the fish are. That's all I have. Thank you.

Ms. O'Malley: Fred, can I ask you a question?

Mr. Odom: Yes.

Ms. O'Malley: You said that Grid 3080, that all your catch comes from 3080. Of that, of all of your catch that's in that whole logbook area and then Option 1 is within that logbook area, what percentage of your catch would you say came out of the actual box, Option 1?

Mr. Odom: That would vary from different times of the year. But it would be a significant amount.

Ms. O'Malley: Also, let me ask you, are you familiar at all with Option 2? Do you ever fish anywhere near that area? Because I have a question about that.

Mr. Odom: Yes, I do and I have, but I know the other one like the back of my hand, and that's why I'm comfortable in telling you that none of your targeted fish are in there.

Ms. O'Malley: Okay, great. Thank you very much.

Mr. Odom: You can just erase that.

Ms. O'Malley: Okay, thank you very much. I appreciate it.

Mr. Iarocci: Thank you, Fred. That's the kind of information we're looking for. Captain Rob Darner.

Captain Rob Darner: Thank you for having this meeting tonight. My name is Rob Darner. I am strictly a recreational fisherman. And to go down your list of questions: just recreational fisherman; about 90 percent of my trips come out of Mayport; we do bottom fish probably about 15 or so trips a year, that's kind of season and weather dependent; when bottom fishing, we do go ahead and go after grouper, snapper, but other fish are mostly pelagic.

And what other area sites would I fish if this area were closed, particularly, when I go out to either Option 1 or Option 2 that you have listed I mostly am trolling gag so I'm trolling for pelagics out there.

I have not yet learned to bottom fish out in that area. However, I have been in this process for a little while and seen kind of the evolution of your Options 1 or 2 come about and also the targeted species.

I tend to agree with most of the people here in this room that if you're looking at your deep water species, Option 1 and Option 2 are not your best ones available because they miss what you're looking for.

I think early on we were looking at gag and probably black grouper, and these sites on the Continental Shelf were proposed. Now we've gone to like your snowys and tilefish and they need to be further off shore.

In relation to whether these two were changed to a no fishing zone, these two options, and one thing I'd like you folks to consider is the pressure on the boat ramps here in North Florida. We basically have two or three boat ramps that are close to the inlets that most of us, the small boat fishermen, go out.

You would create probably a lot of havoc if you closed either one of these areas to a total no fishing zone. So I'd prefer it to remain at least a Type 2. My big preference would be limited duration and some take, spawning closures, plus the availability of pelagic species in those areas.

So, please don't take my comments as a blanket tacit endorsement of the MPA. I know that you are looking for targeted information, and that's what I hopefully provided you all with. Thank you.

Mr. Iarocci: Thank you, Rob.

Mr. Chanse Henderson: Yes, my name is Chanse Henderson. I'm a charter captain. I'm a member of the St. Augustine Boating Club. And I am also one of the members heading up the New Reef Re-nourishment Project and the placing of new reefs.

We've had several discussions at the boat club about this. And a majority of people there support Options 1 and 2 only if the restrictions apply to commercial and party boats. Other than that, then they don't favor for either option.

Mr. Iarocci: Excuse me, Chanse. Let me stop you right there, and I want this clearly on the record. They support it for charter, for headboats and commercial fishermen; recreational fishermen will be allowed to fish there.

Mr. Henderson: Correct.

Mr. Iarocci: Okay.

Mr. Henderson: And this is from several inputs from people at the St. Augustine Boating Club. A lot of them feel that we're actually -- the commercial fishermen are overfishing our areas out there. But really that's what I came to say.

Ms. O'Malley: Chanse, can I ask you some questions?

Mr. Henderson: Yes, go ahead.

Ms. O'Malley: Does the majority of the St. Augustine Boating Club fish in Options 1 and 2 currently?

Mr. Henderson: Actually, yes there are several that fish in those areas.

Ms. O'Malley: Are they bottom fishing or are they trolling?

Mr. Henderson: Both. They get out there trolling and if trolling isn't good then, yes, they will drop over and do some bottom fishing. Well, they don't get to keep many as it is, compared to commercial and head fishing boats.

Ms. O'Malley: All right, thank you.

Mr. Henderson: Thank you.

Mr. Iarocci: How about Bill Breen.

Mr. Bill Breen: My name is Bill Breen. I reside in Orange Park, so I'll go down your questions first. Homeport would be both Mayport and St. Augustine, equal distance to travel to either. How many bottom fishing trips do I make in a year? It will be as many as weather and fishing partners can put up with.

The main species targeted? One or two nice big, fat fish from any species. What other areas would I fish? I'd be looking for something close by, probably near those areas or just outside those areas.

Now to get into the specifics. I am new to Florida. I just moved from California. I was born here but moved from California to fish. The Pacific Marine Fisheries management group hasn't done too good of a job. In 30 years of being in charge of improving the fisheries, it has gone

down hill drastically.

I have a degree in oceanography from University of California at Humboldt. I didn't work in oceanography for most of my career. I was a police officer. But I kept up on it, and I've always lived near the ocean and fished in the ocean.

A couple of points that have been brought up to me that the council, South Atlantic Marine Fisheries, should pay a lot of attention to is that both Sites 1 and 2 apparently are mis-located. Every commercial fisherman here has clearly stated that you don't catch the species that are being protected in those two sites.

Another thing that I have kept up on and been aware of for a long time, and I would assume most of the council members should actually be aware of this, is that all the studies have shown the MPAs don't work, strictly because you have a five-mile by ten-mile box.

Your commercial and sport fishermen are fishing right outside that box. Fish move. You put down a new reef, you know, a whole bunch of culverts. You put them out there. Two months later you can catch a lot of fish off those. They weren't spawned and settled and grew up on those. They moved into those. So having a box of a protected site isn't going to actually protect the fish in that site.

What has proven to work are your seasonal closures during spawning, slot limits, kind of hard on deep water species because they don't get put back down too easily. But there are many other methods that have been proven to work off the other southern Gulf Coast, and those need to be considered a lot.

Enforcement, again, impossible. Like Rich said, he's a longline shark fisherman. The bycatch that he's going to catch when he can legally put his lines down there through are going to do as much damage as any sport fishing group can do as far as killing off a bunch of the targeted species.

But, most importantly, I think you need to reconsider the MPAs and go with a more workable solution of a seasonal closure or actual limits on both sport and commercial. And one brief little comment for everybody is don't let the sport and commercial get separated.

To fight all this, the closures that the extreme environmentalists want, you have to stay together. The reason I moved from California is because they closed most of the sport fishing down out there to the tune of -- the effect on the Southern California economy, between \$5 and \$6 billion dollars a year, just blanket closures. Thank you.

Mr. Iarocci: Thank you, Bill. That was the last of the cards from people had put down that they wanted to speak, but there are a couple of people that I would like to ask to speak. I'd like to hear some comments.

George, I know I've heard some real good input from you before. Vic, if you've got something

to say, I'd really like to get it on the record if that's okay with you. And Ricky Aycock -- is Ricky still here or did Ricky leave? Yes, if Ricky could, and anybody else.

Like I said, this is the chance for you guys to get stuff to the people. Ron, I know you've got more to say, and Dave, you've got some more to say. This is the time to do it. This is an information-gathering meeting that other council members don't get to hear.

I've been in the seat you're sitting in for a lot of years before I got on this council. And it's important that these people hear this stuff. And this is the chance to hear it. We heard from everybody else that said this is the place they want to put these MPAs, because this is where these fish are.

We're hearing from you it isn't. We need to make sure we get the right information on the table. With that said, George, thank you for coming up.

Captain George Strate: Yes, Tony, it's good seeing you again, sir. My name is Captain George Strate. I have the Mayport Princess party fishing boat out of the metropolis of Mayport. Obviously, we're missing a little bit what we're here for tonight.

I've heard buggy whip stories and fly fishing and tree hugging and just about everything else. What you people actually need is information like some of the people like Fred and the Mule Train, Don Brown, gave you.

They know. They're out there all the time. They're the people we need to listen to. You can have all the scientific facts you want to, but if you're not there hands-on doing it, that's exactly what it is.

Just from what I've heard and what I've seen and what I'm listening to -- I don't fish this area a lot. I don't fish -- well, I party fish so every once in a while I might make it there but in a blue moon.

But, in reality, the fish that you're trying to protect are not in those areas. I mean, we're very familiar with that. The boxes -- you need to do away with Option 1. Go to Option 2 and move Option 2 south and offshore where it is. It needs to start in 220 feet of water out to 600 feet of water.

Mr. Iarocci: George, could I stop you --

Captain Strate: Sure.

Mr. Iarocci: -- stop you right there for one second and ask, is everybody in pretty much agreement with what George just said? Okay, I wanted to make sure that's on the record. That's what I wanted, that's what I'm working on right now. Thank you. Thank you, George.

Captain Strate: I had three --

Mr. Iarocci: George, could you do me one big favor? Put my hands against the wall and spread them?

Captain Strate: You'd better believe it.

Mr. Iarocci: No, give me a chance because everything, what we were talking about right now, if we could, I'd like to get it on video.

Captain Strate: Sure.

Mr. Iarocci: For the record and then take that poll again. George, state your name for the record again and what you just said.

Captain Strate: Okay, my name is Captain George Strate, party boat, Mayport Princess. I run out of Mayport, Florida. I've been listening to the council or the meeting that we've had here so far, and my ideas of what we've come up so far is that we need to do away with Option 1 and move to Option 2.

Option 2 needs to be moved south and offshore from where it is right now. It needs to start at about 220 feet of water out to about 600 feet of water to protect the fish that you people are trying to protect. That is the area where they are. Where you have the options now, that is not the correct area.

Mr. Iarocci: George, if I could take a minute and take a poll. Everybody in the room, do you agree with what George just said? Thanks.

Ms. O'Malley: I have some dry erase markers, and we can together draw a new box on the map that I can bring back to the council. It's going to be hard, because there's a lot of people in the room and I don't know if I'm going to be able to draw 75 boxes on there. It could get kind of ugly.

But if we could come up with an option or two that is reasonable, that we know that there is some species we're looking for in there, then I can bring it back to the council and say here is what we've come up with.

The other option is, if Tony is supportive of this, is we could try to get back down here, hold some smaller informal meetings and work on some different options, if this option isn't controversial.

As I told you before, we did this in Islamorada. We're not here to shove something down your throat, and it would be a good start to give me something to bring back to them after this thing. So maybe we can do that after.

Captain Strate: Yes, Ma'am, I'll be glad to help you any way we can, because obviously, people

are trying. I mean it's not a cut-and-dried deal. You're obviously trying. That's exactly right. And if we all work together, we'll get something done here.

It will work out good. And the guy that said that the MPAs don't work, go to John Pennekampe one night and see if you don't find any fish in that place. Any of your management areas, they work. They definitely do.

Fish are not stupid. If they're not getting pounded all the time and they know they can go to an area, they'll sit there and not get bothered, they'll go there. That's all there is to it. So I think we're all working in the same direction. We just need to get all coordinated together, and it will work out real good. Thank you.

Mr. Iarocci: Thank you, George. Sorry to put you on the spot like that. I wanted to throw that at you and I knew you'd help me get the ball rolling. Vic, if you could just state a few things for the record on this subject and maybe help this process along, I'd appreciate it.

Mr. Vic Lloyd: I'm Vic Lloyd, many years out of Mayport, many trips a year and just in agreement with what you've been told before.

The targeted species that you're trying to protect is not in the area you chose. At least, move the sites out in the deeper water. We don't catch any yellowedged grouper here. They're mostly caught in the Carolinas.

Back when you first started coming out with these SMPs I did a lot of raging on it, myself, and from what I could see, large areas had to be designated as MPAs, 30-mile areas and stuff like that.

I don't really think the small area is going to accomplish a lot. Maybe it will; maybe it won't, but I don't see that it's going to. My personal belief is we need more management and biologists on the boat.

When the fish are spawning, you need to shut the fishery down. Size limits, minimal size limits, let these fish survive being caught and unhurt. Nineteen-inch snapper aren't going to survive _____. That's basically it.

Mr. Iarocci: Thank you, Vic. In the back, please.

Ms. O'Malley: Please make sure you state your name so we can switch your card and indicate that you spoke. Thank you.

Mr. Dave Crisp: I've Dave Crisp. I've lived in this area, born in this area. I've fished out of here commercially since the '60s. I just want to reiterate the same thing as a couple of these commercial guys.

I'm a sport fisherman. I've strictly sport fished. Now I fish about 50-60 days a year. My

homeport is Mayport. Mostly, snapper and grouper is what I target. But a few things about what you're trying to protect. You really do need to listen to these guys.

Back when I commercial fished, I was 18 years old. I didn't know enough to fish on most of the little breaks and ledges, so I would get on the Edge, and I would work the Edge from here to Charleston and anchor up in 180 feet constantly.

If I caught two or three snowys in the four or five years I commercial fished, it would surprise me. I didn't catch them. I didn't catch yellowedge. We didn't catch tiles. Now we did get in deeper water and catch tiles. But the shallowest I've ever caught a tilefish is, I think, 325 feet.

The misty grouper, I've never caught one under 400 feet. I've never caught one off of here. I haven't caught a yellowedge off of here. I've caught them in the Bahamas, and I've caught them up off of the Carolinas.

I don't think you'd get much objection. Like Vic said, it needs to be a big area. The MPAs work, just like George says. If you ever go diving down in the Keys, you can go into John Pennekampe and come outside the markers, and it's a world of difference.

But do make it a large area. I don't think you'll get much grief from anybody if it starts at 220 feet. That's where your target fish will start, out to 600 or 700 feet. But that's not a very side distance around here.

That's only -- Don -- a mile? A mile and a half? Right, so you're not talking about a mile, but I don't think you'd get much objection from anybody if you'll close it for 30 miles or 50 miles.

You've got a stretch from -- there's an inlet just south of here, St. Augustine, well, from St. Augustine to Daytona is what, 50 miles? There is nobody there. But I don't think you'll get much objection from anybody to close it up here, from the Georgia line. But, if you're going to target a species and protect a species, protect that species, not other areas where they just don't exist. That's it.

Mr. Iarocci: Did you fill out a card?

Mr. Ed Kalakauskis: Hi, my name is Ed Kalakauskis. I'm with the Jacksonville Offshore Sport Fishing Club. I don't represent them right now. I don't fish but I eat fish. I'm out of Jacksonville, Florida.

I'm an artificial reef builder. I've been doing it for about 20 years for the community in Jacksonville and some in St. Augustine. My major concern when I first heard about this meeting, first of all, was where they were going to be. Without the information, that's the reason I came to this meeting, to find out exactly where these MPAs were going to be at.

One of the concerns I had, looking at both MPAs, is the adverse effect it will have on the material that we put out there. Several years ago we flew offshore Jacksonville and did a boat

count on PR, and it was like Hong Kong City.

You could walk across the bow of boats. So, looking at it through that point of view, I'd be concerned that these areas that you have selected would first put a lot of fishing pressure on the artificial reef material.

I concur with what everybody says here. The species that you're targeting from talking to the biologists at JU, they're further off shore in deeper water. And this is basically my concern.

Watching this program from the beginning, being involved in MPAs, I've seen these people's minds change. When I first came to these MPA meetings, nobody was for MPAs. But we've learned that these are a good thing. And I think you'll find that the community of Jacksonville will support them if you put them in the right place. Thank you.

Mr. Iarocci: Thank you, Ed. Is there anybody else who would like to make a comment before we go to the boxes?

Mr. Jim Mitchell: Just real quick -- Jim Mitchell, St. Augustine, Florida. I don't know how much clout or where the clout is from the Senate level in our state that appropriates the control of the ships that the Navy dumps and makes reefs and things like that.

It seems like that we don't have enough clout here, or we don't have the right senators in our district to get some of these ships dumped in our areas for artificial reefs, and I'd like for the committee to address that so we could understand, or so we'd have some kind of knowledge of how come our senators aren't getting these ships put in our areas so that we can have better fisheries.

The people that I've talk to in just different fishing clubs -- it seems to be on the senate level and no one locally has any knowledge of how -- it seems like ours is all concerned. It's just Mayport.

I know Mayport and keeping our Navy here and our aircraft here and our planes here. I understand all that. But it seems like we don't have any clout anywhere else as far as getting reefs. Down south gets it all, and I wondered if you all could comment to us on that. How could you all help us out with getting the sixth fleet dumped out here over the next 100 years?

Ms. O'Malley: That is political. The council itself does not deal with the building of artificial reefs. I can give you a little insight from my job. An example right now is an old aircraft carrier called the "Oriskany".

I don't know if anyone is familiar with that. It's 240-foot long and the Navy is looking to sink it for an artificial reef site. Your guys on the West Coast are working really hard, because it looks like that's where it's probably going to go.

They do have some clout over there. It's off of Pensacola. Someone is over there pushing to put

an aircraft carrier off there. South Carolina would really like it. Georgia would really like it. But it's probably going in the Gulf.

There are a couple components in artificial reefs in that that's all done by the state, so it depends on how strong your state program is. The place to start would be with your Fish and Wildlife Commission and find out who the artificial reef program coordinator is and call him all the time.

You probably know. I know in most states. I don't know who your Florida person is off the top of my head. I could find out that, but if you guys could share. Oh, great. Let's not get too far off topic but answer the question briefly, and then we'll move on.

Mr. Kalakauskis: Real quick, my name is Ed Kalakauskis. I sit on a board for the state of Florida, a strategy board for artificial reefs. The question was asked about the politics in building reefs off our community.

Right now Duval County has a moratorium put on artificial reefs because of legal questions that have to be answered. St. John's County, that could happen. People are not moving in St. John's County on fish. Okay, there are ships out there to be gotten.

Right now, there is a guy named John Rude, who sits on the commission, who has gotten ideas about putting ships off our coastline. That is moving in that direction right now. As soon as the city of Jacksonville releases the moratorium, you'll probably see that program get in place real quick.

Ms. O'Malley: All right, I hate to do this. I don't want to shut off this conversation, because it's really important but we can't have this kind of talk on and off the record, because no one will understand what you're saying.

If you guys want to get together and talk in the back and have a little group about that, that would be great. Again, I'm not trying to stifle your right to talk. It just won't work. My last question for all of you is does anyone else have any specific comments they would like to make on any of the other sites that are up for proposal in the South Atlantic.

Because you fish there, you have the same right to talk about a site in North Carolina as you do to talk about a site here. But, again, we're looking for specific information. I want to give you an opportunity. Any of the other Florida sites -- if you have any knowledge of those sites, we'd be happy to take it now. If not, we'll adjourn and draw some boxes.

Mr. Iarocci: First off, I want to thank you all for taking the time to be here tonight. But I think the most important part of this meeting is what is going to happen next. We're here to get the right information, and a few of you guys came to the podium and gave us some good information.

I think now is the time, if we could take a couple minutes, let's just take a break and go back to those charts and look on Page 34, because right now we've seen these Option 1 and Option 2 on

this chart.

What we're hearing from you is it's not in the right place, and it's not going to protect the targeted species. So if we could take this time to look at Page 34 and look at the back charts and work together and come up with some ideas that we can take back to the council with us and then move forward.

Like Kerry said earlier, if we need to work on this, come back down here, work on this together again or contact the council office, let's do it. But let's go ahead and take a break a little while, look at those charts and get together and talk about this.

For the record, we're going to record this. If we could please -- hey, Mark. Mark, please, for a minute. I want to get this on the record. We've had some input. We've had some input from some of the fishermen today on Options 1 and 2 being in the wrong place.

We went back to the charts and came up with this proposal on the chart here. It's a starting point here -- what I think is a good start with both commercial and charter fishermen that we can move forward and work together on, and I wanted to get it on the record.

The people in the background are both charter and commercial fishermen who support this area. And they think it's in the right place. We're adjourned.

(Whereupon, the MPA public hearing adjourned on Monday, January 19, 2004)

Tapes Of Proceedings On File (1)

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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

**SNAPPER GROUPE AMENDMENT 14 (MPA)
PUBLIC HEARING**

**Atlantic Beach, Florida
January 19, 2004**

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