

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **SNAPPER GROUPER AMENDMENT 14 (MPA) PUBLIC HEARING**

**Stuart, Florida  
January 20, 2004**

### **Summary Minutes**

The Marine Protected Area public meeting for the South Atlantic Fishery Management Council convened in Stuart, Florida, on Thursday, January 20, 2004, and was called to order by Chairman Anthony L. Iarocci.

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

The purpose of this informational public hearing is to give you the opportunity to comment on social and economic impacts that may be associated with specific marine protected area sites that are proposed to be included in the 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 specified proposed marine protected area sites will be collected and used in developing Amendment 14 to the Snapper Grouper Fishery 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 issues. 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. The Sea Bass Rock is what we're going to be talking about tonight.

Everyone, who wishes to provide input, will be called upon. After everyone has had a chance to speak on the Sea Bass Rock's MPA, 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 impacts of all proposed MPAs.

The council has taken a long time to do this process. We're not rushing. We want — your input is very important to us. New England, New Zealand, California, I mean, a lot of this stuff is being jammed down the fisherman's throats in other places.

You can't say the council is doing that. We're here to get your input. It's very important, the socio-economic impacts of this site and what it's going to mean to you. We need to hear that tonight. We need to get it on the record.

It is going to be recorded and videotaped, so please try to put in your information. What we need is Sea Bass Rocks and how it's going to affect you. There is going to be a list in the presentation. Try to follow that list when you do your input. With that said, Kerry, please.

Ms. Kerry O'Malley: Hi, everyone. Can everyone hear me? Just holler up; just speak up if you can't. Real quickly, I want to go over a few things about tonight's meeting, because this is a little different than our traditional public hearings, as Tony mentioned before.

The first thing being, and you'll hear this a couple times, is that there will be no final decision made after this public hearing. There is still another round of public hearings and a comment period that will take place before the council makes any final decisions. As Tony mentioned, the second round of public hearings is likely to be held later this year or early next year, before the council will make any final decisions.

The second thing that's different from this public hearing is this time we are actually looking for information from you that we will then collect and turn around and use as data and put in Amendment 14 to the Snapper Grouper Fishery Management Plan, which is the amendment that would hold any measures that propose marine protected areas.

Normally, we already have all that information when we come to you with a proposal. But being that this is a different management tool, we're doing the process a little different. The third thing is that all measures that are going to be included in Amendment 14 to the Snapper Grouper Fishery Management Plan are not for discussion at this public hearing. I'm going to get into why. It's a little complicated, and I'll get into that in just one second.

Some traditional things that are happening, just to maybe put your mind at ease or just so you know what's going on, the meetings are being audio recorded and video taped. A copy of video

tapes will be sent to every council member from North Carolina to Florida, so people that are council members in North Carolina, who couldn't make it here tonight, will hear your input and what you have to say and see that all on videotape.

The reason we're having two rounds of public hearings is because our Marine Protected Areas Advisory Panel, which are industry, recreational, environmental representatives of the general public, who advise us, had insisted that because marine protected areas tend to be a very controversial topic, they had asked that we make sure that we do at least two rounds of public hearings and go very slowly and gather all the input possible.

So we're obliging them, because we agree that the more input, the better.

As I mentioned before, we're trying to gather information from you, social and economics, data that we can then use and rework into Snapper Grouper Amendment 14. From this data, we will know how you're economically and socially affected.

Real quickly, this is going to get a little confusing, but I think it's important that you understand this. You can ask me questions about it after my presentation is done, if you don't. The reason why everything what may go into Snapper Grouper Amendment 14 isn't up for discussion tonight is because things have been changed a little.

The council is also developing, at the same time, an amendment called Snapper Grouper Amendment 13B. It's a little bureaucratic when you get down to all these numbers and letters and things like that. I know that. But that's the number we're up to with regulations for the snapper grouper fishery.

In Snapper Grouper Amendment 13B, the council is focusing on addressing measures that meet the standards of the Sustainable Fisheries Act, which is the Congressional Act that we operate under.

This is what Congress says. You have to have your fish at this level and rebuilt by this time, and these are the rules that we all go by and the reason we make our decisions that we do about managing fisheries.

A lot of this stuff is scientific and bureaucratic information. We will be doing things in Amendment 13B, such as identifying maximum sustainable yield for individual species and optimum yield for individual species, all in the snapper grouper fishery management unit.

We have to come up with rebuilding plans. If species are overfished, we have to figure out how long we have to rebuild them under the law and what management measures we're going to use in order to rebuild them within that timeframe.

Originally, when we started down that road we were going to address all 72 snapper grouper species at the same time. You guys are familiar with our snapper grouper complex. It's everything from grunt to jack to groupers to porgies. It's a wide complex.

These species tend to not have a lot of things in common sometimes. They're hard to address all at one time. The council decided, since we were looking at marine protected areas for deep water species, that we should do all deep water species management measures in one amendment.

So the council made a decision -- at the bottom you can see -- to move all the Sustainable Fisheries Act requirements and rebuilding plans for deep water species into Snapper Grouper Amendment 14 to be dealt with along with marine protected areas.

So, that just happened in October. It's still in the works. We needed to get out to you guys -- get you guys aware of what's going on with marine protected areas, get some information back, so we decided to do this first public hearing a little separate, so that we were only talking about marine protected areas.

All these other issues, you will have an ample opportunity to discuss in the next round of public hearings, and it will follow the traditional format, so you will have time to look into that, too.

I keep talking about deep water species. Just to make sure we're all on the same page, the council defines the deep water species -- there are eight. There is: speckled hind, snowy grouper, Warsaw grouper, misty grouper, yellowedged grouper, golden tilefish and blueline tilefish.

The reason why we're focusing on marine protected areas for deep water species, and if you have been to these meetings before it's probably what we've spent the majority of our time talking about, but the couple things that we think about is that they're very long-lived.

You can see behind me, they found yellow-edged grouper that lived to be 85 years old. They mature very late, and they're very slow growing. These make it hard to manage them with traditional fishery management measures.

As you know, they are also caught in deep water, so if you catch one under the minimum size limit, it's probably not going back down alive. So we have to think of creative ways to manage them for that reason as well.

I'm going to try to make this as quick as possible, but I think it's important that if you're new to the process, you understand exactly how much the council has done in working on marine protected areas, that it's not just something the council just decided to do recently, or it's not just something we're coming to you and it's going to happen very quickly.

The council started looking at marine protected areas in 1990, so it has been 14 years and we still haven't done anything yet. This is not something that we're going to come and do really quickly when you're not looking, I can promise.

It started in 1990, because the scientists, who advise us, that are snapper grouper scientists told us that that was the only way you could manage, at least if you thought of snapper grouper species successfully.

The council had some scoping meetings in 1992. I'm pretty sure one of them was here in Ft. Pierce. That's where we usually hold meetings when we come down here. During that whole scoping process in 1992, the council got a lot of mixed reaction but a lot of reactions.

As you can imagine, it was just as controversial then as it is now. The council decided, because it was a relatively new concept and they hadn't tried all the traditional fishery management measures yet, that they would sort of put the marine protected area concept off to the side a little and just continue to move on and try some more traditional fishery management measures.

Some of you may be very familiar with two of our most recent snapper grouper amendments, Snapper Grouper Amendments 8 and 9. They had a pretty big impact on a lot of people. Snapper Grouper Amendment 8 was the commercial limited entry program that reduced the commercial fishery by half.

Snapper Grouper Amendment 9 imposed a lot of strict size limits and bag limits that affected the fishery all across. So while the council is looking at traditional fishery management measures, they've had to do more and more and more to manage these species.

The council has, as I mentioned before, formed a Marine Protected Areas Advisory Panel. It's one of our largest. It's like 30 members. It's very diverse. We have commercial/recreational fishermen, environmentalists. We just have everyone on there that is interested and involved in the process that we can.

They've been very involved in helping us come up with a plan of how to address and approach marine protected areas. They've voted several times that they do endorse the concept of marine protected areas, and they've helped us pick some of the sites that we've come here with tonight.

The council has also held two other rounds of scoping meetings for a total of three rounds of scoping meetings. In 2000, we came out and just asked people, what did you think about the idea of marine protected areas? We went on the road. We had also had informal meetings and that was the only question we were asking, no boxes on maps, nothing anything like that.

After that, the council, once again, affirmed that they wanted to move forward, and it was time to use marine protected areas. So we went back out to the public and using our advisory panel and using the public, we then asked the public to pick the spots where the marine protected areas should be.

That's really important to note. Everywhere else that it has happened, like Tony mentioned, the government has picked the sites, and it has been top down. We've really tried to do this bottom-up.

We've tried to use the public to decide where these sites would get the most bang for the buck, while having the least social and economic impact. That's what we're here to talk to you guys about.

One last thing to get us a little housekeeping, make sure we're on the same page, we need to talk about what a marine protected area is. It's different everywhere, from what the big federal government says, our bosses say, to what the national marine sanctuaries say, to what happens in Australia.

The council's definition of a marine protected area is a network of specific areas of marine environment preserved and managed for the primary purpose of aiding in the recovery of overfished stock and to ensure the persistence of healthy fish stocks, fisheries and habitats.

Now, what does that mean to you? Probably, not a ton. This is what is probably going to mean the most to you. The council has given itself four types of MPAs to use. This is really important.

The first kind of marine protected area the council could use as a tool is a permanent closure with no-take. That's the one most people, who are against MPAs, are most afraid of. That's where, obviously, it's closed forever, and you can't take anything.

The second type of marine protected area, and this is the one we're going to focus on, is a permanent closure with some take allowed. In our case, what that means is bottom fishing for snapper grouper species would not be allowed, but trolling for pelagic species and other types of fishing would be.

For instance, with the Sea Bass Rock site that's closest to you guys, the regulations would read something like "a prohibition on harvest or possession of snapper grouper species." All other types of fishing would be allowed in that area, especially trolling for pelagic, dolphin/wahoo, et cetera.

There are two other kinds that the council would use and that's a limited duration closure with no take. That would be like a spawning area. If we knew they were spawning, we could close it during spawning and not let anyone in there and not let any fish be harvested from that area. And that would be just during that spawning period.

Then the final one would be a limited duration closure with some take and that would be, say we knew some grouper were spawning, we would close that area to snapper grouper harvest but allow trolling and other types of fishing through there for that spawning period.

But, again, we're focusing on a Type 2 MPA, which is a bottom fishing closure in the area, Sea Bass Rock. We pretty much covered all this, and it was March of 2002 that the council did decide to move forward and incorporate the sites that we're looking at tonight into a fishery management plan amendment.

So here we are. In October, I had told you they decided to also add some other management measures into the plan. You will have a chance to see those at a later date. We are now doing informational public hearings.

You guys are the second one. We had one in Jacksonville last night, and we're going down to the Keys on Thursday, and then we're starting in North Carolina and heading back down. Again, a more traditional public hearing on this matter will be held in later this year-early next year.

Real quickly, I'm just going to show you guys the sites. There is a chance -- if you all have this document and please make sure you have it, because this will really help you follow along -- informational public hearing document.

Julie has some, and she can get you some if you don't. Feel free to take extras if there is someone you know who is not here who would like to see it. We can look at them closer later, but this is an area off of North Carolina called the Snowy Wreck Marine Protected Area. It's about 60 miles due east of Southport, North Carolina.

This is an area off of South Carolina. And it's important that everyone knows this. For these sites where you see three boxes, only one of those boxes is an option for the council. The council would choose one. There would not be three areas in that site. They just have three options to choose from.

This is our second site off of South Carolina. It's about 60 miles offshore of Charleston. Here is an area off of Brunswick, Georgia. This is the area we talked about last night off of Jacksonville.

Again, there are two options there. The council would end up only choosing one. One is due east of St. Augustine, and one is due east of Jacksonville. Here is the area that I assume that you guys are most familiar with, and that is the Sea Bass Rocks area.

Our information, from the person who does my maps, tells me that it's nine miles east of St. Lucie Inlet, and the box is approximately two by four nautical miles. Here is the one we will be talking about Thursday night in Islamorada.

It's the Florida Hump or the Florida East Hump and Unnamed Hump. This site was originally, if you've been involved in the process for a long time, had originally been located on the Islamorada Hump. It was very controversial.

It was going to have a huge devastating social and economic impact to the community down there. The council did work very closely with that community, and after going down there several times, they came up with a site that was just as scientifically valid, yet had less of an economic impact, and we were able to come up with a different site.

Just so you know, the process does work. If we all work together we can make sure that we're doing the best for the fish and the best for you guys. We do have two sites.

We hear a lot of times that we've been out at these hearings, "Why don't you just take", in our case up in Charleston, where I was, we have an old bridge that they're tearing down, "Why don't you just take some old artificial reef materials, put it out on sand bottom and close it down? Don't take any of our bottom that we fish on and make that a marine protected area".

The council has heard that a lot. There is a lot of scientific argument one way or the other about whether or not this is actually a valid approach to marine protected areas and rebuilding fisheries.

But because there was such a demand from the public, the council decided to give it a try. Two sites, that are proposed, are actually sand bottoms that would eventually be artificial reef material, which would be placed within these boxes, and they would be monitored to see whether or not they could actually be valid marine protected areas and could actually add benefit to the fisheries.

This one right here is actually very close to being inshore of North Carolina. And this is different in that it's a Type 1 -- it's proposed to be a Type 1 MPA. It's our only one where no fishing would be allowed. Again, right now it's just sand bottom.

Here is the second one. It's off of South Carolina. It's about 60 miles offshore. It's actually very, very deep for an artificial reef, and I'm not sure -- at least off of South Carolina, I know we don't have any that deep right now.

But we'd be working with the state to come up with something that we could put in that area, possibly the bridge that I was talking about before, where we could try an artificial reef in that area. So tonight, here is what we need from you.

Again, you've seen we've been doing this for 14 years now. We've been out and we've talked to most people about the pros and cons of MPAs. I promise you, these guys know all of them. We know all of them.

We've probably all discussed them amongst ourselves. That's not why we're here tonight. What we're here tonight to talk about is specifically about the sites and how they'll impact you. We're going to start with the one in your area.

You have every right to talk about one in North Carolina if you have something to say about it. We're just going to start locally, because we figure that's what most people want to talk about. But if we need to move on, and you want to talk about any of the other sites, please let us know.

What we need to know from you is what type of fishing you do, commercial, recreational, et cetera, what kind of gear you use, where is your home port, how many bottom fishing trips a year you make in that site, the main species you target at that site, and any other sites that you would fish if this site was closed.

Basically, the information you give us can help you in the long run, because we need to know what the economic impacts of this site are. I've given you examples tonight of when we knew

they were going to be horrendous, we had to come up with a compromise, and that's how we do all our fishery management plans.

But when you're doing that area-based management, we don't have that kind of information at our fingertips the way we do with landings. It's easy to know -- if we were to put a restriction on king mackerel for some reason, we could figure out what the landings were and what a dollar value was.

It's hard to figure out a dollar value from an area, so we really need you guys to help us come up with that. If you look in your document on Page 38, the only information we have, and this is why we need you, is that there were some landings, about 100,000 pounds of landings, that came out of the commercial logbook, Grid 2779.

I don't know if I have any commercial guys in the room, but you guys know those logbook grids are 60 by 60. This site is 2 by 4, so how do we know how to attribute these landings? One hundred percent of your landings may come out of that box, but I have no way of knowing that and knowing what the economic impact would be to you.

Rec guys, we have no way of knowing what the economic impacts would be to you, so it's really important that you guys tell us. That's the way we can help you. That's the way we can best make sure we're doing the right thing.

These are just computer maps of the maps in back. There are three maps in back. Feel free to get up and look at them. One is a closer-up map of the site. The other two show the commercial and headboat landings that we have from the site.

Feel free to look at them and let us know what you think. That's all recorded data from the National Marine Fisheries Service. And that's it. I'm going to leave the questions up on the screen.

I'll put them back up in a second, so you guys can be reminded when you come up. The last thing I wanted to tell you is if you're not on our mailing list, if you know someone who is not on our mailing list, if you're not getting our information, there are orange cards up front. Please sign up.

Please make sure you get on our mailing list or come see me, because a lot of times we have these hearings, and we hear how people aren't hearing about them, that people didn't know certain management measures were coming up. We need you to help us make sure we get you the information. Thank you.

Mr. Iarocci: Thank you, Kerry. If you could -- I hope you all do have the document. If you could open to Page 37, that is the chart we're going to be working on. And on Page 38, in the middle of the page, is the list, and the questions will be on the board, too.

So if you could stick to those as you give your input, we'd greatly appreciate it. Thank you, once again, for taking the time to be here, because I know it's important to us, and I kind of think it's real important to you guys to give us the right information here. With that said, I'd like to start with Ben Hartig, please.

**Mr. Ben Hartig:** My name is Ben Hartig. I'm a commercial hook and line fisherman out of Jupiter for approximately 30 years. I'm also a past member of the South Atlantic Fishery Management Council.

I would like just to take a second on how we got to this area, since it was proposed by me. I am a member of the Marine Advisory Panel for marine protected areas, also. The charge was brought to the advisory panel to come up with areas that would protect some of the deep water grouper species that are actually thought to be endangered to the point of being placed on the Endangered Species List. One of those is Warsaw grouper. The other is speckled hind.

And those two species are found in this area. One of the things that gives me a little bit of history in fishing around here is that I don't travel. I have made my living fishing out of Jupiter only, and right now, I'm out of Salerno, mackerel fishing.

But between those two inlets, those are the only two inlets that I fish out of, so I've had to learn to catch every type of fish that there is around here. The Sea Bass Rocks, I started fishing those probably about 25 years ago.

At that time, there were large numbers of sea bass on those areas. We used to catch three or four hundred pounds of sea bass with a couple of hundred pounds of grouper bycatch on those trips. Those are one-day trips fishing with bandit gear, usually, five hooks per line.

This area is unique in the fact that it does have a lot of sea bass, but it's also unique in that it has a start and a finish that you can delineate. It doesn't travel. It pops out of the bottom at about, I think it's 20 or 18 on the 4 line, and then it stops at about 43 to 46.

It's not a very big area, but in the area, it is really habitat- rich. It has very large outcrop on the outfacing wall. There are two separate reefs that run through this system. And it has one very large face that faces to the southeast that is almost 100 feet high in one place.

It also has a lot of small flat bottom, where all those sea bass are that you can catch there, and it also has a lot -- several pinnacles scattered throughout the system, which also have a lot of fish on them.

It's very -- the area has a lot of the speckled hind, which -- although they're not as prevalent now as they used to be, speckled hind is one of those fish, if you drop bait down in front of it, it bites it and you do catch them. And they've gotten smaller over the years.

But it will provide protection for those deep water species. Of course, when you're in the deep water, the traditional fishery management doesn't work, because you can't have size limits because the fish that you catch there can't be released because of the depths that you catch them.

It's also very rich in snowy groupers. Although most of them are smaller, it is a very big nursery area for snowys. We catch an awful lot of snowys, and I try to release a lot of the snowys we catch there now because they're so small. We call them "snowflakes" fish, you know, smaller, six inches and smaller. And you catch those fish on those smaller hooks that you're using to catch sea bass, so it is interesting.

It also is located mid-way between the two inlets, which -- I think we've learned a little bit from Port Pierce, that if you can locate something away from an inlet, you're not going to have that big an impact on the people that you're trying to manage for.

It, also, should not impact any other bottom fishing that is done in the surrounding areas. It's far enough off shore of the shallow water snapper grouper spots that it won't impact that shallow water species. And it's far enough in shore from the tilefish grounds where it should not impact any trips there.

By the way, that "no longline" provision on golden tilefishing in our area has been very beneficial to the commercial hook and line fishermen. Those fish, the golden tilefish, have come back tremendously over the past ten years.

And I've seen a number of recreational people back out fishing for tilefish, again, which was a tradition off of Stuart. Especially, it was a traditional fish that a lot of the commercial people used to target. And now they can, again, which is nice to see.

What type of fishing do I do on those sites? Commercial hook and line gear. I mentioned bandit fishing with about five hooks. I fish out of Jupiter. How many bottom fish trips do I make a year to the site?

Thanks to the state and federal management of some of our other species, both king mackerel and Spanish mackerel, I have been able to get away from bottom fishing like I used to. The tremendous increase in Spanish now takes me almost five months a year that I could put just into Spanish mackerel fishing, which coincided with me.

In the fall, I would make more trips to the Sea Bass Rocks, and into the winter, I would have been gag grouper fishing the entire winter. But I haven't had to do that now in almost 12 years.

So that has taken a tremendous pressure off those bottom fished species, because of the management we've done on some of our other species, which is -- it's really great.

Since, bottom species live to be so old, whenever you can take pressure off of them from a commercial standpoint, that's a good thing. And it has worked. If you go to the reefs in Stuart right now, the gag groupers on this last swell, which they need -- they need a swell to push them

into our area -- they are on every spot that they get on right now. So, it's really good to see that those fish are back again.

The main species targeted at this site, again, Sea Bass Rocks, it's aptly named because sea bass are the primarily-targeted species that we fish there, of course, also snowy grouper. It's also rich in red porgy, not so many big red porgy, but it has a large number of juvenile red porgies.

In fact, in certain spots on the site you can't even fish, because they'll pick your bait off before anything else has a chance to get it. There are also a number of red snapper there, and they're on the smaller side mostly, also.

We do get movements of red snapper, larger fish, at certain times. and they will congregate on certain spots in this area. We mentioned Warsaw and speckled hind, especially, the speckled hind on some of those pinnacles that I mentioned. They're prevalent on those areas, and that would go a long way to protect that couple of species.

What other sites would you fish if this area was closed? Another thing, which is nice about this site location, to the north and straight out of Stuart, almost, you have Push Button Hill, which is probably the best area we have to deep water bottom fish.

It probably produces more deep water fish anywhere in this area, Push Button Hill. It's used by increasingly recreational people I see out there. And commercial fishermen also fish that area, primarily for amberjacks and for snowy groupers. And we do have a significant bycatch of Warsaw groupers out there, also.

What other areas would I fish? Well, certainly as mentioned, Push Button Hill. Now to the south, if you're coming out of Jupiter, there's another ridge system in Jupiter in that same depth range.

It starts -- I can give you a number, 14 -- it starts about Lost Tree, and it's in about 250 feet of water, and then it runs all the way north to the inlet. There are a couple of breaks there. It runs north of the Jupiter Inlet.

You know, you do have that area that will be open for that kind of fishing. So, what's nice about this spot, although we could close this central spot, people from each inlet will be able to go to -- if they want to fish that kind of bottom, they still will have an area that's open to them.

In Port Pierce, it didn't quite work out that way. Because of the way Port Pierce is situated, there isn't anything south of those first humps that you can enclose, unless you come all the way to Push Button Hill, and that's a long way to come from Port Pierce. But I appreciate the time you gave me to comment, and it's very interesting being on this side of the mike for a change.

Mr. Iarocci: Thank you, Ben. You always have very knowledgeable information for us to take. Ben, do you do any pelagic trolling in this spot?

Mr. Hartig: Yes, I do, Tony. I fish for dolphin, especially, there. It's probably one of the most important sail fishing alleys we have. It's a really rich, rich trolling area. You certainly would not want to prohibit trolling in the area based on the number of tournaments held out of Stuart in this area. It's a very, very much used spot for pelagic trolling, especially the sailing.

Mr. Iarocci: Also, Ben, do they catch bait in that area, too?

Mr. Hartig: You can catch bait at night when it gets rough inshore, but, no, there is -- I mean, that reef system holds, especially the -- because we catch a lot of them. We catch the -- what's their name? -- the tinker mackerel. We'll catch them occasionally on our bottom fish rigs. It's a rich area.

I mean, if you go through there on your sounder, you'll mark the haze of antheids, which are those little, teeny, pink-colored fish, which support most of that bottom complex there. Plus you have the tinker mackerel that make that a part of their --

Ms. O'Malley: One other thing we heard often last night -- a few sites much further offshore in Jacksonville -- they're about 60 miles -- is that especially recreational and charter-wise, it wouldn't be worth them going to the site if they couldn't do both types of fishing, bottom fishing and trolling.

I just want to make sure what I'm hearing from you is that, in your opinion, people would still go out there and make purely trolling trips through this site.

Mr. Hartig: Oh, certainly.

Ms. O'Malley: It's worth it to still do that in the site.

Mr. Hartig: Yes, certainly. As you come south from where you've had your other meetings, the area of the Continental Shelf gets compressed, so it's so close between the depth ranges -- yes, you can go there and certainly troll without having any problem.

I just want to say, you'll probably have some people come up and mention enforcement tonight. There is a way to enforce these things, and as a commercial fisherman -- take the amberjack closure, the feds closed it for one month. The state closes it for three.

As long as I fish in federal waters when it's closed in the state but open in the federals, I can still keep them. But I can't go back into state waters with amberjacks on my vessel when it's closed in state waters and fish for anything else.

So if I'm in federal waters with amberjacks, I have to continue to the beach and go to my home port and unload. The same thing can work in these areas for the bottom fishing. If you go into this area to troll, either recreationally or commercially, you're going to have to make a conscious effort that you're not going to bottom fish for the species in that complex for that day.

It's the only way we can possibly enforce it. You have coast guard that flies over the area almost every day that could do random checks of numbers on boats. It's a lot easier on a commercial boat than on a recreational boat, because we have the numbers on our top.

But it's very easy to do, in my opinion. I mean, you could have random checks back at the inlet on people who were sighted in the area. It can be done. It's not impossible. So, that's just one way I thought you might be able to enforce it.

Mr. Iarocci: Thank you, Ben. Appreciate your comments.

Mr. Hartig: Good to see you all.

Mr. Iarocci: Yes, you, too. Next speaker is Jeff Weakley, please.

**Mr. Jeff Weakley:** Yes, I'm Jeff Weakley. I live in Jensen Beach. I'm a new resident to this area. I moved up here about a year ago. Before that, I lived in Miami for a number of years.

I'm editor of Florida Sportsman Magazine. And our thoughts on MPAs have been pretty well published over the years, so I'll avoid talking about those and stick merely to this particular spot.

I do troll for dolphin/wahoo and sailfish in these depths in this particular area, so I would certainly like to see these areas maintained.

In the Gulf of Mexico the Gulf Council sort of ran afoul of the recreational industry by slipping in a provision to close all types of fishing at the last moment for a pair of gag grouper spawning areas that we had supported closures for.

And that was real frustrating for people. So I appreciate the fact that the South Atlantic Council is really taking that to heart and looking at this thing specifically on a species-by-species basis.

That said, I have not personally bottom-fished in this area. It sounds to me like the depth range might be a little out of what I generally fish. Off Miami, the deepest I would normally deep jig is 250 to 300 feet with 30-pound grade, 6 to 8 ounce bucktails for red grouper. Is that roughly the depth that this area begins in?

Ms. O'Malley: Ben or anyone else, who knows the site, can correct me. I have, according to my charts, one of the deepest sites being 39 fathoms so that's what? 240 feet?

Mr. Weakley: It's around 240. All right. So from a sportsman's perspective, it is feasible to bottom fish in the area with traditional hook and line gear. The majority of the guys would probably fish that with electric reels and, you know, chicken type rigs with multiple baits on them. I don't do a lot of that, myself.

But I would say, from a purely social perspective, I would like the opportunity to be able to fish in this area under, you know, restricted bag limit, you know, recreational-type regulations, limited catches.

I'd like to see that considered. If there is a way to create a provision that would allow for a very restricted harvest of species within this area on a purely private, recreational basis, I think the council ought to look into that and see if that's feasible.

I think that the council's management measures that they've undertaken for a variety of the species in the snapper grouper complex have been admirable. We've seen a great recovery of black grouper in the Keys. Gag grouper out here, we like to mention; red snapper off the Northeast Coast.

I think the council has done a great job with our reef fish. And I'd really like to see the council look at employing the techniques that they used to facilitate the recovery of these species first before using an area closure to all fishing for these species. That's about all I have to say.

Mr. Geiger: Thanks.

Mr. Iarocci: Thank you, Jeff. Good seeing you again. I appreciate your comments. Bob Rowe, please.

**Mr. Bob Rowe:** Good evening, Tony. My name is Bob Rowe. I live in North Palm Beach, Florida. And I have been on the Advisory Panel for the MPAs since the inception of it. And I'm a recreational fisherman.

I have been fishing back in early '50s in this area. Primarily, I used to do a lot of diving and finding a lot of spots that were in diveable waters from a little south of Port Pierce to just a little north of Hollywood, Florida.

I'm very familiar with all of the fishing areas, 150 feet of water or less. I have fished this area in the early '70s in the March timeframe, whenever we got the break in the current and did very good in black sea bass just using 6 ounces to 12 ounces of lead, the current was so low that day.

I have had to go up to three pounds to get to the bottom on some of the rigs. But it wasn't worth it from a recreational standpoint. I did not see it worth my while to fish there, because I'm out of North Palm Beach, and there are too many other areas in our area.

I feel, though, that, like Ben said, he picked this spot and I helped him define it, because we compared notes. I had it going a little more inshore at one time, but it was getting too shallow and in the wrong area.

But, it did meet the requirements, which we were trying to specify, and that was to put it centrally located so it wouldn't be right next to an inlet. We basically felt that there was a point where you have to be serious about recreational fishermen if you want to fish it.

I feel like that the comment that was made prior to my coming up here about trying to open it up for some recreational fishermen, we did hash that over in the MPA, I would like to mention, because at one time, we were looking at shallower water MPAs where divers were wanting to dive it, and fishermen were saying, well, who gets left out.

So I think this is just something that the council has to seriously consider. We do, from the advisory standpoint, appreciate comments from the public to help us steer this thing, and that's what it's all made up from.

And from the amount of people that's on the MPA, we felt that if you were going to do a closure, Type 2, that you had to shut it down to every type of fishing or bottom to be able to -- because you didn't know what the next guy would think if he saw somebody else out there catching just bycatch.

I don't fish as much as I used to. I'm retired, but I still enjoy it so the amount of times I go out is still about once a week. I do target bottom fish, because I learned how to fish by -- there was a period of time in the '70s and the early '80s that I was fishing three to five nights a week for yellowtail.

I was selling the catch, so I was considered a part-time commercial fisherman because I held another job as well. I was catching off the Fort Pierce south area on some of the wrecks up here. On the Halsey and the Amazon, I was catching 300 to 400 pounds of snapper a night. So I know how to hand line, but I gave that up when I couldn't support the quota that was required for percentage of your catch for income.

Mr. Iarocci: Bob, if you could, pertain to this because we've got a whole list. Thank you.

Mr. Rowe: Okay, so I basically ended up -- what other areas would I fish in if this was closed? It does not bother me. And that's it. Thank you very much.

Mr. Iarocci: Thank you, Bob. Good seeing you. Mr. Captain Jesse Webb, please.

**Captain Jesse Webb:** My name is Jesse Webb. I'm a recreational fisherman for quite a number of years. Presently, I fish probably 100 times a year out of local areas, the St. Lucie Inlet, the Jupiter Inlet, West Palm Beach, and Miami occasionally.

My sons and I are what I call "recreational club fishermen". We have center console boats. We do bottom fish, but it's strictly with legal plug, spin and fly tackle. And we use only artificial lures.

I don't know that I've bottom fished at this particular area, but we do bottom fish every time we go out in the ocean with a plug rod, now never more than a 2 ounce or 2½ ounce jig and never any bait on it.

But we are active recreational fishermen, and we contribute a surprising amount to the economy of this area. If I knew how much we spent on fishing, I'd be shocked. There are thousands of guys like me that do the same thing. So the economic impact the recreational fishery has, is tremendous.

Please bear with me, and I'd like to make it clear before I get into this that I have the greatest of respect for you, Tony, as an individual. You are an asset to the fishing community and to the council.

This young lady here, I met a number of years ago. I've been hopelessly in love with her ever since. She has my total respect. I'm aware of the situation she has, and I'd like to make it clear to everyone here that I'm going to speak factually, and if you disagree with me, please call it to my attention.

I intend no criticism, whatsoever, of you two because you really have no control over what is going on. You're just part of it. This young lady was given an assignment by the council or some staff member. This is what we want you to do. And she does the best she can.

I am concerned about the reputation of the South Atlantic Fishery Management Council and the expanding lack of confidence the recreational fishery has of that council. As an example, as she pointed out, your reserves concept started in 1990. That's 14 years ago.

The sole justification that the council had was to protect coral reefs -- no other justification, protect coral reefs. You had hundreds of advisory panel meetings, many, many, many council meetings. There was so much opposition to it, you knew it was dead and in the mid-1990s or so, it became dead.

But here is a copy of your final report that the council prepared about the reserve concept, which was being abandoned entirely. Look at how many thousands of pages there are, and this was distributed to everyone and your reserve concept was dying in this.

Of course, the council is proudly, you know, displaying all the support they have. There are two letters from organizations: the Hilton Head Fish Club, and, listen to this, the Animal Protection Institute of Sacramento, California. Two letters from organizations.

Now I'm not being critical; I'm concerned about the confidence that people like me have in the council. This list, a list of 148 individual letters; 67 of them are from states other than the four states we cover: Alaska, New York, Wisconsin, California, South Dakota, and Vermont, on and on. What in the world --

And listen to this, 45 -- you put in copies, complete copies of 45 letters -- excuse me, 52 letters: 45 are from out of the four states; 7 are from the four states; and 48 of the 52 ask only that you protect the red porgy, nothing else.

When several of us demanded from the council that you designate and identify the coral reef that you were going to protect and tell us who was going to determine which needed protection and protection from what, the marine reserve concept just disappeared. Now, I'm using a figure of speech.

The next day, however, it was replaced -- it probably wasn't the next day -- but it was replaced by the Marine Protected Area Committee, precisely with the same project, except the sole justification was to protect the snapper grouper species.

Now you admit, the council admits, there are 73 snapper grouper species. The council states 12 of those species are overfished. So 55, I mean you have absolutely no -- no, no, yes, 12 are overfished; 6 are not overfished or in any danger.

That leaves 55 over which we have absolutely no information. You state that. You have no information. So 84 percent of the species this is designed to protect, you don't know anything about. About 90 percent of them don't even need protection.

You've had many, many advisory panel meetings, scoping meetings, this, that and the other. Here, again, I'm just stating the facts, Tony. I'm not being critical. But this is what happened according to staff.

At one of the early advisory panel committee meetings under the Marine Protected Area Committee concept to protect the snapper grouper species, there were 14 sites off of the state of Florida identified and written down by the council as prospective marine protected area sites -- 14 off the state of Florida.

The council had not the slightest idea who recommended any of those 14, nor what justification, if any, was given for it. Another example, the council had Marine Advisory Panel Committee meetings May 8th, 9th and 10th of the year 2001 or 2002, something like that.

You paid all expenses for 30 people to attend for, you know, for the three-day advisory panel meeting. That's when the 14 sites were named and had no idea --

Mr. Iarocci: Jesse, if I could ask you to kind of wrap that up, so that we can get back because we've got a list of people and we do want to get Kerry out of here if we could.

Captain Webb: Okay, sure.

Mr. Iarocci: Thank you, sir.

Captain Webb: All right, your first Marine Protected Area Advisory Panel meeting -- here are the minutes. Three days were spent, hundreds of taxpayer dollars, et cetera, et cetera. The result of this was that the advisory panel recommended to the council that it make sure it held public hearings before they selected any sites.

Tony, my concern is the council then -- if the council is going to get the cooperation of the fishing public, it badly needs to take some kind of steps to re-establish confidence in the council.

Now as much as I respect you and admire you, and as much as I respect and admire this young lady, I really don't have any confidence in this. To me, this is a farce, because we don't know -- you don't know what species of grouper/snapper are in this area. You don't have any scientific evidence. Okay, thank you.

Mr. Iarocci: Thank you, Jesse. We appreciate your comments, but I think we're taking the time right now to listen and get the information from the local people. And that's the pertinent information we're getting from some of these guys, because we do need the information and who knows better than the fishermen that fish these areas locally. Thank you. Next speaker, Captain Joe Massano. Dr. Edward Klima.

**Dr. Edward F. Klima:** My name is Edward Klima. Let me give you a little background. I've worked 32 years for NOAA. I'm a retired marine scientist. My last position was the director of the National Marine Fisheries Service Galveston Lab.

I also worked in Washington for five years, and I was very instrumental with a team of four other men to write the Magnuson Act which was given to Senator Magnuson. I was also director of the Pascagoula Sports \_\_\_\_\_ Fishery and Research Lab.

With that, I have some credentials related to fishery management. And I have to question very seriously the data that has been presented. You probably are not or may be aware that your age and growth data is suspect.

Dr. Michael \_\_\_\_\_, from the National Marine Fisheries Service, recently published a paper, which basically said that aging fish over three years is not a valid method to age. It cannot be aged, so your data concerning an 85-year old fish is completely bogus.

Just some points -- recognizing that you have virtually no data -- and you know this as well as I do. I'm familiar with the MARMAP cruises. I was instrumental in setting some of them up in Pascagoula. So the data that you basically have from MARMAP may be questionable as well.

But, getting back to the main question that we are here today is concerning MPAs. If, in fact, they are to reduce the stock overfishing, change the age structure, any sane person would recognize that targeting small areas, such as you have targeted, for a species that is distributed entirely along the Atlantic Coast and down to Brazil will not reduce F. What I'm saying about F is fishing mortality.

So, can the council scientifically state that you will reduce fishing mortality by restricting fishing in small areas? Do you want to answer that?

Ms. O'Malley: Yes, if you don't mind, I would, because you bring up a really good point. As we move into Amendment 14, it's two-fold. In no way, shape or form does the council intend to

use marine protected areas to reduce F or to come up with any reduction in F that's necessary to \_\_\_\_\_ these species.

Dr. Klima: Well, then what is your goal for a marine protected area?

Ms. O'Malley: The goal of marine protected areas is to protect the long-term age and genetic structure of these species. Reductions of F will come from traditional fishery management measures that I mentioned that are also going to come in Amendment 14. The reduction of F is not coming from MPAs.

Dr. Klima: I'm sorry, but you're confusing fishing management --

Mr. Iarocci: Dr. Klima, could I stop you right there. This, and like I said, this isn't a podium -- and I hate to get into a debate with any of this stuff, and I did state for the record if we could, stick to the topic at hand so we can move on, because we have a lot of people.

Dr. Klima: I understand. I'd like to make a statement, that marine protected areas are a poor, poor excuse for managing fisheries. There are many other ways to manage fisheries rather than closing small restricted areas. Since you don't want to debate it, but you need to get 101 Fishery Management, I'd be happy to teach you. You are confusing this. Sorry.

Mr. Iarocci: Thank you. John Burke, please.

**Mr. John Burke:** I'm John Burke. I'm a Stuart, Florida, resident. Most of my fishing is confined to trolling. I've done some charter work. I'm a licensed captain. I'm not very well versed in the area of bottom fishing; however, I am active in a local anglers club and also on the Reef Committee, locally here in Stuart.

I was quite interested in the comments that were made about the artificial reefs and what you're proposing in some areas, I believe, off of South Carolina and North Carolinas as well. That, to me, makes a great deal more sense than the MPAs, especially, an MPA in the depth that this is being proposed, because to be able to monitor the success of any results in this depth of water and seemingly, the lack of science that exists here, makes this seem to be a frivolous effort at best, where if an artificial reef were considered in a more shallow area, you would not only potentially help the species, but you would also determine the success of artificial reef programs in general.

Because that is something that is, I believe very strongly, is greatly needed, not only here, but all over. And might I ask, has that been considered in this area as opposed to an MPA?

Mr. Iarocci: There has been talk about it, and there is an artificial reef program in Florida. The council, right now, has a lot of input from people that want to create artificial reefs, but with funding and all that other stuff, it's something we are looking at and hearing about, but it's not being considered in this area at this time.

Mr. Burke: Well, one of the things I might add there is one of the things we've been successful with here locally --, I've set up a 501C (3) corporation out of -- not I, but our club has, and we have some public funding that is coming in in this effort.

So this is an area where you might be able to utilize and get a lot more cooperation from the public and help your fishery efforts than trying -- because there's a great deal, as you well know, a great deal of paranoia about MPAs.

And this is a way that you may go about accomplishing what you're trying to do, enhance the species and also increase what I think is a very viable, valuable program, artificial reefs.

Mr. Iarocci: Yes, I agree with you. Now, John, do you fish this area at all?

Mr. Burke: I do. Well, I troll the area.

Mr. Iarocci: You troll the area. That's it? There's no bottom fishing?

Mr. Burke: I'm not really a bottom fisherman.

Mr. Iarocci: How many times a year do you fish that area?

Mr. Burke: Oh, I might say, half a dozen. I usually do more fishing north of here but half a dozen times maybe.

Mr. Iarocci: So the bottom fishing closure would not impact your personal fishing, whatsoever.

Mr. Burke: No, it wouldn't. But there are a number of family fishermen within our club, who would be impacted by it. I think, again, the artificial reef program would be much more --

Mr. Iarocci: Thank you, I agree with you. Thank you. L. Wallin, please. Scott Bachman.

**Mr. Bachman:** (Tape 1, Side B unintelligible)

I'm Scott Bachman from Ft. Pierce. I run a commercial out of \_\_\_\_\_.

**Unidentified Speaker:** I have no idea. That's a pretty big number and that whole area, when you get just north of that, the tilefish go into it. You've got all the snowy groupers on the Push Button Hill that we call it there. Total catch here 334-and-some-odd-thousand pounds. I'm not sure what all that's \_\_\_\_\_ snapper grouper. That would probably be sharks and other.

Ms. O'Malley: Total catch would be anything that was recorded in your logbook.

**Unidentified Speaker:** Right, so a lot of that is probably sharks, tilefish, whatever. The whole measuring thing, when people come to the fish house measuring fish, I've watched them push

the big fish aside because they're too big and hard to handle and get up on that stupid little board they've got.

And a couple times we \_\_\_\_\_ with them, because you could see them pushing the big fish away, pulling the little ones up. We're against any MPAs. All it does is push the focus of fishing around the area. People are still going to snapper grouper fish.

(Tape 1 Side B unintelligible again)

(Tape 2 in progress)

**Unidentified speaker:** Killing time during the day between sets and whatnot, yes we might drag around a little bit there. And we do make shark sets through there. We try to stay off the rocks because there are a lot of bristle worms and whatnot along there.

We keep our baits up so we don't catch much when we get right on the rocks, but we lay alongside of them. We catch a lot of sharks up through there.

I'm just afraid that, if you do close the area, the bottom longlines will be prohibitive, too, because usually they generally are. And that's pretty much it.

Mr. Iarocci: Thank you. Phil Tafoya.

**Mr. Phil Tafoya:** Good evening. My name is Phil Tafoya. I'm a recreational angler. I've fished here for probably 13-14 years. I missed the early part, so you'll have to excuse me. One of the questions I have is if you get into the MPAs, how you're going to monitor this.

I've heard some of the questions already asked and somewhat addressed, but I guess my concern is from what I've heard and knowing very little about it other than what I read in some of the magazines, some local magazines, is the concern about something like this catching on to the point where it's going to be expanded beyond the point where it was initially stated and then where does it stop?

I guess that's one of the things that I'm concerned with. How do you get the scientific data that determines whether this is working or not? I mean, do you have divers? How often are they working an area to see what has happened?

Mr. Iarocci: Phil, I think you did miss the front. Did you end up getting one of the documents?

Mr. Tafoya: Yes, I have it.

Mr. Iarocci: Do you fish? What we were looking at is the questions up there in the Sea Bass Rocks area and that MPA.

Mr. Tafoya: I fish very close to that area, not far from that, not quite to that depth. Most of my fishing is bottom fishing, as I say, strictly recreational. If I go home with ten or twelve pounds of fish on an outing, that's a lot of fish for me.

Some guys only catch one fish and catch that. I'll fish the Loran Tower Area which is just inside of that particular site that you're showing on the chart. I don't know how this MPA is going to help what you're trying to do. I guess that's the part that I don't quite understand.

To answer some of the questions, I fish out of the St. Lucie Inlet. I trailer my boat. Bottom fishing trips, I probably make maybe two or three dozen a year. I'm primarily, I guess, a "weekend warrior" as they call us.

Species targeted are mostly snapper. I catch an occasional grouper, but I don't target them. But since I do fish bottom, I will catch an occasional grouper. Other sites that I would use would probably be sites directly east of the St. Lucie Inlet, six miles east, eight miles east.

But I'm concerned about MPAs. It sort of throws a cloud up in my mind. From the information that I've gotten, I don't think I'd like to see that go into effect.

Mr. Iarocci: Phil, if you don't mind, could I ask you about that jacket. What does that mean? What is on the back of that?

Mr. Tafoya: Oh, I'm a volunteer for the sheriff's department in St. Lucie County. It has nothing to do with fishing, specifically. We monitor the waters for -- just sort of their eyes and ears -- auxiliary. Thank you.

Mr. Iarocci: Thank you very much. That's the last of the people that indicated on their cards to speak and we've got some other note cards. Does anybody want to reconsider?

**Mr. Mark Sagerholm:** Hi, my name is Mark Sagerholm. I've been fishing pretty much my whole life. I do private recreational fishing. I used to do some charter fishing but I let my captain's license lapse.

I've worked two years in the commercial fishing industry in the sales end of things and recently worked two years in the boat manufacturing end of the business. Let's see, what type of fishing I do in this area, as I said, recreational.

I fish out of basically St. Lucie Inlet or Fort Pierce Inlet. I fish every weekend, no matter what the weather is, so I'm basically going out 100 times to -- well, maybe 110 times a year, and about half those times I go to the Sea Bass Rocks.

The main reason I do that is because there's a lot less pressure there than there are at other places like; say Push Button Hill as well as Eight Mile Reef, Six Mile Reef and the Loran Tower Ledges, places like that.

When I go there, I usually try to get scamp or speckled grouper. And if I was not allowed to fish at that site, I'd probably have to go to like Push Button Hill, try my luck there, as well as the Loran Tower Ledges, Eight Mile Reef, the \_\_\_\_\_.

Yes, I do also troll and drift fish for pelagics like kingfish, dolphin, et cetera. So if I was forced to not be able to fish that area, it's going to force me to fish other areas and I'll probably, I won't go out fishing as often.

Finally, I do fish down in the Keys at Islamorada four or five times a year. Once again, because there's very little pressure on it, the area you are contemplating closing, that's the area I fish.

I don't fish the Islamorada Humps, because there are too many people there trolling, drifting or bottom fishing. So that would probably seriously impact my decision to fish in the Keys.

I may go over to the West Coast instead, or I may fish elsewhere in the Keys and not go to Islamorada or areas around there. So it's going to impact my tourism in that specific area. Thank you.

Mr. Iarocci: Thank you. Anybody else? You have to fill out a card and —

**Unidentified Speaker:** My question is why wasn't there more notice about this meeting?

Ms. O'Malley: We can't have you talk off the record, but I will tell you the council always does its best to notice meetings. We have a mailing list that I mentioned before. We have a public information officer who works very hard with your local media. And we also have an Internet site.

I can tell you, honestly, that I've never had any meetings where people haven't said they've had a hard time hearing about it. We do our best to get the notice out. If you're not getting our information, if you're not on our mailing list, please come see me and I'll make sure you're on it, and you'll get the information weeks ahead of time like everyone on our mailing list.

(Speaker off record)

Ms. O'Malley: Okay, well, I appreciate it. Well, unfortunately we can't control what they put in the paper. We released the information to the paper two weeks ago.

(Speaker off the record)

We do a full press release, and it's just a matter of whether or not they think it's important enough to pick it up. But if you're on our mailing list you will find out everything we do. So please see me if you're not on our mailing list or not getting the information, and I will personally make sure your name is on that list. Make sure you state your name so I can find you in my file.

**Mr. Michael Kennedy:** Hi, my name is Michael Kennedy. I'm from Jupiter, Florida. I am a life-long, 52-year old resident of Palm Beach County. And I have fished in and about these waters for the better part of my life.

I fish now out of Jupiter. In the past, I fished out of Palm Beach. In the old days, I used to fish up in this area more often than I do now. Frankly, it's a little too deep for me, and I don't use electric reels.

However, I'm also the chairman of CCA, Florida, and I've come here to make our position known on this particular area. Also, I'm sure you're pretty well aware of our position. In this particular area, we have anglers who troll. They troll for pelagics.

We're concerned that, while this may not affect a great number of recreational fishermen, it affects a number of recreational fishermen. Our concern is, first of all, there appears to be a genuine lack of science with regard to this MPA.

MPAs in general, we think, are kind of a last tool out of the tool box type of a remedy for other bad practices in the past. There are other traditional methods we would rather be seeing. Frankly, I have a great respect for Mr. Hartig.

I've known Ben for a while, and I don't know a more responsible angler in the area, and I would defer to his own personal knowledge. However, in this particular area, we think that perhaps limits and quotas might work, and you would, in a larger geographic area would be more effective with regard to the fisheries that you are going to manage.

Our other concern is that, frankly, history is not reassuring to many of us. The history of federal fisheries management has not been on the highest of all levels. We were the victim of that bait-and-switch. You probably read our report on the failures of federal fisheries management.

We hope it's a different day today but we are concerned about these MPAs, and we urge you to act upon science and make these MPAs the last tool out of the drawer when there is no other way to take care of it. Thank you very much.

Mr. Iarocci: Thank you, Mike. And Ted Foresman is on our MPA Advisory Panel.

Mr. Kennedy: I did get my regular mailing, but I would tell you the yellow card that just came out, I actually got that either Saturday or Sunday or maybe, I don't know when. It must have been Saturday, so there is some concern about it. But I did have reporters calling me all last week about this so the press knew about it. Thank you.

Mr. Iarocci: Thank you, Mike. Kerry did address that earlier. And we do hear that at a lot of the meetings. Please, these orange cards are here. If you know people that aren't on the mailing, please get them to sign up, or you guys sign up so you get the notices. The council sends out a lot of notices and informational data that's coming on now.

**Mr. Hank Leonard:** Thank you. Thank you very much. I'm kind of new to the area. My name is Hank Leonard. I'm kind of new to the area and kind of semi-retired down here now, and I like to fish. I don't like what's happening here one bit. You say you're here to protect the reefs.

Well, I see also you have no information from party boats. Well, incidentally if you'd like to have some information about party boats, the National Marine Fisheries, okay, must have about three million pounds of paper up there that is produced by party boats and probably other people that no one has ever looked at. Okay? So you can go check that out any time.

I don't know about charter boats or whatever but that's up there. They constantly call us wanting more information, the various survey people. And it's all there. But nobody looks at it. Okay.

That's another waste of time like I think you people are doing. You're here to substantiate your paychecks, no other reason. Thank you very much. That's exactly why you're here. Now excuse me, let me finish. You're not going to chase me out like you've chased the rest.

Most of the good ground inside in the shallow waters -- anytime you see any kind of good piece of ground, there's always a diver there. And if you're there first, it doesn't matter because if he comes -- I've had one come right up next to me within 15 feet of the boat, put on his stuff and go over the side.

I am required to move. I am required to move, as you know. Okay? That's dirty pool, incidentally, if I may be so bold. I'm just going to make some points here. You can take them or leave them, all right?

You closed down, or I don't know who closed it down but there is billions of miles of ground from Port Pierce to Cocoa just a couple of three-four years ago. That's an enormous site of ground that has been closed to bottom fishing.

Now nobody has even talked about that, but I know that has been done. I don't know, nobody even mentions that. That's gone after I fished there. I went up there one time. There was so much. I had four knots of current and couldn't fish it, so I don't know what you're worried about.

There are acres and acres and acres of that or miles, square miles of that stuff that's been set aside. Okay, now Bob, before he talked. I respect Bob but, Bob, you've caught a lot of fish in your life already, maybe you don't need to catch any more.

I just got here. I'd like to catch a few. Give me a little break here. Protect the reef. You want to protect the reef. You want to be a real good citizen and a good human being and substantiate your paycheck, okay, go knock on Big Sugar's door, okay, big citrus door.

That filth that's coming out of Okeechobee and killing our reefs, that, you can really do something. Forget all this crap here. Go pound on their doors and stop that. Stop that political crap that's going on out there and take care of it.

The filth and pollution and crap that's coming out of St. Lucie and all the other inlets that is killing the reefs, you're not going to have to worry about anything anymore. In a little while it's all going to be dead.

That's poison. You must know that. You're shaking your head. You know. You don't even care. You don't care. Let me finish.

Mr. Iarocci: Hank, we're not here to debate what we're doing. And let me tell you right now. This is not the format this meeting is supposed to be with. And you're getting way off track here.

Mr. Leonard: Oh, excuse me. I'm not done. I've got a couple more.

Mr. Iarocci: Okay, but let's wrap it up.

Mr. Leonard: Sure. You don't know what fish are there. And the man is absolutely right. You have no idea what is there, absolutely. Scientists, I've dealt with them up there at the National Marine Fisheries for years.

You don't know what's going on out there one bit. The Magnuson Act, one gentleman mentioned, we thought that was the greatest thing that ever happened, except we thought that it was going to get the Russians out of here. All it did was bring you people in to save us from ourselves.

I've got a better solution. My last comment and I'm done. I know you're going to appreciate it. I think you ought to shut down all of it, okay. I mean, shut down all the reefs, get rid of it all, and now I can sell my boat; I can sell my house and move out of this god damn area. Thank you very much.

Mr. Iarocci: With that, I will adjourn this meeting.

(Whereupon, the MPA public hearing adjourned on Monday, January 20, 2004.)

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## **Tapes of Proceedings on File (2)**

**Transcribed By:  
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March 18, 2004**

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

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

**Stuart, Florida  
January 20, 2004**

**Attendees**

**Council Members:**

**Anthony Iarocci**

**George Geiger**

**Staff Members:**

**Kerry O'Malley**

**Julie O'Dell**

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**Hank Leonard (spoke but no card filled out)**