

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SNAPPER GROUPE AMENDMENT 14 (MPA) PUBLIC HEARING

**Wrightsville Beach, North Carolina
January 28, 2004**

Summary Minutes

The Marine Protected Area public meeting for the South Atlantic Fishery Management Council convened in Wrightsville Beach, North Carolina, on Wednesday, January 28, 2004, and was called to order by Chairman Dr. Louis Daniel.

Dr. Daniel: We have a few housekeeping items first. Again, if you haven't filled out the public comment attendance record, please do that. What you're going to see tonight, we need to have a record of your attendance.

The informational document for this hearing is on the table over here to the side. If you don't have a copy of that and would like to follow along or have something to read while we're talking, there it is.

I'd also bring up -- we've got over on the table as well -- we've got applications for the South Atlantic Fishery Management Council's advisory panels. We have advisory panels for king and Spanish mackerel, marine protected areas, which we'll be talking about tonight, dolphin/wahoo, shrimp, a lot of things.

If you're interested in possibly participating in the council advisory panel process -- I see a lot of the advisors are in our audience tonight -- consider applying if you'd like to get more involved in the process.

By signing up and putting your address on here, we'll make sure that you're put on our mailing list so that you get our quarterly newsletter, which comes out after every meeting, so that you can kind of keep up with what's going on with the council.

I'll have more to say later, but I would like to go ahead and get started with the presentation. I'll have the three chairpersons state -- for those of you who don't know me, I'm Dr. Louis Daniel.

I'm with the Division of Marine Fisheries here in North Carolina. I am the chairman of the Snapper Grouper Committee and the vice chairman of the Council. I'm here today acting as the chairperson on behalf of the South Atlantic Fishery Management Council.

Mac Currin, again, and Robert Southerland to my left are the other two council members from North Carolina. The three of us represent North Carolina on the council. Also, we have Kathi Kitner, Dr. Kitner, who is our social anthropologist with the council and Julie O'Dell, who is our

administrative assistant for tonight's hearing.

We would like to thank everybody for taking the time to come. I'm just glad it was a slow day. The purpose of this informational public hearing is to give you the opportunity to comment on the social and economic impacts that may be associated with the 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, such as logbooks and trip tickets and that type of thing, so that the council has the best possible information before any final decision is made.

This meeting is a little 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 hearings.

Amendment 14 is now the deep-water grouper amendment. It will be dealing with the species that Kathi will put up on the screen here in just a minute. There may be other traditional management measures, which we deem -- snowy grouper and golden tilefish -- included in Amendment 14. Those have not been determined.

It has not been decided whether anything is even necessary at this point. The sole purpose of this meeting is to discuss the marine protected area's portion, which will be possibly used as a traditional management tool to protect these deep-water groupers.

A second round of public hearings, likely to be held later this year, will take a more traditional format and give you an opportunity to comment on all the alternatives that we come up with. Don't expect to have the final peer-reviewed assessment ready until August.

Your input concerning the socioeconomic impacts of specific 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, Kathi will present a brief overview of the issue. And following the council presentation, there will be a period to allow you to ask her questions, or you can ask any of us questions on the presentation itself.

Then, based on whether you've indicated you wanted to speak or not, I'll call on you to the podium here. You'll have to turn the microphone on and give you an opportunity to make a short statement on the specific impacts of the proposed marine protected area that are likely to most affect this area, which is obviously the Snowy Wreck MPA. Everyone that wishes to provide input will be called on.

After everyone has had a chance to speak on that specific MPA, I will proceed through the other ones and give folks an opportunity to talk about the others, if they so desire. But I'll give everyone who wants, whether you decided -- you might decide after you've heard everybody else speak that you want to put in your two cents worth as well, and if you want to do that, that's fine.

But I'll call on you at the end, once we're done with the folks that have indicated that they wanted to speak. So with that, I'll turn it over to Kathi and let her take us through the presentation.

Dr. Kathi Kitner: Now, it's on? Okay. Anyway, my name is Kathi Kitner. I'm on council staff. I'm a social anthropologist. I'm not a biologist; I have very little background in biology.

The council staff member who normally would do this presentation was called back to Charleston today on personal business. I have stepped in. I have never done this presentation before, so please, bear with me. I'm going to be kind of reading it from the screen. We'll go through this whole process together, I suppose.

Okay, a few things about tonight's meeting, this is the first of two series of public hearings on Snapper Grouper Amendment 14. This is the informational stage. There is no final decision to be made after these public hearings. The council won't be meeting on this until, I believe, in the fall.

We're looking for information from you, the audience, about, as Louis said, the socioeconomic impacts if we were to make this area or these areas MPAs and prohibit bottom fishing for deep-water species in those areas.

So that might be: How would it change your fishing behavior? Would you shift to and target other species? Would it hurt you in the pocketbook, et cetera? So those are the kinds of impacts that we're looking to hear from you tonight.

Not all the management measures that are in the proposed Amendment 14 to the Snapper Grouper Plan are going to be discussed tonight, only MPAs. However, the hearing will be recorded and conducted as a traditional public hearing would be.

Included in the process initially -- oh, these hearings came about because we had a series of joint meetings with all of our APs -- let me see if I can remember: law enforcement, the MPA AP, Snapper Grouper AP, the Coral Habitat AP, et cetera.

It was decided to come out to the public and try to get better information, like Louis said earlier, in an extra round of public hearings. So these are kind of like pre-public hearings -- not the final thing. It's kind of an innovative approach that we're trying here.

Information gathered will be re-worked into Amendment 14, and a traditional public hearing will follow later this year or late next year -- excuse me. Right now, we're working on developing

Snapper Grouper Amendment 13B. Thirteen-A dealt with the Oculina Bank off the coast of Florida.

Thirteen-B will fulfill legal requirements of the Sustainable Fisheries Act of 1996 to the Magnuson Act. It will define MSY and OY. It must -- in 13B we must come up with rebuilding plans that will end overfishing. Yes?

MSY, maximum sustainable yield and OY is optimum yield. And they're two measures of where the stock is. And we must come to certain -- I could defer that to Louis, but maybe we want to wait to the end of the presentation? Okay.

The SFA is the Sustainable Fisheries Act, which was the amendment to the Magnuson Act in 1996. Therefore, it mandates that the council define and bring the fisheries stocks to where they are at MSY and OY. MSY, maximum sustainable yield and optimum yield having the greatest benefit to society as a whole.

The SFA, Sustainable Fisheries Act, requirements and rebuilding plans for deep-water species -- this is not my presentation. I'm sorry to have to read it like this. So, therefore, Snapper Grouper 13B will contain all of these requirements for various shallow water species.

Snapper Grouper Amendment 14 will implement MPAs as one part of a toolbox, a management toolbox, to protect the deep-water snapper grouper species. So it's just going to be one part of Amendment 14, whereas previously it was the whole thing.

The deep water species that we're talking about are: speckled hind, snowy grouper, Warsaw grouper, yellow edged grouper, misty grouper, golden tilefish and blueline. Why? Because they're long-lived. For example, yellow edged grouper lives 85 years. It's slow growing and late maturing.

The traditional management measures are less successful because of the depth of the fish, so if you catch them, it's hard to put them back in the water, because they usually don't survive coming up from such deep depths.

The history of the council's actions relating to MPAs, they go back to 1990, way before I was ever with the council. The first time that MPAs were proposed, they were met by the public as a management tool with such vehement disapproval that it was kind of tabled for a while, although we kept working on the concept.

Then in 1992, scoping meetings were held, and that was when the public came out and said, "absolutely not." And it was a different process. We didn't come out. We didn't take our time.

It was very rapid, and we just came out with charts with lines drawn on them, and it wasn't the right way to proceed so we went kind of back to the table. In 1995, scientists review panel urged the MPAs, that options be considered for reef fish.

In 1997, Snapper Grouper Amendments 8 and 9 imposed stringent regulations to achieve mandated goals. It was limited entry, and additional size limits and bag limits were imposed. None of these things seemed to be working, and the stocks weren't recovering as we had hoped, so they went back to the idea of MPAs.

Then we started the whole process again. The 1999 advisory panel unanimously passed a motion that there is potential in using MPAs for management. January through April 2000, informal meetings were held throughout the South Atlantic.

People called us. We sent staff out to meet with different fishing clubs and walked down to the docks, talked with commercial fishermen, charter boat fishermen, et cetera. On May 2000 we held scoping meetings again, all the way through North Carolina down through the Keys.

In September 2000, the council voted to move forward with MPAs as a management council tool. When the council says "MPAs," there are various definitions around the country of what an MPA is. But for the council, marine protected areas are a network.

They're specific areas of the marine environment reserved and managed for the primary purpose of aiding in the recovery of overfished stocks and to ensure the persistence of healthy fish stocks, fisheries and habitats. So it's both an aid in the recovery and also a persisting mechanism to help keep those stocks at a healthy level.

The council has considered four types of MPAs: the permanent no closure, no take -- I mean permanent closure, no take. The second one that's highlighted is the type we'll be talking about tonight, which is a permanent closure, some take allowed.

So it would be a prohibition on bottom fishing, but you could still troll through there for other species. The third type is limited duration closure, no take or a spawning area closure, no take, limited duration closure, some take allowed, a spawning area closure and some take allowed.

So, but we're focusing on the highlighted, the one highlighted in yellow, which would be permanent, some take allowed, so it's not a complete ban. The word "ban" came up a lot in the press, and that's not what we're talking.

Let's see, 2001, scoping meetings were held to get recommendations on siting the MPAs. All the MPAs that are being looked at right now have come primarily from the public, from the various fishing sectors and from the scientists and people that know about the habitat and everything, so it was a big group effort.

We had close to 90 people that met in Charleston. All came together, all working together, to site these areas. It was an incredible process, and it was very long and heated, but it came up with what we're going to present.

May 2001, that was the -- okay, June 2001, the council again restated its intent to move forward with MPAs and in August 2001, that was the mega-AP meeting with approximately 90 people.

March 2002, the council voted to move forward with the MPA sites to be developed in Amendment 14.

So where are we now? October 2003, the council moves deep-water snapper grouper species into Amendment 14, slightly speeding up the timing of that amendment. Informational public hearings are scheduled for January and February, and that's where we are tonight. And public hearings on Amendment 14 are expected to be held in late 2004.

These are the options that we're talking about tonight. When you see these, Option 1 is to your left, to the southwest. Option 2 refers to those lines that are in kind of brackets over there, so it wouldn't be that that entire area would be closed.

The council would have to choose on would it be Option 1 or would it be Option 2 and then slightly move the parameters or the boundaries of that. This is the South Carolina A site. There is Option 1, 2 and 3. I'm not going to go into exactly how these were chosen because that's not my forte.

I'll defer to the other council members. This is South Carolina B. The reason we're showing you all these is that you might end up -- maybe you do some fishing off of South Carolina so you want to give us some input on that.

You might travel down to the Florida Keys so I'll show you the sites that are proposed down there. So even if you don't fish there all the time, but maybe once a year you go down, we'd like to hear from you if that would impact your fishing activities and in what way.

This is the Georgia MPA. Again, you see Option 1 would be sited that way; Option 2 is the straight up and down square. There is the North Florida MPA, so there are two proposed options there. We do -- afterwards, we have large charts that we didn't have a chance to hang up on the wall, but you can come see them closer up if you'd like to. They're also in the public hearing document that's on the side table.

These are the Sea Bass Rocks MPA, which is also off the coast of Florida and the Florida East Hump and Unnamed Hump, which is around Islamorada in Florida. That's the one that we were talking about.

This is the experimental artificial reef that was put forth by North Carolina Division of Marine Fisheries. Am I correct on that, Lou? Louis can address questions about that later. This is South Carolina Option B.

Okay, what we need you to tell us, and I didn't mean to go quickly but I don't have much to comment on this. I'm kind of out of the water here. What type of fishing do you do at a specific site if you do fish on that site or if you don't fish on that site?

Are you a charter fisherman, private, recreational, commercial? What gear are you using? Where do you fish out of? Where do you usually -- if you launch your boat where would you

launch your boat from? Where do you keep your boat?

What do you consider your home port? And how many bottom fishing trips do you make in a year at that particular site? What are the main species that you target or that you've caught at that site in the past?

What other areas would you fish, and what other species would you fish? How would this change your behavior, if at all? And if it doesn't, then that's important to know, also. Okay, I think that's -- okay, so I can probably answer questions if you have some. And if I can't, I will defer it to either Mac or Robert or Louis.

Dr. Daniel: Thank you, Kathi. Well, first let me clarify just a couple of things. The council has not made its mind up on these issues. There may be some verbiage in the presentation that would lead you to believe that we have.

For example, it says, "We will implement MPAs" and that's not necessarily the case. There will be an option that says "no action" on the MPA alternative. That's not set in stone that we will implement MPAs.

And the permanent issue came up last night. One of the intents and purposes behind these MPAs is to restore overfished stocks. And the question was, well, once the stocks are no longer overfished, and you've set up an MPA to protect that species, is there any utility of keeping that, or should there be some sunset provision on these MPAs. That's another point that we'd like to discuss.

The scientific literature makes it pretty clear that their belief is that these permanent sites would help to retain some of the genetic diversity in the stocks and provide an area for some of the larger, older fish to reside and not be subjected to fishing mortality.

That does make an assumption that those fish don't move out of that site. So, that may not be a legitimate assumption for an area 60 miles off of Cape Fear versus one right off the Florida Keys. How chosen?

We looked at a lot of the independent data that was collected from the South Carolina independent MARMAP cruise. That is a federally-funded project where they go offshore, from essentially Cape Canaveral to Cape Hatteras, and they sample reef fishes off shore.

What we looked at were the data from the MARMAP surveys over the last 20 years to show where out there were these fish and were they -- did we see fish in spawning condition in some of these areas? And in some we did.

In others, like the Snowy Wreck, we relied a lot on fishermen's evidence to suggest that there was a high concentration of snowy grouper in this area known as the Snowy Wreck. Subsequent to that determination, there was a research cruise with a remote operating vehicle that went down and actually determined there was indeed a wreck there, so it is appropriately named.

Then, finally, with the experimental artificial reef or artificial refugia, as we call it off of Morehead City, the idea there is to have a site that is set aside that's small and it's on non-productive bottom -- it's on sand bottom -- where we could set up an artificial reef and close it to all fishing with the hope of comparing what was sitting on that reef versus some that are fished, but also and very importantly, testing the enforcement issue. We know enforcement is probably going to be a significant problem with these things.

So the question is, if you can't enforce it right off Morehead City with the Coast Guard station and the Division of Marine Fisheries and all the traffic that goes around that site, if you're not going to be able to enforce one right there, you're going to be hard-pressed to convince anyone that you can enforce one 60 miles off the beach.

So that's really the intent behind that shallow water area. It's really for experimental purposes to answer some of the questions that may be extraordinarily difficult to answer in deep waters.

So, with those clarifications from the issues that came up last night, I'll see if this group has any additional questions on the presentation and where we're going from here, and then I'll start to call on folks, if there are no questions.

Is there a hand in the back? No questions? Yes, sir, Bill. Bill, I'm going to need you to come to the microphone, so we can get your question on the record. We are taping all these proceedings so that council members from other states that aren't with us tonight will have an opportunity to hear all of your comments as well as Robert and Mac and myself.

Mr. Bill Mandulak: What I have not heard about the Type 2 MPA -- it's not clear to me why that's a Type 2 versus a Type 4, or why gear restrictions, as an example, might not be as effective as an MPA, you know, to protect the fish out there, Number 1;

Number 2, I haven't seen any specific measurements of what -- if you create an MPA there, how will you know or when will you know that it has been successful or not? I haven't seen anything in the data that is on the Website, or so far, what it is that you're trying to accomplish, and how do you know if it works or not.

I guess the third is I haven't seen anything that says what is the status of these fish today, and are they getting better or worse? Everybody seems to think they're getting worse, but I don't know whether in North Carolina that's true or not, so those would be the three questions I'd like to have you all address.

Dr. Daniel: Okay, those are excellent questions.

Mr. Mandulak: Thank you.

Dr. Daniel: They are. And those are the exact questions that I've been asking myself, and I'll take a shot at it, and then I'll give Robert and Mac an opportunity if they'd like to add anything

to what I say.

First, no, we don't know the status of the stocks that we're dealing with with these MPAs. We had a data workshop in November in Charleston for the deep-water complex. We determined that we had enough information that we felt would go on golden tilefish and snowy grouper to conduct a stock assessment.

Those assessments are slated on going through the new SEDAR process, which is the Southeastern Data Assessment and Review process. I didn't know if I'd get that out or not. So in August, we expect to have a peer review, the assessment that comes out of that group, which is an independent group, it's called a peer review.

Once those scientists have reviewed it and deemed it the best available data, then we will have an assessment that indicates the status of those two particular stocks. Those are the two primary stocks that we deal with in the deep-water complex.

The evidence that we've seen thus far from the data workshop tends to suggest that the landings are fairly flat, and that the mean size is going up and that the catch-per-unit effort from the logbooks, which we were thankfully finally able to get used in this process, showed pretty stable catch per unit effort.

So I wouldn't want to even hazard a guess as to what the assessment is going to portray, but it certainly doesn't seem like there are any serious problems associated with these groups at the present time. I may be proven wrong in six months, but it sure didn't look like some of the other stocks I've seen.

The permanent no-take, I mean, permanent, some-take, would allow those folks -- we know this area is very important for commercial tuna fishermen, the commercial wahoo fishermen and recreational trawlers. That is where the council is headed at this particular point.

We could also consider making this Snowy Wreck a Type 3 MPA, where it would be closed during the spawning season and be associated with a spawning season closure. That's another option.

That way it possibly wouldn't have the significant impacts on, for example, the guys that go into that area and vermilion fish. So, just because the council has some preferred alternatives at this particular stage in the game, we're so early in the process that those preferred alternatives may change. So I wouldn't look at anything that you see on the screen and think that it's written in stone.

A Type 4 MPA is a gear? I'm trying to remember what a Type 4 MPA is. But certainly this Amendment 14 -- we've got a lot of traditional management measures that we can use if it's deemed that we need to reduce the harvest on, for example, snowy grouper. Right.

So, it might be that we just have to reduce the trip limit or we put in a spawning season closure,

and that's all we need to do. It may be that we need the whole suite, and we'll run the gamut with an MPA and spawning season closures and reduced trip limits, reduced quotas. I don't know at this point.

What we're trying to get out of this group, though, is what is your opinion on the concept of MPAs in this area? And how will it affect you directly? You don't need to go through all eight areas and say this won't affect me, but how much fishing do you do in this Snowy Wreck MPA?

Do you think it's a reasonable thing to have marine protected areas in this spot to protect deep water groupers? If not, what would you suggest to be a better alternative if it is deemed that we have to reduce the harvest on this deep water complex? Did that answer your questions, Bill? Any evaluation? Okay.

It's hard for me to speak, I have a lot of opinions about this issue, and I do want to make it clear that I am trying to speak as the chairperson and recognize that the council is 13 votes, and the majority will make the decision as to how this whole thing moves forward.

Are there any other questions? Thank you for those questions, Bill. If not, I'd like to call on our first speaker. Again, if you'd come to the microphone, state your name for the record, and give us your comments. The first one I've got is a Tom Collins from Jacksonville, North Carolina.

Tom Collins: I was at the meeting last night, so I kind of had today to prepare what I wanted to say. My name is Tom Collins. I run a dive charter operation out of Sneads Ferry and Carolina Beach.

As things are set up now, they're not going to affect me because of the depth. I'm real concerned about they're going to slide on the boundary and move it inshore, and then they will affect me. I normally run 100-150 trips a year depending on the weather. These are dive charter trips, specifically diving. I run a lot of spear fishing trips targeting grouper and _____.

I've got some real concerns about whether or not these are the answer. I'm not sure if the whole MPA program isn't just in response to a government proclamation to do something, being our former president had congressional action to establish MPAs.

I think we're going that way, and it doesn't matter what anyone says. I think they're going to happen. It's moving really fast. But I've seen many other programs that are already in place and working them up.

Maybe the reason the commercial landings are down is because there have been so many restrictions placed on them already, and there aren't as many boats fishing _____. The second point is, it was pointed out last night at Morehead City, fish are not territorial. Closing one area may not accomplish what you want to.

I've spent as much time diving for grouper as anyone here, so I'm down there seeing the amount of fish that are there. I'm not looking at a bottom of quarter or depending on hooks. I know

what. I can dive a ledge one day that's loaded with fish.

If we go back to that ledge the next day, which I don't normally do, there may not be fish at all. They're moving all the time. They depend on three things: bait, food, what the water temperature is, and to a smaller extent _____.

Like I say, I've been diving these waters for about 25 years now. And I'm starting to see the population increase on juvenile fish, the blacks and gags. Labor Day weekend of this year we had a sighting on the Lobster Wreck of a jewfish, or the new politically correct term, a Goliath fish, the first one I've seen here probably in ages.

They're coming back. They're becoming a nuisance in Florida. We're moving too fast on this. The fish are coming back, but it's let's jump to the next thing before we give it a chance to work.

Somebody has it in their mind that MPAs are going to happen. I'm afraid if you do a deep water, the next thing is, well, let's move the boundaries inshore, because this isn't working. The next thing the whole area will be affected. We won't be able to do anything.

I've got one question. Back in the late '80s, there was a tagging or banding program that was used to track groupers. Does anybody know what happened to that? What the results were? I haven't been able to find any thing. It was just something that let's do this, but nobody knows.

The biggest problem with this whole thing is going to be enforcement. Unless you either put a gray boat or a white boat on each one of those sites 24-hours a day, it's not going to be enforced.

It's just not going to happen because there are people, commercial and recreational both, who are going to figure well, this is a closed area. That's where the fish are. I'm going there to fish.

You're not going to stop them. You're not going to stop them. They've got radar. They know who's coming. They can be out of there in no time. I think if you're going to do anything, you'd be a lot better off establishing more artificial habitat. Take the pressure off the other sites. Give the fish more places to live. And it's going to reduce _____.

Dr. Daniel: I appreciate you being at both hearings, Tom. I appreciate your -- you made very thoughtful comments. And as far as the grouper tagging project, there has been some results of that presented to the council from the MARMAP program. That's where that all went to.

I can't tell you the specific results, but if you will contact the council office, then we'll get you that information and let you know. I know that it did show there was a lot of movement in some of these species.

To address one other point -- that it's going to happen anyway. We're sort of in a scrape within the council, because right now there is a lot of work, research, going this marine protected area idea.

So there is a lot of research coming out. And some of that research is contradictory. So the council has been in sort of the forefront of this process. We're trying to make sure that we do it the right way.

I really do believe that if we make the final determination with all our scientists and advisors and the public that it's not the right way to go for protecting the resources right now, then I don't think we're going to move forward just for moving forward's sake. I hope not. Andy High.

Andy High: I just want to thank you all for being willing to come sit here and listen to us whine and cry a little bit. I understand the goals of what the meeting are, and if you bear with me for just a minute or so, I will get to this portion.

Oh, I'm Andy High. I'm a commercial fisherman out of Wrightsville Beach. Let's start off with a definition of what science actually is -- and I pulled this off of my daughter's Webster's Dictionary -- "the observation, identification, description, experimental investigation, theoretical explanation of phenomenon."

The second definition was "knowledge, especially that gained through experience". To be accepted as scientific fact, you must be able to have the same result each time that the experiment is conducted.

Now if we accept this as being the truth, and I mean, it's hard to argue that fact, then you'll have to admit that closing these areas is not only premature, but it's irresponsible. Of the few studies that I've been told of, and I have not actually looked at the study or the scientific representation of them, there is no widespread agreement that these areas will work. Some seem to work. Others do not. Again, that goes back to the fish having fins. They actually move from spot to spot.

But what we are told every time we come to this type of meeting is that this is the best available science and that we need this as an additional tool to manage the fishermen. Give me an example of a best available science.

This is an over-simplification, and I don't mean to belittle the council or council process, but this is how it seems to a lot of the fishermen I deal with. Let's go and give my son -- 8-year old son - - right now a cane pole and let him go to Sea Path and try to catch finfish. He can't catch finfish, so the council runs out and says they're in danger, we need to protect them.

Now, if that is the best available science, you can say it's _____. But that doesn't actually address the problem. One, it's the wrong time of year, and it's too cold. You go there during July, you'll catch two and three pound finfish.

People look at me like I'm crazy, two and three pound finfish. You're crazy. You go to Sea Path with me, and I will show you a two or three pound fish. They're like piranhas over there. For some reason they are there.

But, anyway, getting back to the subject, and I apologize for getting -- our scientists kind of take issue with me that they're doing the best job with the resources they are allotted. I've watched the video of scientists trying to be fishermen.

I don't know if he still has it. I have seen a video watching scientists longlining sharks. It was the largest joke I have ever seen in my life. They couldn't have caught a shark. The bait was off the hook before it hit the bottom.

They were using rotten bait. They were just setting out in the middle of nowhere. But yet they used that data as the best available science, and that data ended up hurting the shark fishermen. Again, I'm not where you're at, but I'm getting there.

So since our scientists are not qualified to be fishermen, let's take away their funding for their quality research. And I believe you're going to hear them scream to their bosses, I've got families to support. I have obligations to meet.

I have support people, people that maintain the boat, run the boats. We have a big boat in Charleston that needs supporting. It's got a captain. It's got a crew. They've got to be considered. So that's what we're here to address is the economic, and I'm getting to the point.

We, as fishermen, have families to support, obligations to meet, support people to consider. Not a proud thing for me, not this last year, the year before, I was the Number 1 retail customer at Sea Path Marine. Do you know how many people they run through there, number of gallons of fuel burnt, everything? I was the Number 1 retail customer. Getting there.

You, as managers, are seeking to take away another option for fishermen to make a living based on the supposed best available science. Now I know that some of you all don't support it. And I don't mean to get on to you or to belittle you at all.

But you are going to permanently close the list of sites to fish. You can tell us it is only temporary but name one thing you have given back once it has been taken away. Even with the scientists admitting that their findings were not exactly correct, you have not corrected the problem. Let's refer to the king snapper, red pogy.

You come tonight seeking what economic effect will it have on us? My response is for you to consider the economic impact, not only to those that are directly involved with that fishery, but also the shore side dock workers, the fish house owners, the fish cutters, the truckers, the restaurant personnel and the people in other fisheries. I'll touch on that in just a little more.

All the people who give statistics for fisheries always quote on the initial impact of the closure on the one person who is fishing. We're beat up constantly in the recreational magazines that the x-vessel price is only worth "X", but the recreational is worth this, because it impacts another person in the chain of events.

They take into consideration the people at the marinas. They take into consideration the people

at the boat shops and all that. It just expands out. Then they use this information against me, it's basically what I got paid for my fish.

It doesn't include, well, my fish dealer made a little more on it. The trucker made a little bit on it. The guy who wholesaled it in New York made a little on it, or Canada or wherever it went to. That restaurant, the guy who served it, he made a little on it.

No one wants to see how far-reaching a ripple like this will take effect. We will lose market shares to other sources of fish, be it domestic or foreign. I don't want to touch on imports. I don't think that this is the time or the place.

But we will lose market shares, whether it be long-line workers out of the Gulf coming up replacing the groupers that our guys are catching or I'm catching. We will lose market shares. Once you lose that market, our people will never go back to the old way of doing things.

If I can pick the telephone up and order the fish from the Gulf, and I don't have to deal with that commercial fisherman sitting here whining and crying to me, I'd do it, especially if he has a reason for it.

Now we can debate, and I can debate both sides of this, whether it's a bad thing or a good thing economically. You also need to consider the effects on other fisheries. When these guys can't fish, especially the area that is proposed from the Snowy Wreck down, a lot of this crowd is coming out of Little River, understand my affinity to Little River.

My grandfather started Little River. He was the first commercial boat. He was the first charter boat back in the early 1920s, so I know these people. Some of them are my relatives. What are these people going to do? They're going to move to trolling king mackerel, which adversely affects me.

That has got to be considered in the equation on the economics. Somebody has got to take a look, whether it be this little Indian girl who's name is so good who works for you all -- yes, Vishwanie. Someone has to look at that.

The rumor mill kind of has that we're looking at spawning closures before this and with this, January through April. And these boats will be there trolling king mackerel. What that does is add more fish to a market that's already artificially low on x-vessel price.

I don't have to tell you because you've seen the process, but we have given in and given in, kind of given the Florida guys a little more and a little more and a little more. Each year the January-February and March, instead of them having to catch their fish in April, May and June.

It's gotten larger and larger so we put more fish on the market, and I'm getting paid less now than I did three years ago, but I'm getting paid the same as I did 15 years ago. So that has to be considered in your equation.

I have complained and I impuned you enough, but the logical question you should be asking me now is what solution do I propose. My solution is give the already “put in place” regulations a chance to work.

We were promised years ago with the “best available science” the size limits and reducing the number of participants would recover the fisheries within 10 years back in -- and I think you quoted 19 -- I want to say 1997.

It hasn't been 10 years. I believe that we have come to a place in the road where we have to consider letting nature do the work and quit tweaking the system at the expense of the fishermen, their families and support people.

Is the best available science sold to us and Congress back then no longer the answer? Were we misled back then? Are we being misled now? Again, I want to thank you for your time and listening to me come up here and whine, moan and cry. But I do implore you to prayerfully consider what is coming about. I believe it is not the way to go. Thank you.

Dr. Daniel: Thank you. Next is Bill Mandulak. Again, if you could state your name and if you represent someone or are from somewhere.

Bill Mandulak: My name is Bill Mandulak. I am a private recreational fisherman. I was trying to remember what was, what all was on there. My home port, let's see, my home port is whichever of these three ramps I can find a parking spot at.

I do make a fair number of bottom fishing trips, but I haven't been out in that deep water. I usually fish in shallower for bottom fish. I find that once I get above about 150 feet, it's real hard to crank these fish in.

But I do offshore fish there with trolling gear for tuna and other species, dolphin and wahoo. I also do troll the mid-depths for some of those fish as well, so I will certainly be uncomfortable with a Type 1 closure.

A Type 2 is okay assuming that we have good science behind the recovery of those fish. If that's a spawning aggregation site, as an example, I think we ought to try and protect it and let those fish disburse into the other areas.

I don't have enough information to tell you that 50 square miles is the right number _____. But at that site, primarily, I'm fishing for tuna, wahoo, dolphin, king mackerel but that's about it.

There are other areas that I fish in a lot closer, different hard bottom sites, for bottom fishing. And I make a fair number of trips a year, probably a couple dozen trips out of this area, so I'd ask you to consider that as you look at the economics of this. I know that there are commercial fishermen who fish that heavily.

I know that there are some charters that go out there and fish and obviously, some headboats that go out there. From the data that I saw in your report, it is pretty limited to bottom fishing from headboats, but it looks like the commercial fishery is pretty used to the one here that you all published.

So I think, from a recreational standpoint, the impact would be pretty small. I don't know too many recreational fishermen who want to crank up a fish, a big fish from that depth. It seems to me that whatever regulations that are in place once, you pull that fish up from that depth, it isn't going to matter whether he's the right length or not. The fact is he's pretty much dead, so I guess my feeling is I would support it if there is the right science behind it being an aggregation site, that it be, have some specific measurements to see how successful we are. Before I'd give my final approval, that would be my viewpoint.

Dr. Daniel: Thank you, Bill.

Mr. Southerland: Bill, I just want to comment that the science of the MPAs is not really controlled by biological research but through law enforcement. Law enforcement made a recommendation that they couldn't patrol these areas of a small size, that the recommendation was 100 square miles was a minimum.

That's what the law enforcement committee recommended. Through the process that creates, in my opinion, as a commercial fisherman, a very large buffer zone and then the reason, just for protection. So I mean, it looks like it is -- it is a large area to take 100 square miles, and then if we could develop a better way to protect it, it could be smaller. The next speaker tonight, Lee Taylor.

Lee Taylor: My name is Lee Taylor. I've been fishing for -- it's my eleventh year. And public speaking is not one of my strong points. I came here tonight, and I was going to go a different way, but I'm just going to try to be a resource.

There is another boat involved early-on when we started catching these snowies. His name is Jeff. I don't think he's here tonight. He first found the spot and normally, we had very small boats -- 35 feet or less _____ grouper snapper, king mackerel, that sort of thing, year-round fishing, _____ in the springtime help from king mackerel to dogfish.

We were going to go out there together in my boat, his boat, and look around for some snowies. He found some. We fished on it and then, it got to be really -- white fish could be it. We needed to go looking more. So I said Hey, I need the money. Everybody wants grouper so that's what we do.

I spent a lot of time out in that ocean well beyond 100 fathoms. I came across this spot that held -- I've forgotten how much money it was. It's only, I guess, a mile from the Snowy Wreck. And we ran over that going to my spot fishing. We were out there for months and months and months, 1989, 1999 -- I'm sorry, 1998 and 1999 and a little bit of 2000.

Then all the boats found us out there, _____ amount of money. And I was fishing single-handedly at that time, so I was able to catch all that money myself. I used that money pretty wisely.

Just trying to hear this MPA and the ground that it covers, you want to close that Snowy Wreck. And it is a wreck, I mean, we all know it. But all the bottom, including the break, headroom rock, where we fish for tuna fish, it's a pretty hot place. We depend on that money.

In terms of finding -- and we're not longliners, our little group that we fish with. We're used to going along looking at the bottom. But the theoretical coverage on the bottom issue is not -- 886 feet of water is my deepest spot that I fish. It should be 780 feet in diameter, what I should see best, theoretically.

With our equipment, I know that that is not true. I experimented with my transducers, and I actually find a place to fish. It's very difficult, because you have to be right over the spot in that deeper water. Shows you how the bottom _____ work, even if you have the finest equipment available.

I've talked to a bunch of different people. There are other ways that I could do this for _____ and _____ and all the people who make transducers, so that I could scan the bottom of there fishing, but you just can't. So I worry about that.

I'm not quite sure that that's what you need to be worrying about _____. When I found my first spot, I was just about asleep at the wheel, and then I just kind of saw it and I turned around and I dropped down there, and there they were.

There was almost \$100,000 worth of fish on it, just that one small spot. There were no little fish. They were all big fish. So, you know, nobody ever asked me _____. When this MPA came up, I didn't know it included the Snowy Wreck until somebody told me. I said, what the heck.

But if you're concerned with snowy grouper, protecting those, just in that little area that we found, you know, why include the break in the location. I have some friends in the North Carolina Division of Marine Fisheries that suggested since I had worked for NOAA as an observer, have a college education, been working with a couple of different projects.

These are projects that go ahead and see if I could suggest something, so I did -- a baseline evaluation of what is there in that MPA.

Basically, all my experience in the deep water to see actually what is there, and if it's going to be a two-year study, because I've found in the past that if you just do a small study, say one year, you normally don't get the data and you really don't get the funding the second time around and they say, hey, we've got what we need. That's enough data. We thank you.

And so I proposed a two-year plan that would use some 70 trips and include UNC, _____. I included a lot of things that I got a lot of pointers from the North Carolina Division of Marine

Fisheries, but when it came back from the Sea Grant and I made my proposal they just said, no way, no way.

I've heard three other people in this room tonight ask what's there, you know, what's there? You need to have a fisherman involved in assessing what's there. And I'll be glad to be any part of that or direct people whichever way to do it.

There are other fishermen that can do it. That's why Sea Grant is supposed to be working for it and helping answer these tough questions. If you took scientists out there, I mean, I don't know what would happen.

Basically, I'm confused as to which way to talk tonight. But I would just somehow try to be a resource, somehow try to clear up some of these things. People want to save the Snowy Wreck. There's no "saving" it. There's nothing left.

There's just a huge _____ and a lot of wire and ledge and tackle and stuff, big giant eels and sharks. There's a handful of snowies probably left. But I think there were so many fish caught off that once it was hot that it closed, you know, it closed down. You exceeded the quota or something for snowy grouper on the entire _____.

I can pretty much assure you that after that, everybody got hot and heavy for snowy groupers. That's all I'm going to do. That's all I'm going to do. It's easy. It's all good money. I mean, why not? It took me 30 days by myself in the open ocean to find those spots. I'm not saying I can do that again. I think I was pretty lucky.

As a matter of fact, me and Jeff, I think most of the spots that we looked for can't be found. We just came across them. We came across the first spot. We came across a spot we thought as we were going to my spot to fish.

There are other spots out there that I'm not going to talk about until I fish on them. But they're not anywhere near there, because you can't get anywhere near there because people are going in and out of there.

But it's very difficult to find -- now you can go to the Northeast in the shallow waters, 470 feet, you're going to catch a lot of snowies. They're going to be small. _____ a little bit more nicer, you know. I haven't found a good spot up that way.

The times of using logbooks for the data, I'm not quite sure about that, because we caught so much fish there during that period of time of year we were doing it, and then now fishing inside has been good enough so we didn't need to go out there.

We can still go out there and try to find stuff and fish _____ stuff. I'm sure I can make a trip tomorrow out there and be fine. But it's a long ways out there. And it's a big, rough ocean.

I did want to comment on the regulatory aspects of this MPA. It seems to me, and I think others

agree, that there are a lot of different management practices in practice on the fishery: size limit changes, bag limits for recreational and commercial, seasons.

It's hard to keep it all straight. And I can't help think, you know, and this might be a bad way to stay it, but if I'm in my boat and I'm out there and it gets dark and all of a sudden my boat reader goes from 14 to 12, when I get to the dock I don't take out the alternator and all the wiring and try two new batteries and go through the whole gamut of getting all new stuff in there.

I find what's wrong. What's wrong? I search it out, because you don't have the money to take all those things out of your boat and pay for replace them every time. Anybody that fishes will tell you. So, I'm hoping that somebody answers the question, what's wrong?

If you're going to use MPAs, I don't know if they're good or bad. I don't know. What are you going to take back? What's not working? I heard the lady say, "It's just not working; we've got to do something else. We're going to do something". Well, if it's not working, go back and see why.

We're discarding fish that may or may not live. We use them a lot for bait. I graduated in Environmental Studies with Marine Science emphasis. I don't know the answer to these questions. But I would like somebody to know those answers.

And when you get ready to go for something else, what are you going to change? Not that we're trying to bargain here because obviously, I didn't even know that this meeting was taking place until my girlfriend showed me in the paper, "Are you going to that meeting?" Nobody has talked to me.

I mean, we have all our friends in fisheries management and fishermen but I did not know. As a group, commercial fishermen are weak at best. It's an easy target. So, usually whatever the "smarter" people who can do, that's what we go with because we're asking -- I'm asking, I don't know if anybody else is asking -- what is the answer? I mean, what the problem is and, you know, involve the fishermen.

They can use some supplemental income. I could use some. We're not out there trying to rape the national resource. We're trying to just, you know, get a fair share and try to make a living.

All it is is squeaking out a decent living. Every fisherman that I know is not rich. They just squeak out a good living. And that's about it. I know I left out a few things but that's probably enough time. Thank you.

Dr. Daniel: Thank you. Mac.

Mr. Currin: Lee, I can try to address one of your questions that you had about why to push the MPA up on the break. And there was a lot of discussion about how those things should be sited and what sort of depths should be included. And this discussion occurred at the mega-MPA Advisory Panel meeting in Charleston in 2001 or whenever it was.

In each state that was represented there by numbers of people got together and talked about where these things should be sited, what might represent good areas for that. And there was, I think, fairly universal concern that where these things were cited with that, and they were targeting these deep water species, that they include some of the break and go up at least to the edge of the break because there is fairly general knowledge that at smaller sizes, these fish are found at shallower depths, and you made that comment yourself, that you could go to the northeast here and fish in 400 feet and find smaller snowies there and go offshore and the bigger fish are there.

And in fact, if you go up to the edge of the shelf break there are even smaller snowies there so that was the rationale at least for including some sections of the break in at least a number of these.

Dr. Kitner: Yes, I just wanted to comment. Lee said he wasn't a good public speaker, and we're aware of that so one of the options that you have is to either call our office and talk to us so we can take notes or you can send us an e-mail if you're uncomfortable speaking in public or you, some of you have prepared speeches.

You can also send that in. So any way that you feel comfortable getting us your input, we will appreciate it and we will use it and we'll be thankful for it. So don't feel that you have to come up to the mike, and that's the only way you get across to us.

Dr. Daniel: Yes, that's a good point. I wrote your number down from your sign-in sheet, because most everybody that's talked so far I know, and I've talked with them but I've never talked to you before.

And I'd like to talk to you because what you presented is exactly the kind of information that you and Bill and Andy and everybody that has presented is exactly the kind of information we're going to need to make our decisions, you know.

And so you've been very helpful to us and I appreciate it. If you're not on our mailing list to receive our quarterly newsletter, I'm going to make a note on there to put you on it, so you can receive that, so that you'll know exactly what's going on.

But I would encourage you to call, contact the advisory panel members on the Snapper Grouper Committee as well as Mac, Robert and myself. We've got the blue directory over there with everybody's name and phone numbers on that.

Any of you guys or ladies that are interested in this fishery I encourage you to call at least one of us, if not all of us to express your concerns and opinions. It's in the briefing book as well, the back page of council members. But the advisors are in there as well. And many of them are here tonight. All right, next is Danny Hooks.

Danny Hooks: My name is Danny Hooks. I'm a full-time commercial fisherman. I'm also on

the Snapper Grouper AP, but tonight I'm speaking only as a concerned commercial fisherman. I can stay _____ that way.

My two points I wanted to bring up -- being involved in the process with Amendment 13, we are currently working on the spawning season closures of a very, very favored recommendation by the council at this time and in the future.

What I'm looking at in the future is the possibility of having overlapping -- two meetings overlapping management measures. We have a complete -- as I remember -- so we're possibly talking about up to a four-month complete closure of any bottom fish for spawning season closures.

This, along with a 100-square mile chunk of the ocean, wouldn't leave a man very much room to operate. Then his bottom line is going down. As it has been discussed before, we know the Coast Guard does not have a lot of money right now. Nobody does, especially anybody in the government, if you ask them.

There's only one possible way that they would monitor an area like this. I believe it would be feasible. And that would ultimately cost us in two ways. To start with, the Coast Guard is not going to park a cutter out there on this wreck to keep everybody off of there. They tell you they can't afford to do it.

The only other way is vessel monitoring systems. As far as I know, marine fisheries have never bought one to put on anybody's boat before. We would have to buy it ourselves. Then as taxpayers we would have to pay for some government official to monitor it to make sure we weren't where we weren't supposed to be. All of these ways are hardships on us, economic downfalls that are ultimately going to spell the end.

As far as your questions, yes I did fish it commercially. I caught a lot of them. I haven't been back there since 2000, but if you take it away it will eliminate one more place I have to go to catch a fish. And in this day and time, the way things are, any fisherman here, you take one of his places away and it's a hardship. Thank you.

Dr. Daniel: Danny, you and Lee have both spent a lot of time on that, in that area. I'm wondering, Number 1, those snowies that were there, were they there year-around, or did they move in and move out before they were fished out?

Mr. Hooks: I'm not an absolute expert on that, but I've talked to the old-time fishermen, most of all who are retired, they tell me these fish have moved all up and down the break and way on the back side of it and up and down the canyon.

They just may happen to be there one day and may not be there the next. Those fish right there in the little boon we had in 2000, that was just because the wrecks were there. But there are fish, like he said, you can move up and down and find the fish.

The fish are moving up and down the break. They're moving to follow food. I believe that they would come to that place and leave. I don't think they were permanent residents.

Dr. Daniel: That was my curiosity from folks that have been in that area. Do they stay there in that box, you know.

Mr. Hooks: Yes, that was nice – the biggest place of something to hold them there if there was in the area short of the actual break itself, I mean, that was the biggest place for them to congregate.

Dr. Daniel: Thanks. James Jones. Again, if you would, please state your name for the record and what you do.

James Jones: My name is Jimmy Jones. I'm a fisherman out of Wrightsville Beach. First of all, I'm against -- I'm not against MPAs completely, if it's done right, and everything works like it should be, but one thing that hasn't been said is this area up here is not as it should be.

It's sort of like a victory garden. Every little species has its own area that it hangs out and dominates. Most people that fish out here have certain fish they fish for, and they fish different areas.

This MPA that you guys have proposed probably occupies about 50 percent of the good fishing area in this area. I would say that back in the '80s, probably 20 percent of this bottom was productive.

Right about now, I would say that less than 4 percent or 3 percent of this bottom is productive. And this MPA is right where that is a hot spot. I know the reason you picked it is because it is a hot spot.

But it also is right off the Carolina Weeds. It's right off South Port. It's right off of Wrightsville Beach, which will put all those fishermen that fish that area to the north or south of this area. This area would be a hardship.

The fish need to be protected. A spawning closure would be probably the only way to go. But rather than protect the fish, the big problem is the fish have no place to go. The coral is gone. The longlines, the tankers, shrimpers, _____.

But the coral is gone, and the fish are moving. And when they find a place to hang out, they hang out. The break is one of the few places left that they can hang out. That's a good haven for fish. They're not red.

Snowies have always been up there and they travel up and down the coast, like Andy said, _____. But when they find an area with a concentrated base of food, they'll hang out there. They are a slow growing fish, and they only grow about a half a pound a year. So those fish, if they catch them good, are 25-30-45-year-old fish, they are not going to be replaced in 2 or 3

years.

The small snowies that come up on the break, those are juveniles. They're in there to feed, and they're going to hang out with the big fish. If you find a little wreck, that will be just fine. You'll catch a big fish first, and then gradually their size will diminish. It's a law called "diminishing species."

I don't know whether you've heard of it or not. But the big and the best go first. And then when the small fish are left, it means that the big fish are gone and won't come back for a while, at least not in a couple years.

But this particular area here is really not -- I mean, if you wanted to help the fishermen, that would be the spot to do it. It is really a prime spot for trolling, bottom fishing, the reason being that the current comes up along the break and after the break, there's a bend, and it goes off in all kinds of directions. It's kind of like a hot area.

The only way I could see that you could ever close it would be a spawning closure or a size and weight limit to the amount of species to be caught. But as far as catching snowies, fishing in this area is very easy to report because they're doing it up in New England -- they use a spy cutter and they are taking photographs out of space of boats violating. Believe it or not, they're spending millions of dollars. I know a guy who got caught catching a _____ in the harbor of New Jersey. You're probably talking \$50,000 for catching _____, but they got him.

VMS are a reality everywhere but here. And they're on _____ boats, _____ boats. And they're costing \$10,000 a unit plus you have to log on. I don't know how much a month. It's crazy. Enforcement is very easy, but it's the _____ that I'm against. I think the snowies, they're all up and down the coast but they're only concentrating in an area where they can actually find a lot of food.

Just to the north of this area there's a void, probably 50 microseconds, so the snowies don't pick up again for another 100 numbers, which is above Morehead, and they go all the way up to Hatteras. But they're not consistent there.

I think an MPA is, like Danny said, there is a lot of stuff in these places. There's a lot of closures. And the snowies probably need to be protected somewhat, but I think the way to do it is not to catch the small snowies, because they're not worth anything anyway. They're only about a pound, pound and a half. _____ maybe lower the weight limit for those boats to make enough to make a trip.

Nature already has its laws for the fishermen, because you can't fish that deep water when it's rough. You can't fish it when the current is running. Have a four month closure _____.

I think you need to take a long, hard look at this. North Carolina is an exception to Georgia,

Florida and other places, then you have Morehead City, and that's a 180 degree turn-around. Half of the fish that are down here aren't there. They have snowies up there all the way up through Hatteras. I, for one, am against anything other than a spawning closure.

Dr. Daniel: Thank you, that's everyone that I had that indicated they wanted to speak tonight. So if there is anyone else that would like to address the group here about your comments on this issue. Yes, sir, please state your name and --

Bunky Bruce: Hi, my name is Bunk Bruce, and I moved to the area two years ago. I'm new to the area, and I'd like to just make a comment that I fished the Chesapeake Bay during the moratorium. I lived through that.

What I'm hearing tonight is a reaching out to find out how to study a possible closure of a certain fish for limited catching of the fish. I would recommend, that living through that moratorium in the Chesapeake, that you contact the federal fisheries of the Chesapeake and see the problems that they had, and how a well-intended plan went sour and for five years put a lot of people out business, closed down a lot of boats.

A lot of the commercial guys had to sell their netting equipment, and then a lot of the charter captains had to sell their boats. I think it was a well-intended plan, but what happened was during the moratorium, there was a zero bag limit.

There was no catch and release. It was against the law to have a fish on your boat. And at the end of that five years, they opened it up with one fish for one day of the year. And the Chesapeake became inundated with rock fish.

Now, that's great for a sport fishing person, but what happened was there were so many rock fish, that it affected the other fish, and it mainly affected the crustacean, the crabs and the growth of the crabs so it was a ripple-down affect by shutting it down for five years.

I know it was a well-intended plan. One of the mistakes I think they made -- and this is only hind-sight. You can only go through this and find out the mistakes -- is not involving the commercial guys and not involving the charter people as a panel-type set-up to monitor what's going on.

Involving those people will help you make a decision, but more importantly, I would look to other areas such as the Chesapeake, find out what they did, find out where they thought they made their mistakes, and then use that information to help develop a plan for here. Thank you.

Dr. Daniel: Thank you. Anybody else? Yes, sir.

Mr. King: My name is Mike King. I am a full-time fisherman for the last 15 years. I would just like to hit on one thing about this science. We keep hitting this issue, but all these different fisheries -- as to the best available science.

Like the snowies when the grays hit, like Lee was talking about -- we were all researching it -- I do a lot of charter fishing. I'd say the mainstay of my charter fishing is on the break or in this area out to 100 fathoms.

So a lot of days I was getting paid to be out there looking at the bottom. There are so many stretches out through there and, like Lee said, we have the best available machines to do it with and stuff like that.

I research a lot of stuff as far as with the snowies and the science that I could find. Now some professor out of South Carolina -- I can find his name. I don't have it off the top of my head -- half the stuff we were seeing off the fish we were catching in this area didn't match the data, or they said they moved in small herds and different things.

I'm just saying that for us to get to the real data that we do need, and it's such a drastic move to put so many people in or out of business on the commercial end, the charter fishing end, how can you take something away without getting our input as far as we'd be more than happy to carry somebody out there.

If we're wrong about the science and what we think is right, we can all learn or evolve with it together, like the MARMAP program. I mean, it may be the greatest thing in the world but it hasn't proven anything except with one small area. It's such a vast area.

Take a person like Lee or like _____ or somebody who has longlined or fished out there every single day, and if you're wanting to know about a snowy, that's who you need to. He might not have all the answers but he would have more answers than the scientists, who know the molecular make-up of a fish, but they know the areas in which you're trying to impose all these drastic measures.

It's just like everyone said, you keep including more and more things and fixing the problem, but what is the problem? We all have our theories and still we all come up with conclusions of what the problem is. Before you know it we still have 100 more laws or 100 new implications, and the problem is still there. How far does it keep going?

All I'd like to say is maybe include the fishermen, who are more in the science, whether or not it's through grants or whether or not you go to the logbook data, and you see this guy that has landed the most snowies. To me, that would be the simplest place to start.

If it's king mackerel, go to the guys that are landing the top 10 percent of the landings in the king mackerel. If it's the sea bass, my landings this year. I mean, who knows where they're going to fall, but thank God for them.

There are just so many implications coming up that it sounds like it's going to pass. Louis says that a change in the language that we "will" put these implications in there, but it's just exponential, and it is never going to be a never-ending thing. Even if we are all out of business, or you can't have a boat because you can't fish anywhere except inside an inlet, the problem still

exists, and it goes on and on and on.

If the scientists really care about the fish, then they would want to know what the real problem is. Thank you.

Dr. Daniel: Thank you, Mark. Last call. If not, thank you. I'm going to end the hearing now. I appreciate everybody coming out and spending your time with us. Again, I encourage you to get in contact with Robert or Mac or myself. I appreciate you being here.

(Whereupon, the MPA public hearing adjourned on Wednesday, January 28, 2004)

Tapes of Proceedings On File (1)

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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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

**Wrightsville Beach, North Carolina
January 28, 2004**

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Robert Southerland**

Mac Currin

Staff Members:

Dr. Kathi Kitner

Julie O'Dell

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