

## The Criminals endeavor

Amendment 19 and 20 in the King Mackerel fishery has become/is a criminal endeavor.

For decades I made a good living King Mackerel fishing twelve months a year. These past five years I've lost two to three months of my best fishing do to the criminal incompetence of Roy Crabtree and company (The National Marine Fishery Service)!

For the past five years I've explained to Roy Crabtree & company that there are too many participants in my King Mackerel fishery. I've used math to explain why there should be only 300 King Mackerel permits with a small 8,000,000 quota. Time and time again I've explained to Roy's fools that you can't manage anything without using math. Using math is intelligent. Not using math is retarded!

The criminal endeavors NMFS is employing in my King Mackerel fishery is spelled out in the South Atlantic Fishery Management Council News Release, Sept. 23, 2013.

1<sup>st</sup> they are going to allow Sport fishing tournaments to sell the King fish caught during their tournaments. They plan on giving them a commercial license. This is illegal. This is what Webster's Dictionary calls a conspiracy!

Conspiracy: (Law) An agreement to do an unlawful act, or to do a lawful act in an unlawful manner.

Next the News Release states that they conspire: not to eliminate inactive commercial King mackerel permits; to remove the income requirement for commercial king mackerel permits. This is clearly a conspiracy to give sport-fishermen 65% to 70% of the commercial permits!

There are over 1400 commercial permits in circulation. Today there are about 500 being used. That 250 of these permits weren't being used prior to 2008 allowed me to fish twelve months a year. The fleet doubled after 2008 this too many participants has put me out of work 2 to 3 months a year, costing me over \$235,000 in the past five years. I've done the math!

Roy Crabtree and company have identified this problem and decided to use it to destroy as many commercial King-mackerel fishermen lives as possible.

To support today's 500 commercial King-fishermen the commercial quota should be increased to 14,000,000 pounds or more. I've done the math. To support 14,000 fishermen the commercial quota should be over 35,000,000 pounds. This is not feasible! To not eliminate the inactive commercial King mackerel license's totally retarded. This is called mismanagement!

Mismanage: To manage ill or improperly

The criminal incompetence doesn't stop there!

Roy Crabtree & company are planning on changing the starting date for the Western sub-zone (Texas, Louisiana, Mississippi, and Alabama) from July 1<sup>st</sup> to September 1<sup>st</sup>. This is just plain wrong! This is for the Shrimpers they say. What about the King Mackerel fishermen?

This year (2013) there was one Shrimper that participated in the King mackerel fishery. Last year there were two Shrimpers that King fished. The Shrimpers do not rely on King fishing to pay their bills. The King Mackerel fishermen do rely on King fishing to pay their bills.

There's five or six Shrimpers in Grand Isle that haven't King fished since the daily landing was unlimited or the landing limit was 10,000 pounds (15 to 20 years ago). They are going to change the law for these few shrimpers that are living in the past. What about the King fishermen trying to pay today's bills?

Changing the start date to Sept. 1<sup>st</sup> will eliminate Texas from this fishery. The majority of the Gulf King fish spend the summer off the Texas/Louisiana border. The snapper fishermen out of Leesville La. fish this area and will catch a limit of King mackerel in addition to their Snapper. That will put a stop to that.

A September 1<sup>st</sup> opening will flood the market and make the King-fish caught in the Florida Pan-handle during this time worth a lot less.

Amendment 19 and 20 is clearly a criminal endeavor.

To reduce the number of permits, to ensure that only commercial fishermen possess the commercial King mackerel permits. Try this solution. To retain your King-fish license you must sell.

1. 10,000 pounds of King mackerel a year                      or
2. 5,000 pounds of King Mackerel and 10,000 pounds of Snapper/Grouper/or Shrimp the Crabbers will have a smaller number                      or
3. If zero pounds of King-fish is sold 20,000 pounds of Snapper/Grouper/ or Shrimp again the Crabbers weight would be much smaller.    or
4. \$20,000 of seafood products.

You must fulfill one of the above at least two out of every three years. Fishermen over the age of 62 should be exempt.

Amendment 19 & 20 are legally wrong! Don't do this!

Captain

Daniel C. Kane

10-31-2013



8/12/2013

Gulf of Mexico Fishery Management Council  
2203 North Lois Avenue, Suite 1100  
Tampa, Florida 33607

Dear Gulf Council Member,

Please let me take this time to give you input from The Recreational Fishing Alliance - Florida West Coast on Coastal Migratory Pelagics Amendment 19.

**Coastal Migratory Pelagics Amendment 19 Sale and Permit Provisions**

**Action 1 : Sale of King and Spanish Mackerel**

**We Support :**

**Alternative 1 : No Action**

Additional Comment : The for-hire fishermen are required to have numerous licenses, charge for their services and are in the business to make a profit. Banning the sale of for-hire caught fish under a recreational bag limit with proper state licensing increases the potential for enormous abuses, most notably " back-door" or illegal sales of fish left by charter customers.

The for-hire fishery remains a seasonal business and sale of fish increases income for the vessel owner and crew. Even if for-hire vessels were to fish to the recreational bag limit for the purpose of sale of those fish, they are reasonably constrained by recreational bag limits governing their trip limits. The Council's rationale for prohibition of these sale is " the potential for double counting" associated with the commercial sale and the MRIP reporting system. The simple solution is for MRIP personnel to ask if any of these fish have been sold and so note that in their report. The history of such sales is easily documented by trip tickets issued by seafood dealers.

**Action 2 : Elimination of Inactive King Mackerel Permits**

**We Support :**

**Alternative 1 : no action**

Additional Comment : The Commercial fish have repeatedly asked the Council to increase trip limits to increase trip limits to 3000 for hook and line fishery in the Southern Zone to correspond to trip limits for the hook and line fisheries in the northern and western Gulf of Mexico and the northern Atlantic seaboard. Eliminate the reduction in trip limits to 500 lbs when 75% of the quota is reached. With the cost of marine fuel in excess of \$4.00/gallon, many fishermen can't afford to travel 60-70 miles under the present trip limits and the reduction in the trip limit at 75% of quota further prohibits fishing effort.

**Action 3 : Modify or Eliminate Requirements for Gulf and South Atlantic Commercial**

### **Coastal Migratory Pelagic Permits**

#### **We Support :**

**Alternative 1 :** no action - Maintain existing income requirements for Gulf and South Atlantic commercial king and spanish commercial permits. To obtain or renew commercial vessel permit for King or Spanish Mackerel permits, at least 25% of the applicant's earned income, or at least \$10,000 must have been derived from commercial fishing or from charter fishing during one of the three calendar years preceding the application.

Thank you for taking time to read our input.

Capt Buddy Bradham  
RFA-Florida West Coast  
4000 24 st N # 1307  
St. Petersburg, FL 33714  
727-458-1192  
MotherOceanCharters@MSN.Com

My name is Jack Robinson—100 percent of my earned income is through commercial fishing.

The 2012 Gulf king mackerel season was a 53 day opener, a very short season because too many boats showed up; rent-a-boat, rent-a-captain and cheap fish prices. There will be more boats next year. Destin, FL panhandle 2012 season was very short as well. The same scenario: a lot of boats, rent-a-boat, rent-a-captain; one big party. I know the Gulf Council is aware of this problem, and I hope the Council will consider a historical qualifying endorsement, or catch shares.

The historical fisherman will not last with shorter seasons and cheaper prices. The part-timers and job-fisherman will; they can go back to their jobs. I don't understand...Washington wants a reduction in fleet, but the marine fisheries make it so easy to qualify for these permits. There are way too many king mackerel permits for such a small tack.

Amendments 19 and 20 are not good; a September 1 opening would be a disaster, and that would put the Gulf, panhandle, Naples, Key West, Florida east coast, and North Carolina fishing at the same time. It would just be an absolute disaster. The price of fish would crash, and would never recover as we went into the fall season. This is very, very bad for the fisherman. We need to get our king mackerel committee together and solve these problems. I do not know who came up with amendments 19 and 20, but I DO know that they are not in our user group.

Our stocks are taking a beating because of the huge growth of our king mackerel fleet. There are over 1,400 king mackerel permits out there. Should I do the math? There should only be 100 permits to be allowed an averaged earned income with our tack.

Please help the historical fisherman and their families. Please consider all that I have written, as well as my 25 years of experience as a king mackerel fisherman.

Thank you very much.

Sincerely,

Jack Robinson

## Intelligence and Integrity

Intelligence and integrity are qualities you won't find in Roy Crabtree and company (NMFS)!

This is what is wrong with America today. Today our Government agencies are run by people with the morals of the common thief.

I was raised better than that!

Integrity: moral soundness; honesty; uprightness; rectitude.

Rectitude: rightness of principle or practice; exact conformity to truth, or to the rules prescribed for moral conduct.

I'm might not be intelligent, but I did the 9<sup>th</sup> grade in 45 minutes. I didn't go to school the last half year of the 12<sup>th</sup> grade. My last six years of school I did in four and a half years. I'm not slow!

I'm a man of honor and integrity! I volunteered to serve my country. I did six years and ten months in the Navy. I was an electronic technician those years. That job I was paid to use my brain. I doubt Roy Crabtree and company could do that job or that they served in the military, they lack the intelligence and integrity and honor required.

There's an old saying: nobody knows how stupid you are until you open your mouth. Roy Crabtree and company put their stupidity on paper. Amendment 19 and 20 are criminally stupid and will only complicate the problems in my King Mackerel fishery. I call amendment 19 and 20 criminal intent!

Integrity: My father flew the fastest jet bomber America (and the world) had in the 1970's. During the cold war my dad was given possession of nuclear bombs on dozens of missions. Believe me when I tell you that the U.S.A. military does not give these missions to people with less than perfect integrity!

My mother's intelligence and integrity equals that of my Father's. Besides raising seven children she was the president of the Silver hair legislator's for the state of Florida for three years. Before that she was a substitute teacher, a candy striper at school, a little league coach, a cheerleader coach, sold real estate and much more.

Three of my siblings are Intelligent. All my siblings are people of integrity and high morals. Alas I'm the black sheep of the family.

Believe me when I say that no one in the National Marine Fisheries Service measures up to Kane standards! I was raised better than all of you!

I was taught that you are responsible for your actions. That if you break it, you fix it, or you pay for a new one. Roy Crabtree and company are totally irresponsible!

Roy Crabtree and company have destroyed my life with their incompetence. I used to fish King Mackerel twelve months a year. I've lost my three best months of fishing because these fools can't do simple math. In the past two years my loss totals \$100,000 to \$120,000.

I can do simple math. My calculations tell me there should be about 300 commercial King Mackerel permits in the U.S.A. There is not one person in the NMFS that can figure out how many commercial permits there should be with the small 8 million pound commercial quota.

This proves my point that there is not one person in the NMFS that possess intelligence and integrity! You cannot manage anything without doing the math!

We've had a mackerel committee for years. Why wasn't this committee used to create amendment 19 and 20?

Intelligence: 1. Act or state of knowing. 2. Capacity to know or understand; the intellect. 3. Information communicated; news; notice; advice. 4. Knowledge acquired; general information.

Amendment 19 and 20 were created behind closed doors. Without the knowledge that the problem in the King Mackerel Fishery is that there are over two hundred too many commercial permits in use. Intelligence what's intelligence? Read the previous paragraph sections 3 and 4!

I feel that amendment 19 and 20 is criminal intent. The NMFS intends to double or triple this commercial fleet with sport fishermen. They're throwing gas on a runaway fire.

Roy Crabtree and company have no integrity, just criminal intent to destroy our lives!

The National Marine Fisheries should be shut-down!

Roy Crabtree should resign. Roy Crabtree should do time. Roy Crabtree and company should be held responsible for their criminal incompetence.

We will see what Congress thinks of your shenanigans!

P.S. Roy Crabtree and company: may the fleas of a thousand camels infest your crotch!

Daniel C. Kane AKA Huri-Kane Dan 10-29-2012





Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
2/14/2012 10:57:02	Van Hubbard	vanhubbard@captvan.com	<p>on 3.1.2 Alt. 1 no action is ok.</p> <p>2&amp;3 eliminate most permit holders from Lee to Crtris Counties because we have not been allowed to sell kings but a few weeks every few years since 1986!</p> <p>alt 4 with 2009 control date eliminates most of us because we did get to fish and get some landings the Fall of 2010 because of oil spill in panhandle in 2010!</p> <p>3.1.3 Spanish</p> <p>alt 1 no action because you have no moratorium on Spanish now!note our areas Spanish landings are soft because wanned to be able to also sell kings to sell enough to afford to fish!</p> <p>your management zones are so varried and inconsistant that it would be challenging to do any changes that are fair. already way to many problems with quotas and trip limits! consider some conformaty? please.</p> <p>3.3 already limited number of permits No action required.</p> <p>action 5 A current rules are fine.</p> <p>b, cobia could be added to kingfish if you wnat to slow landings yet allow commercial fishermen to sell some. why eliminate income requirements and now? yes hardships need to be addressed! If someone is earning so much he can take time to fish let the needy fisherman have the few fish we can now sell! trip tickets can be considered but hard for some charter captains?</p> <p>6. I understand Florida is considering a ban on gill nets in thiis state and most of gill netting is here I believe. this may remove your need for consideration?</p> <p>thank you all for your consideration and hard work. Captain Van Hubbard. Guide since 1976 and commercial fisherman since 1972.</p>	Placida, Fl.33946	Charter/Headboat For-Hire, Commercial Fisher

Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
			<p>Action 1. no, their should be no action. Cobia already have management on them and no other regulations are required.</p> <p>Action 2. currently recreational king mackerel have been sold to prevent the waste of a resource when the customers leave on for-hire vessels. However the large problem is to the commercial fishers whos quota is charged with the catch when sold. A special saltwater products license for recreational vessels not selling those fish under a commercial fishing permit should not be counted against the commercial quota but should be counted against the recreational quota.</p> <p>furthermore federal commercial permits are currently required for king and spanish mackerel and their is no need for another permit for cobia. currently florida has a six per boat possession law for cobia both commercial sale and recreational catch this two could be adopted by the other coastal states.</p> <p>recreational tournament sales could be covered under the same salt water products license to cover the sales and take them off the recreational quota not the commercial quota.</p> <p>Action 3. the gill net sector should have been phased out by not allowing the transfer of those permits just as the fish traps are phased out. the condition of those fish caught are bad at best.</p> <p>the hook and line sector has a major problem that needs to be addressed. vessels that home port in other parts of the gulf and south atlantic have been allowed to fish in as many zones and subzones as they wish and catch that zones quota very quick not allowing the local fishermen who home port in that zone. If a zone regulatory is not eliminated then each vessels home zone quota should be the quota its fish are counted against not the zone that the vessel is encroaching in. i.e. if a vessel is home ported in key west and is fishing in the western zone the fish that boat catch and sold in louisiana will be counted against the west coast sub-zone so as to not penalize the local fishermen. but preferred alternative is to eliminate the zones all together that way no one will care if boats fish in your home waters and let the TAC fill but set the same trip limits at 500 lbs for all commercial vessels to prevent flooding the markets and driving down the ex-vessel price and wasting the resource to spoilage.</p> <p>Action 4. should be the more restrictive. as long as the more restrictive is 6 fish per boat commercial and recreational like florida law.</p> <p>Action 5. all income requirements should be eliminated. A fisherman needs the ability to sell what he catches. \$5,000.00 in catch a year may not mean much to some people but it may mean a lot to that fisherman. And how else are you going to attract new participants when the old fishermen die or retire. they will need a way to start or they may have break downs or health issues.</p>		
3/23/2012 8:27:23	Nicholas Patzig	pmsbigred1@yahoo.com	Action 6. Cast nets should be allowed but gill nets should be eliminated.	Fort Walton Beach, FL 32548	Commercial Fisher

Timestamp	Enter your full name	email address	Comments	City, State, Zip Code	Check all that apply
4/9/2012 5:22:20	Mason Bowen	fpfirelb@aol.com	<p>I'm opposed to the use of the 2009 control date proposed by Amendment 19 for different regions of the Gulf because, it would take My Right Away to access different areas of the King Mackerel fishery that I have been a part of all my life. Even though i live on the East Coast of Florida for six months of every year we are considered a gulf fishery. My King Mackerel permit wich i have held for years allows me to go where ever i need to provide a living for my family. The last couple of years that has included the pan handle. Do not talke My Right Away...!!!</p> <p>Sincerely, Mason Bowen</p>	sebastian,fl 32958	Commercial Fisher

# Florida Keys Commercial Fishermen's Association

P.O. Box 501404, Marathon, FL 33050

Phone & Fax: 305-743-0294 Cell: 305-619-0039

E-mail: [FKCFA1@hotmail.com](mailto:FKCFA1@hotmail.com) Website: [www.FKCFA.Org](http://www.FKCFA.Org)

April 16, 2012

Mr. Bob Gill, Chairman  
Gulf of Mexico Fishery Management Council  
2203 N. Lois Av, Suite 1100  
Tampa, FL 33607

Re: GMFMC Amendments, 19, 20 CMP & Generic Amendment on Dealer Reporting

Dear Mr. Gill,

The Gulf of Mexico Fishery Management Council (GMFMC) recently conducted a Scoping Meeting on Amendments 19, 20 CMP and a Generic Amendment pertaining to Seafood Dealer Reporting Requirements in Key West, Florida. In addition to oral comments made at the Scoping Meeting we would like to offer written recommendations on these issues.

## **CMP Sale and Permit Provisions – Options Paper for Amendment 19**

### **2.1 Action 1 – Permits for Coastal Migratory Pelagic Species**

#### **We support:**

**Alternative 1:** No action. Retain a single commercial king mackerel permit and a single commercial Spanish mackerel permit. Retain Gulf and South Atlantic Coastal Migratory Pelagic (CMP) charter h/headboat permits.

### **2.2 Action 2 – Potential No Sale Provisions**

**We do not support any of the provisions in this section and feel the Council should give this matter further consideration and analysis.**

Additional Comments: The only commonality between for-hire and recreational fishermen is for-hire fishermen fish to a recreational bag-limit. They are required to have numerous commercial licenses, charge for their services and are in business to make a profit. Banning the sale of for-hire caught fish under a recreational bag limit with proper licensing increases the potential for enormous abuses, most notably 'back-door' or illegal sales of fish left by charter customers.

The for-hire fishery remains a very seasonal business and sale of fish augments income for the vessel operator and crew. Even if for-hire vessels were to fish to the bag limit for the purpose of sale of those fish, they are reasonably constrained by bag limits governing their trip limits. The Council's rationale for prohibition of these sales is 'the potential for double-counting' associated with the commercial sale and the MRIP reporting system. The simple solution is for MRIP personnel to ask if any of these fish have been sold and so note that in their report. The history of such sales is easily documented by trip-tickets issued by seafood dealers.

### **2.3 Action 3 – Future participation in the Commercial King and Spanish mackerel fisheries**

#### **2.3.1 Elimination of latent endorsements in the Gulf group king mackerel gill net sector**

**We do not support any of the proposed alternatives.**

**Office Physical Address: 6363 Overseas Highway, Suite #4, Marathon, FL**

Additional Comments: In May of 2010 our association provided written comment to the SAMFC and GMFMC requesting the Councils take action to retire latent permits in the fishery in order to ensure industry's ability to meet Accountability Measures we established to prevent over-runs. The criteria we requested for eligibility to remain in the fishery required a permit holder to have at least one year of landings of 20,000 pounds or more in any of the years from 2004 to the present. We continue to endorse those measures as a preferred alternative.

### **2.3.2 Elimination of latent permits in the king mackerel hook-and-line sector**

**We support:**

**Alternative 1:** No Action – do not eliminate any king mackerel permits

Additional Comments: Members of our association have repeatedly asked the Council to increase trip limits to 3000 pounds in the hook-and-line fishery in the Southern Zone to correspond to trip limits for hook-and-line fisheries in the northern and western Gulf of Mexico and the northern Atlantic seaboard. Eliminate the reduction in trip limits to 500 pounds when 75% of the quota is reached. With the cost of marine fuel in excess of \$4.00/gallon, many fishermen cannot afford to travel 60-70 miles under the present trip limits and the reduction in the trip limit at 75% of quota further prohibits fishing effort. Again, we respectfully request this trip limit increase as an action item for this amendment.

### **2.3.3 In order to renew a commercial king mackerel hook-and-line permit, the permitted must possess two valid permits at the time of transfer, and only one permit will be reissued, and the other will be retired.**

**We support:**

**Alternative 1:** No Action

### **2.4 Action 4 – Federal Regulatory Compliance**

**We support:**

**Alternative 1:** No Action – All vessels with federal commercial king mackerel and/or Spanish mackerel permits, as well as CMP charter permits are subject to applicable federal CMP regulations when fishing in the EEZ, and are subject to applicable state CMP regulations when fishing in state waters.

### **2.5 Action 5 – Modify or Eliminate Income Requirements for Gulf and South Atlantic Commercial Coastal Migratory Pelagic Permits**

**We support:**

**Alternative 1:** No Action – Maintain existing income requirements for Gulf and South Atlantic commercial king and Spanish mackerel permits. To obtain or renew a commercial vessel permit for King or Spanish mackerel, at least 25% of the applicant's earned income, or at \$10,000 must have been derived from commercial fishing or from charter fishing during one of the three calendar years preceding the application.

## **Modifications to the King mackerel Boundaries and Transit Provisions** **Options paper for Amendment 20**

### **2.1 Action 1 – Consider modifications to the existing commercial fishery boundary line between the Gulf group king mackerel eastern zone and western zone (currently at the Alabama – Florida border [87°21'06"]). With potential changes to the commercial allocations and trip limits**

**We support:**

**Alternative 2:** Move the current boundary line between the eastern zone and western zone from Alabama/Florida border to Cape San Blas, Florida (85°30' w. longitude)

### **2.2 Action 2 – Consider retaining or eliminating the northern subzone based on any of the boundaries chosen in Action 1. If eliminated, consider transferring the current location to either the eastern or western zone based on any of the boundaries chosen in Action 1.**

**We support:**

**Alternative 1:** No Action – Retain the existing northern and southern subzones and retain the existing allocations for these areas.

Additional comment: The analyses and rationale reported for this action item is incorrect and misleading.

Without the existing northern and southern boundary the Florida Keys fishery, which is the historical fishery, would be eliminated because the commercial hook-and-line quota would be filled before the fish migrate to the Florida Keys in late winter.

**2.3 Action 3 – Consider modifications to the commercial trip limit in the eastern and eastern zones based on any of the boundaries chosen in Action 1.**

**We do not support any of these alternatives.**

Additional comment: Retain the existing commercial hook-and-line trip limit of 3,000 pounds for the western zone and set the trip limit for the eastern zone at 3,000 pounds with no step down, based on any of the boundaries chosen in Action 1.

**2.4 Action 4 – Change the opening date of the Gulf group king mackerel season for the western zone**

**We support:**

**Alternative 1:** No Action – the opening date remains at July 1

**2.5 Action 5 – Establish a transit provision for fish harvested in the EEZ off Monroe County when the rest of the west coast of Florida is closed.**

**We support:**

**Alternative 2:** Establish a transit provision for fish harvested in the EEZ off Monroe County when the rest of the west coast of Florida is closed.

**2.6 Action 6 – Restrictions on fishing for king mackerel in multiple zones**

**We support:**

**Alternative 2:** Require that prior to the beginning of the fishing year, each owner of a permitted commercial king mackerel hook-and-line vessel must identify the zone/subzone in which the vessel will fish during the upcoming fishing year (western zone, Florida east coast subzone, Florida west coast southern subzone, or Florida west coast northern subzone).

**Option a:** Only one zone may be identified.

**2.7 Action 7 – Set the Gulf and Atlantic migratory group cobia annual catch limits (ACLs).**

**We have no preferred alternative at this time.**

**2.8 Action 8 – Establish state-by-state or regional quotas for Atlantic Migratory Group king mackerel, Spanish mackerel, and cobia.**

**We support:**

**Alternative 2:** Establish commercial quotas for each South Atlantic state for Atlantic migratory group of king mackerel, Spanish mackerel and cobia.

**2.9 Action 9 – Set annual catch target (ACTs) by sub-zones for Atlantic migratory group cobia.**

**We have no preferred alternative at this time.**

**2.10 Action 10 – Specify Accountability Measures (AMs) by sub-zones for Atlantic migratory group cobia.**

**We have no preferred alternative at this time.**

**Generic Amendment**

**Modifications to Federally-Permitted Seafood Dealer Reporting Requirements**

## **2.1 Action 1 Dealer Permits Required**

### **2.1.1 Alternatives**

#### **We support**

**Alternative 2.** Establish one universal Federal dealer permit.

## **2.2 Action 2 Frequency and Method of Reporting**

**We do not support any of the provisions in this section and feel the Council should give this matter further consideration and analysis.**

Additional comments: It is incumbent on the National Marine Fisheries Service to establish reporting requirements enabling them to satisfactorily monitor harvest of each of the federally regulated species. A case in point is the recent over-run of the king mackerel hook-and-line quota in the Gulf of Mexico. NMFS must establish reporting methods and requirements that will prevent such occurrences. At least weekly reporting seems appropriate in this electronic day and age with a possible increase to a 48 hour requirement when 75% of quota is reached on any of the managed species to prevent over-runs.

The 2011-2012 king mackerel gillnet fishery was closed prematurely at 16% or 84,000 pounds under the 520,000 pound quota. This occurred in spite of Accountability Measures developed by the industry, submitted to both the Council and NMFS to prevent over-runs and enacted during the 2010-2011 and 2011-2012 seasons. In the first year of implementation, industry was able to deliver with a modest 1.5% over-run of 8000 pounds. These same measures were in place and working for the 2011-2012 season when the fishery was suddenly closed far below the quota.

In an effort to identify appropriate measures to prevent such occurrences, we sent a list of recommendations to Dr. Roy Crabtree, NMFS/SERO, immediately after the seasonal closure. We offer these recommendations for the Council's review, discussion and consideration:

1. A designated NOAA/NMFS agent be charged with maintaining telephone communications with our industry representative for the purpose of ascertaining the current status of the fishery and a final review of accountability measures based on the remaining quota to prevent over-runs.
2. A designated NOAA/NMFS agent be charged with the responsibility of working on week-ends, if necessary, to monitor catch reporting.
3. NOAA/NMFS provide more timely notification of the seasonal closure by telephone, as well as e-mail, to our industry representative.
4. Change the effective time of the closure from 6:00 AM to Noon of the following day.

Although the gillnet fishery is not presently charged for quota overages, it has been a topic of discussion by the Council and NMFS. Our industry is willing to volunteer accountability for overages provided there is a quid-pro-quo for underages. As evidenced in the 2011-2012 season, the potential for significant error occurs on the management side as it does with the fishermen and should be equally onerous for both. The king mackerel gillnet fishery continues to be one of the cleanest, most robust fisheries in our nation and based on rebuilding efforts and recommendations by the SSC, could and should have a quota more than three times the current level.

As a point of reference, the Options Paper for Amendment 20, titled "Modifications to the King Mackerel Boundaries and Transit Provisions" provided for the Scoping Meeting in Key West on March 26, 2012 is not the same as the document dated April 4, 2012, submitted for Council and Committee review. Under "Chapter 2. Management Alternatives," there are seven proposed actions in the March 26<sup>th</sup> document and ten in the paper dated April 4<sup>th</sup>.

Mr. Gill, thank you, for this opportunity to offer additional comments on these amendments.

Sincerely,

*Bill Kelly*

Capt. Bill Kelly  
Executive Director

C: Mr. Myron Fischer, GMFMC, CMP Chair  
Dr. Roy Crabtree, NMFS/SERO  
Dr. Steve Bortone, GMFMC  
Ms. Emily Muehlstein, GMFMC Outreach Coordinator



*John Freshlee*

----- Forwarded Message -----

**From:** Kirk Reynolds <captkirk77@cox.net>  
**To:** Don Dineen <fish@surelurecharters.com>  
**Sent:** Thursday, March 22, 2012 9:38 AM  
**Subject:** Cobia management

Capt Don, in regards to the Gulf Council adding Cobia into federal management with Mackerel under Amends-19/20, I would strongly oppose any change to status quo for cobia management. Please take my concerns to the meeting and tell the council to leave the Cobia laws alone. Thank you, Capt. Kirk Reynolds. Charter Boat Captain, Destin Fishing Fleet Marina.

----- Forwarded Message -----

**From:** Bryan Kelley <screamndrag@yahoo.com>

**To:** "fish@surelurecharters.com" <fish@surelurecharters.com>

**Sent:** Thursday, March 22, 2012 9:43 AM

**Subject:** oppose

To whom it may concern,

I Cpt. Bryan Kelley firmly oppose any further regulations brought on from NOAA and/or the Gulf Coast Council. All along the gulf coast here in the state of Florida, we have the best regulations for harvest and conservation. Cobia are not being "overfished" in this area or in general, as stated on the NOAA official web site. As it pertains to proposals in Amendment 19 and 20, leave the Florida coastal water regulations for Cobia -- both commercial and recreational -- as status quo and under state management.

Cpt. Bryan Kelley  
Charter Boat Screamn Drag  
Destin, Florida

----- Forwarded Message -----

**From:** Tony <tonybeaver@live.com>

**To:** fish@surelurecharters.com

**Sent:** Thursday, March 22, 2012 9:59 AM

**Subject:** Cobia

To whom it may concern, please keep the Cobia regulations as status quo and left in the hands and control of the states. Every time the feds get involved in anything, especially fishing regulations on the commercial level, the end result is not good, and some politicians, lobbyists, and attorneys get rich off of the already struggling fishermen. Thank you, Captain Tony Beaver. Destin, fl

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**From:** "dagwellsurf2000@cox.net" <dagwellsurf2000@cox.net>

**To:** fish@surelurecharters.com

**Sent:** Thursday, March 22, 2012 10:12 AM

**Subject:**

I understand the national marine fisheries service is proposing new regulations on cobia fishery stocks. The state of Florida should be the regulators of our cobia fishery. Please chose to leave the cobia fisheries as they are -- managed by the state and not the feds. The state has a good commercial and recreational system in place which works fine and is not in need of repair by the feds.

Scott Dagwell  
Fort Walton Beach, FL

----- Forwarded Message -----

**From:** David Rogers <redfishin@hotmail.com>

**To:** Fish@surelurecharters.com

**Sent:** Thursday, March 22, 2012 10:39 AM

**Subject:** Cobia

To whom it may concern:

As a professional guide I implore the powers to be to leave the Cobia fishery as it is currently. Keep the feds out. The fed government controls way too much already.

Capt. David Rogers

AAA HAWGWILD SALTWATER CHARTERS LLC

Sanford, FL

407-405-0819

*Sent from my Motorola ATRIX™ 4G on AT&T*

3/22/2012

To Whom it may concern:

I Don Oliver a life long resident of Florida ask that you please leave the Cobia fisheries managed by the State as they currently are.

Respectfully,

Don Oliver

----- Forwarded Message -----

**From:** Tom <sschmitzboyz@aol.com>

**To:** "fish@surelurecharters.com" <fish@surelurecharters.com>

**Sent:** Thursday, March 22, 2012 10:50 AM

**Subject:** Cobia

To whom it may concern, my name is Capt Tom Schmitz (Santa Rosa Beach, FL) and i would like the Gulf Counsel to stay out managing the cobia fisheries and leave it for the state to manage. There is no need for Amendment 19 and 20 to link Cobia to federal King Mackerel, Spanish Mackerel, or individual Cobia federal permits or rules. The state does a sufficient job licensing and managing Saltwater Products Licenses and RS for the Cobia commercial and rec fishery. A new fed permit and rules set for Cobia is not needed or wanted.

Sent from my iPhone

----- Forwarded Message -----

**From:** Bill Weldon <Weldonfg@cox.net>

**To:** fish@surelurecharters.com

**Sent:** Thursday, March 22, 2012 11:09 AM

**Subject:** cobia

To Whom It may concern,

My name is Billy Weldon, I am a recreational fisherman and strongly oppose the regulation of making cobia a federally managed fishery and under fed CMS commercial permits as proposed in Amendment 19-20. please leave it as status quo. The State of Florida is doing a great job. Leave as is !!!

Billy Weldon  
204 sibert ave  
destin, FL 32541



----- Forwarded Message -----

**From:** Bill Weldon <Weldonfg@cox.net>

**To:** fish@surelurecharters.com

**Sent:** Thursday, March 22, 2012 11:13 AM

**Subject:** cobia

To Whom It may concern,

My name is Carri Weldon. I am a recreational fisherman and strongly oppose the regulation of making cobia a federally managed fishery and under fed CMS commercial permits as proposed in Amendment 19-20. please leave it as status quo. The State of Florida is doing a great job. Leave as is !!!

Carri Weldon  
204 sibert ave  
destin,Fl 32541

----- Forwarded Message -----

**From:** Casey <captaincasey@cox.net>

**To:** "fish@surelurecharters.com" <fish@surelurecharters.com>

**Sent:** Thursday, March 22, 2012 11:15 AM

**Subject:**

My name is Casey Weldon and I am the captain of the charterboat FishNFool in Destin, FL. I have been fishing here for the last 19 years. I am writing to oppose the proposed federal regulations on cobia listed under Amendmts 19-20. Our state laws have been working just fine for us, and we are allowed to keep half of the other gulf states (1 fish per person, rather than 2 fish person in other gulf states). Florida has never gone over quota on this species, and I am pleased with the current regulations. This species is not over-fished and should remain under control of the state. No fed permits should be sought or required to fish for and sale Cobia as the state already regulates and manages the same.

Captain Casey Weldon

Destin, FL

850.259.5037

Sent from my iPhone

----- Forwarded Message -----

**From:** Robert Hill <captroberthill@gmail.com>

**To:** fish@surelurecharters.com

**Sent:** Thursday, March 22, 2012 12:22 PM

**Subject:** Cobias

Dear Gulf Council and NMFS,

My name is capt Robert Hill of charterboat Twilight, Destin, FL. Leave the darn Cobias alone for crying out loud. Your priorities are confusing, here you have a species of fish that grows to maturity faster than any other migratory fish that uses state waters, and the federal government wants stick there hand in because other people don't like watching people making money on a natural resource, which is replenishable. I am tired of wasting resources at the hand of the government, its time we stand up and atleast keep it the status quo, keep the feds out of our state waters. No on changes in Amendment 19 and 20 as they affect at all cobia. Thx

**Subject:** FW: Cobia Fishery  
**From:** Pamela Dana (pamdana@yahoo.com)  
**To:** pamdana@yahoo.com; Nick.Wiley@MyFWC.com; jessica.mccawley@myfwc.com;  
**Date:** Thursday, March 22, 2012 4:59 PM

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**From:** "Capt. Bernie "Berno" Lefebvre" <capt@fishdestinflorida.com>  
**To:** fish@surelurecharters.com  
**Sent:** Thursday, March 22, 2012 4:10 PM  
**Subject:** Cobia Fishery

I Capt. Bernie Lefebvre of the Charter Boat Windwalker II, Destin, FL, would like to state after the last 25 years participating in the Cobia Fishery in the Gulf O Mexico, that the fishery should remain at status quo being regulated by the States. The fishery in the state of Florida has been 1 per person per day or no more than 6 per boat per day for quite sometime which in my opinion has prevented overfishing of the species. There is no need for new or additional regulatory measures, or to put under federal management cobia, as the fishery has currently remained sustainable and well managed at the state level.

Sincerely,

Capt. Bernie Lefebvre

March 31, 2012

My name is Ronald Houck. I am a third generation commercial fisherman that depends on kingfish to support my family. This letter is to inform you what the impact of amendments 19 and 20 would have on full time fisherman. The control date that has been set forth for June 30, 2009, would take the fisherman like myself out of the fishery, that depend on the gulf kingfish as a part of their income to support their families. Amendments 19 & 20 would cause more stress and financial hardship on fishermen that have started fishing before and after the control date that has been set. Fishermen have adjusted their business to the rules that are in place, amendment 19 and 20 would disrupt fishermen even more. Fishermen who make a living catching kingfish have to travel to support their family. Fishermen that do not travel have other permits that allows them to fish other species of fish during the slow months of the year. Fishermen that do not have these other permits depend on kingfish year around. I depend on the northern east zone Destin, Fl. to keep my business operating. I do not support a control date. When I received my kingfish permit, it allowed me to fish anywhere in federal waters. If these amendments are passed, the fishermen have lost the right to do this. I do not support zones or sub zones, or changing the dates of opening season. I also do not support the control dates and I am not for idenfying zones to fish in. Options I do support are buy 2 permits and get 1, only on new entries. Fishermen that have permits without landings in the last 3 years, allow them to continue to use the permit but can't sell it, it can only be passed down to a family member.

These options would start bringing the number of permits down.

Ronald Houck Jr.

East Coast Commercial Fisherman

Vice Chairman of the advisory panel for the SAFMC

Life; Liberty; and the pursuit of Happiness

NOT IN AMERICA!

Not with Roy Crabtree & company in charge of our Fisheries!

Not with President Obama running (ruining) our country!

The National Marine Fishery Service Gulf of Mexico Councils amendment 19 and 20 to the King Mackerel Fishery is a conspiracy fueled by Criminal Intent!

Roy Crabtree of the NMFS is in charge of the Southern Fisheries. The Gulf Council is currently attempting to make my Commercial King Mackerel fishery a Sport- Fisherman's Fishery and a part-timers Fishery. To do this they are going to destroy all the Full-time King Mackerel Fisherman's lives. My Constitutional rights are being eliminated; that's beyond being violated!

For over twenty years I've been King-fishing full time. Occasionally I had to participate in other fisheries to supplement my income. I've learned that to fish King-fish full time you have to travel continuously. For over twenty years I've been chasing these fish up and down the East Coast of Florida, before that I King-fished out of Key West part time starting in 1984 (I King-fished there in 2011). I've been King Fishing Louisiana and the Fla. Pan-handle for over twelve years now. To be one of the best King Mackerel Fishermen you better travel continuously. Few men have caught king fish in more places than me.

The Gulf Council wants to split the ocean up in different zones and allow the King fisherman to fish in only one zone. I thought this was the Land of the Free?! They plan to steal the King Fish from the King Mackerel Fishermen and give my Fishery to the Charter Boats, to the Shrimpers, to the Snapper/Grouper fishermen, to the Lobster fishermen, the stone crabbers and they also plan to give the Sport fishermen 65% to 75% of the Commercial King Mackerel Permits. If you don't believe me read amendment 19 and 20 to the Gulf King Mackerel Fishery.

King Mackerel are a pelagic fish, which means that these fish continuously travel. They do not stay in one zone all year long. Therefore to make a living King fishing you must travel.

With Roy Crabtree's one zone law, for the rest of my LIFE I will not have the freedom (LIBERTY) to PRESUE these fish to pay my Bills. There will be no HAPPINESS when I lose my house and everything as a result of Roy Crabtree and company's criminal activity.

I lost over \$50,000 in the past six months because Roy Crabtree and company are totally incompetent. They are beyond incompetent. The NMFS is a criminal organization.

I have an ancestor that fought with General George Washington at Valley Forge and other major battles of the American Revolution. so this country would be free!

I've grand -parents that fought in WW II, so the world would be free.

My Father spent 24 years in the Air Force Flying planes for the security of this country. He spent a couple of years fighting in the Vietnam War, receiving many honors and medals. One medal was for actions of valor while under fire (a real hero's story).

I served this country for over six years in the Navy. Three years of which were on the aircraft carrier USS Constellation.

My family has been doing the Honorable thing by serving this country for longer than America has been a Country! All this service has been for naught. Why did we serve this country when my freedom is just a farce?!

There is no honor in the Obama Administration. The President is too busy playing King of the Hill to spend any time and protect the American working man from the Illegal activities of our Federal Government.

I've repeatedly requested help from President O'bummer to fix our Fisheries. I've also sent him bill's for wages lost due to Roy Crabtree and company's incompetence (I've lost over 130,000 dollars since Obama took office). There is no help from The White House! God I hope he isn't re-elected!

CRIMINAL INTENT: For years I've been sending letter's with solutions to the NMFS, to the President, and to the Secretary of Commerce. Explaining the fact that there are too many active King Mackerel permits, for our little seven million pound quota. Our fleet is still twice the size it should be with the current eight million pound quota.

On February 2<sup>nd</sup> I asked Roy Crabtree how many Commercial King Mackerel permits there should be in the U.S.A. His answer was "DUH...I don't know"? There is not one person in the NMFS that can answer that simple question! You can't manage anything without doing the math.

In amendment 19 & 20 Roy Crabtree wants to drop all qualifications to possess a Commercial King Mackerel permit. This is a Conspiracy to place 65% to 75% of all commercial King Mackerel permits in the hands of the Sport-fisherman! This is Criminal Intent! It doesn't stop there.

For over twenty years I've been trying to get the Sport Fishing Tournament King fish off our Fresh Fish Market. These Sport Fish are not iced properly. These Tournament fish are really big and the Fresh Fish Market doesn't want real big fish. These are Big, Rotten fish that drive the price of King fish down by over a quarter a pound and it takes weeks for the market to recover. This illegal practice cost the commercial fishermen over a quarter million dollars a year.

Because of this Roy Crabtree and company want to issue a commercial fishing permit to all Sport-Fishing tournaments. I call this a license to steal. It's Criminal Intent is what it is!

These Tournament fish have been counted against the commercial quota for years. I feel a ban on all King Mackerel Tournaments for a period of three years is deserved to teach the Sport Fishing community that stealing is wrong!

Will someone please remove Roy Crabtree from the National Marine Fishery Service, he hasn't a clue!

Daniel C. Kane

4-22-2012