

TESTIMONY TO SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL 02-03-11

My name is Pat Barker with Southeastern Fisheries Association thank you council members for listening to my comments. I refer to the fishing industry as both recreation and commercial. As long as NOAA uses the "conservation" national standard instead of responsible sustainability to trump all other aspects of fish management, especially the socioeconomic well being of fishing communities, and that SHORT rebuilding schedules are more important than people, the fishing industry will continue to be reduced by the South Atlantic Fishery Management Council & NOAA with the backing of Environmental Defense Fund and Pew Uncharitable Trust lobbyists.

The South Atlantic Fishery Management Council has decimated the Florida fishing industry to a point where entire fishing communities have practically disappeared. They gleefully banned red snapper fishing for recreational and commercial fishermen knowing their science was tainted. Some feel this was the cca plan to shut everyone down and then open it up as strictly a recreational fishery and maybe a few catch share holders who they deem worthy. That's how cca stole the redfish. and they don't care if it hurts anglers in the short-term because their goal is total allocation of all the fish in the ocean. They will even be suggesting a tag program where anglers will have to buy a tag to catch a fish just like they do for tarpon and maybe snook. Not bad management for a pond or lake but idiotic for an ocean that provides food to the elderly, minimum wage workers and middle class people that don't have boats capable of fishing in federal waters.

There is enmity toward Florida by other states. Georgia and South Carolina have little commercial in their state waters and they have always had the political power to do as they please with the council. It doesn't make sense that states with so little commercial fishing have the power to condemn the states that do.

The South Atlantic Fishery Management Council/ NOAA SEDAR assessment fish count process is a scam, shrouded in secrecy and wrapped in misinformation. A Captain David Nelson, that's also an elementary school teacher that I call my Mr. Doubtfire, has repeatedly asked important questions, but to no avail. Both the Beaufort and Miami labs stonewall all attempts to examine their data and they have historically and consistently ignored legitimate requests for information. They should learn from the data sharing techniques of the Mylen Research Project.

It is amazing that the region with the most closed species is the region with the least amount of fishery independent data. This lack of data has forced this council to accept science that is no where near the reality on the water. I feel bad for the council members and employees and the NOAA employees that are trying to do a good job and want the truth, but can't get it. NOAA has made you the target of all the frustration and complaints from fishermen. This is by design.

NOAA controls the entire process of input, procedures, who's on the council and the output and will not share the data. If the whole process is controlled by NOAA why do they hide behind the council? Why even have a council? Why aren't the NOAA employees responsible for these decisions the ones in front to answer to the public? The American public deserves the truth. You told the public 2 days ago in Cocoa Beach that all the written comments and all the public recorded comments will be compiled into a PDF so the council members not in attendance can review them all, this is over 24 hrs. of recorded comments not counting all the written comments. Does the staff compile or filter the comments? 2 days ago you all said to us that you are doing the best you can with the information that can ONLY be used and that all you ever hear from the public is NO NO NO and no ideas and I'm telling you again that's because all we ever hear from you is FLAWED FLAWED FLAWED information and you know it and have admitted to it. NOAA refuses to count the fish with EDF and PEW saying NOTHING!

The South Atlantic Fishery management council has told us repeatedly that they know the data is flawed but must use it anyway. Why isn't EDF or PEW interested in the truth? What will be the unintended consequences of this? NOAA has made decisions not to do assessment fish counts or fund them; this is all by NOAA EDF PEW design. The SAFMC and NOAA have told us they don't have the funds to do the proper assessment fish counts yet right here today in another room as in the 5 previous hearing locations

and prominently displayed on the SAFMC website is massive catch share plans to ram down our throats, but you say oh it's just a scoping meeting and another tool option to use and we don't have to do it, but why then does NOAA have \$54 million dollars just for catch shares in 2011, 54 MILLION DOLLARS FOR CATCH SHARES BUT YOU HAVE NO MONEY TO COUNT THE FISH. Where's the oversight that's desperately needed? This is not professional negligence this is willful and purposeful intent to circumvent and manipulate standardized best management practices in data collection, evaluation and interpretation. The congressional review will expose this and the public is begging and pleading to any past or present employee of NOAA, SAFMC, PEW or EDF for any confidential and anonymous information about the truth and these manipulations and transgressions. As of February 2 2011 together grants to the Hook group and EDF related to New England catch shares alone have totaled more than \$4 million dollars. The American public deserves the truth.

I've been talking in generalizations like EDF and PEW does, but now unlike them, let me back this up with specific information from the SAFMC McFly Frankenstein computer model of red snapper on the southeast Atlantic coast. . The current long line survey being conducted from central to north Florida has caught red snapper from 7 miles offshore in 50 feet of water out to 60 miles offshore in 240 feet of water with less than ideal gear.

The scientists and fishermen agree that the area of highest abundance now and in the early period is and was from 120 to 160 feet of water. In central Florida to south Georgia we have a slow declination in depth creating a very wide snapper habitat as compared to here in the keys. In the early period 90% of all for-hire and recreational bottom fishing took place inside of thirty miles and even today at least 75% of all bottom fishing takes place inside of 30 miles. We have more seas on the upper east coast. The above facts have a high degree of accuracy with all of the historical evidence in regards to navigation, boat speed, and average trip times. If you look at a nautical chart you will see that the distance to reach 120 feet of water from each port is 36 to 45+ miles off shore, Ponce Inlet Daytona 36 miles, St. Augustine 40 miles, Jacksonville 45 miles, Brunswick and Savannah 45+ miles. What does that mean? According to your SEDAR 24 assessment the red snapper population had been decimated below 15% of the 1955 level by 1982. Please answer these two questions; How can a stock of fish be fished below 15% of a historical level with the largest user groups only fishing the inshore 35% of it's habitat? HELLO MCFLY!! How can a stock of fish be fished down below 15% without much pressure on the area of highest abundance (120-160 feet range) that's over 36 to 45 miles offshore? HELLO MCFLY!!

The major cause of this entire mess is Sedar 15 and now Sedar 24 stock assessment fish count data going into your Mcfly Frankenstein computer model. All that needed to happen in Sedar 15 is for one person on the SSC to ask a simple question, "Is it really possible to destroy a fishery with hook and line in 27 years by fishing only 35% of the habitat?" HELLO MCFLY!! NO.

Instead landings were made up using data deemed unreliable, that eliminated 45 million pounds of red snapper that were not really caught. Now that the landings have been corrected by you in Sedar 24 the computer model claims that red snapper do not produce enough offspring to even cover natural mortality. It says in 1955 560,000 red snapper died of natural mortality and according to the computer, for 55 years red snapper have produced an average of only 270,000 age 1 fish per year. Again, all that would have had to happen is for someone on the SSC to ask if this is possible in the real world the snapper stock will collapse with no fishing effort at all? HELLO MCFLY!! and the answer would be no. Scientists agree that Red snapper are one of the top highly reproductive fish in the world and have been rebuilding since 1992 yet there has been so little data collected that there is no way to show the truth. With this unnecessary shutdown of red snapper you have closures in other species like black sea bass that would never have happened if the science on red snapper was even close to reality. Red snapper are so numerous that their numbers are well beyond any numbers seen since the 1940's or 1950's. This is from eyewitness accounts on the water not a computer. There are red snapper in every depth zone from North Carolina to Fort Pierce from 3 miles out to 100 miles. There needs to be an emergency opening of red snapper because the stock is rebuilt and that the people of the South Atlantic can salvage what they have left of their lives. That is their only hope as everything else is shutdown.

President Obama mentioned the multiple overlap in fish management the other evening and after the State of the Union address, Chief of Staff Bill Daley remarked that when he was Secretary of Commerce under Clinton he spent 60% of his time working on fish and he didn't like it. Jane Lubchenco spends all her time trying to shut down US fisheries. Maybe the US Department of Agriculture would be a good fit for the commercial and charter boat fishing industries as a way to get away from the ENGO and NGO's who want to have the South Atlantic Ocean and Gulf of Mexico deemed a private fishing area that excludes all seafood consumers who don't own a boat.

The Governor of Massachusetts , both US Senators Kerry & Brown and several Congressmen are demanding an investigation of NOAA which will include the New England Fishery Management Council. Florida fishermen, commercial and recreational, should ask Governor Scott to send a similar letter to the president and merely change the word cod to red snapper and ask for a complete investigation of the South Atlantic Council's procedures and questionable relationship with certain environmental groups.

It's going to take a Congressional inquiry to force NOAA's labs in Beaufort, NC and Miami, FL to answer legitimate questions and quit cherry-picking science that makes it easier for them to ban fishing.

It's going to take a change in the Magnuson Act to right the wrongs perpetrated on the industry by the Environmental Defense Fund lobbyists.

The South Atlantic Council has done more to kill the industry under the guise of conservation than any other group. They need to go if the fishing industry hopes to survive the new world order. We need less Mcflys and more Mr. & Ms. Doubtfires and Dave Nelsons to get to the truth.

People interested in either catching or eating fish need to join an association and call their senators and representatives to tell them how they feel. These same people need to follow the info and stay informed. Follow **www.seafoodsustainability.us** and **www.savingseafood.org** and get involved, lets get the council the info they need so we can all work together towards responsible sustainability a common resolution thank you.

Thank you,

Pat Barker