

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

**ECOSYSTEM-BASED MANAGEMENT COMMITTEE**

**Sea Palms Resort and Conference Center  
St. Simons Island, GA**

**March 7, 2011**

**SUMMARY MINUTES**

**Ecosystem-Based Management Committee**

Duane Harris, Chair  
Tom Burgess  
Dr. Roy Crabtree  
Mac Currin  
Ben Hartig  
Dr. Wilson Laney  
Mark Robson

Robert Boyles  
Dr. Brian Chevront  
David Cupka  
George Geiger  
Doug Haymans  
Charlie Phillips  
Tom Swatzel

**Council Staff:**

Bob Mahood  
John Carmichael  
Anna Martin  
Kate Quigley  
Kim Iverson

Gregg Waugh  
Mike Collins  
Myra Brouwer  
Roger Pugliese  
Andrea Grabman

**Observers/Participants:**

Dr. Bonnie Ponwith  
Dr. Carolyn Belcher  
Dr. Jack McGovern

Monica Smit-Brunello  
Bob Gill  
Jessica McCawley

Other Participants Attached

The Ecosystem-Based Management Committee of the South Atlantic Fishery Management Council convened in the Sea Palms Resort and Conference Center, St. Simons Island, Georgia, March 7, 2011, and was called to order at 4:20 o'clock p.m. by Chairman Duane Harris.

MR. HARRIS: I'm going to call the Ecosystem-Based Management Committee Meeting to order. The first item on the agenda is approval of the agenda. Is there any objection to the agenda being approved? Seeing none, the agenda is approved. The next item is approval of the December 7, 2010, Ecosystem-Based Management Committee Minutes.

Any additions or corrections to those minutes? Any objection to approving those minutes? Seeing none, those minutes are approved. The next item, Item 3, is the Comprehensive Ecosystem-Based Amendment 2. The review of public hearing comments, which is Attachment 1; I'm going to turn it over to Anna.

MS. MARTIN: I'd like to briefly review the public hearing testimony during the January and February hearings. I've compiled a table displayed on the projector. If you are interested in following along, I have them organized by comments per action. There were a total of 36 comments on the Comprehensive Ecosystem-Based Amendment 2.

Action 1, to remove octocorals from the management unit, four comments were received supporting Alternative 2, to remove them from the management unit. Comment reflected this would enable funding and resources for other fisheries and FWC already has sufficient regulations in place to effectively manage.

Regarding Action 2, this is an action to extend the management into the Gulf jurisdiction. Three comments were received supporting the no action alternative. Regarding Action 3, modifying the ACL for octocorals, the majority of comments we received for this amendment focused on this action. Most of those commenting are a part of Florida's Marine Life Fishery Program and all were in support of the no action alternative, to not modify the ACL.

The comments reflected that octocorals are the largest-standing stock in the South Atlantic. There is no biological justification for modifying the quota. The council can legally choose the no action alternative and still be in compliance with the Magnuson Act requirement to establish an ACL. Good cooperation exists with FWC and their regulations are sufficient.

The council should raise the quota to 100,000 colonies. The current quota was provided by marine life fishermen because no stock assessment exists for this fishery. If the quota is met, buyers will order from elsewhere and will not return their business in the future. Octocorals are also protected in some areas of Florida state waters already.

Regarding Action 4, modifying management of South Carolina's SMZ, two actions received in support of Preferred Alternative 2 and Preferred Alternative 3, and that's to limit possession for snapper grouper and coastal migratory pelagic species to the recreational bag limit. The comments reflected that a large majority of the reefs have been built with revenues from state recreational fishing licenses.

Action 5, to modify the sea turtle release gear requirements, eight comments were received in support of modifying the current regulations. However, no specific recommendations were suggested during the hearings. Regarding Action 6, amending the Snapper Grouper FMP to designate essential fish habitat-habitat areas of particular concern, two supporting comments for designating the marine protected areas with this additional layer of protection; three comments opposing any action and concern that this action would result in additional closure areas.

Regarding Action 7, an action to amend the Coral Plan to designate essential fish habitat-habitat areas of particular concern, there were three comments opposing any new designation; one comment in support of Alternative 2, which would designate the coral HAPCs with essential fish habitat designation.

Action 8, amending the Sargassum Plan to designate essential fish habitat, three comments in support of amending the plan to carry with it this designation. There were three comments opposed to any designations for this FMP, suggesting it's an unnecessary layer of management. Action 9, amending the Sargassum Plan to designate EFH-HAPCs; there was one supporting comment for this additional designation for the Sargassum Plan and six opposing comments regarding concern this would carry with it additional closure areas and felt the designation was not needed.

I did receive input from the Coral Advisory Panel separate from the public hearing testimony, and they were able to weigh in on the octocoral management measures that are in the document. The Snapper Grouper Advisory Panel was also offered an opportunity to comment on the action to modify the sea turtle release gear requirements, and so I'll quickly review their input as well.

Action 1, removing octocorals from the FMU, the Coral AP members who commented, which a majority of the panel, support the preferred alternative, stating there are many octocorals beyond Florida waters. Action 2, to extend the management unit into the Gulf Council's jurisdiction, the Coral Advisory Panel supports the preferred alternative.

Action 3, to modify the ACL for octocorals, one coral advisory panel member supports the no action alternative. The remaining AP members who provided input support the preferred alternative because it would afford more protection for the corals and the AP can revisit the quota if the ACL is exceeded. Action 7, the Coral AP members support the additional designation for EFH-HAPCs to amend the Coral Plan.

Okay, also separately, as mentioned, the Snapper Grouper AP provided input on the action to modify sea turtle release gear requirements. Three Snapper Grouper AP members commented that the Gulf regulations which refer to the current Alternative 4 are problematic because they require all snapper grouper permit holders, including commercial spear fishermen, to carry the same release gear as the pelagic longliners.

MR. HARRIS: Thank you, Anna; any questions for Anna? Seeing none, the next item on the agenda is the overview of the CE-BA 2 actions and alternatives, and Anna and Roger are going to take us through that. As you can see from the public hearing comments, there are a number of actions and alternative in plan. I would just ask you if you want to make a motion, please do it

so we can get the discussion on the motion on the table. There are a lot of alternatives to go through and let's do it as quickly as possible, but let's just do your job. Brian.

DR. CHEUVRONT: Just for a quick clarification, are looking at Attachment 2 or 3 at this point now?

MS. MARTIN: We will be walking through Attachment 3, which is the most revised version. We also had the public hearing document included in the briefing book. I'd like to remind you this is an environmental assessment. We're on track to approve this document during the June meeting. We have selected preferred alternatives for many of the actions, but we do not have some preferred alternatives for a few of the actions in the document, so we'd like to do that today if possible.

Action 1 can be found on PDF Page 99, and this is the action that would remove octocorals from the fishery management unit under the South Atlantic Coral Plan. The council has selected the no action as the preferred alternative. Now, this would continue protection for octocorals under the Coral Plan, which currently includes a prohibition on harvest of octocorals north of Cape Canaveral; a joint quota with the Gulf in federal waters; a commercial permit; and a six-colony recreational bag limit.

Now, if the council removes octocorals from the management unit, FWC has said they will act to extend their state regulations into federal waters off of Florida. Through their Marine Life Fishery Program, they limit the number of entrants into the fishery through a cap on the number of permits issued to commercial harvesters.

Commercial harvesters in state waters, they have to have a restricted species endorsement, a saltwater products license and one of two types of marine life endorsements required to be able to dive to harvest octocorals. Under Alternative 2 existing management measures for octocorals would be eliminated. The council has designated essential fish habitat for octocorals.

Harvest would be allowed in the five deepwater coral HAPCs, the Oculina Bank HAPCs and the deepwater MPAs. I think the only direction we need from the council at this point if it is your intent to change your preferred alternative or if you have any questions on this current action.

MR. HARRIS: Is there any desire to change the preferred alternatives at this time? Mark.

MR. ROBSON: Well, I don't want to beat a dead horse, but I would still go on record that I just want to make it very clear that the state of Florida is willing, ready and able to manage the octocoral fishery. I do not see a need to include octocorals in the Coral FMP. That's the preferred alternative right now. I would make a motion that it not the preferred alternative, but I think that has already been removed from the document to –

MR. HARRIS: Alternative 2 would remove octocorals from the Coral FMP.

MR. ROBSON: Okay, I would still like to make the case that there is no real need for the council to manage the octocoral portion of this fishery, and **I would like to move that we make Alternative 2 as the preferred alternative.**

MR. HARRIS: You have heard the motion; is there a second to the motion?

MR. HARTIG: Second.

MR. HARRIS: There is a second to the motion. Discussion is on the motion and I'm going to call on Anna first to make a clarification on one of the public comments.

MS. MARTIN: Actually just for clarification, we did have an alternative for this action that would have delegated the octocoral fishery to the FWC, but that was removed to the considered but rejected in December based upon your preference to not be bound by the Magnuson requirements.

MR. ROBSON: Thank you, Anna, and that's correct and that is the case. I was confused; I'm sorry.

DR. LANEY: Mr. Chairman, I can't support the motion. We've had multiple discussions about this whole issue; and while I certainly would support Florida taking over management of the octocoral fishery within Florida in both federal and state waters, I think our council has indicated to us that is not an option because it doesn't address the issue of octocoral harvest north of Florida.

I think if we somehow – well, if we elect to make Alternative 2 the preferred, then we undo a whole lot of habitat work that this council has done over the past decade or so; at least since I've been involved with it. It doesn't make sense to me from strictly a habitat perspective. I know we had some discussion, Monica, on the record at the last meeting. I read over the minutes and I think you were going to do some additional research and look into whether or not there might be some way for us to maintain that prohibition in place north of Florida but still somehow allow Florida to engage in management of it. I'll defer to Monica.

MS. SMIT-BRUNELLO: Well, I was intrigued by the Gulf Council's – I think it's their preferred alternative to withdraw octocorals from their FMP entirely and allow Florida to manage or theoretically the South Atlantic to manage I guess in federal waters if an action you extend the management unit that way.

I was thinking about looking – I looked at the National Standard Guideline 3 on management units and how the ideal is to manage a species throughout its range, but there can be other reasons which you would have a smaller management area.

This is all kind of depends on timing; but if the Gulf were to withdraw octocoral from their FMU, you almost, I think, maybe you could make a record if you wanted to shorten the management unit then for Georgia, South Carolina and North Carolina and you wanted to manage octocorals in the EEZ but then allow Florida to manage it off Florida and then into their

waters, because then you wouldn't have management – space – all around Florida there would be no management in the EEZ and then management again in the Gulf. Perhaps you could talk about and discuss the rationale for that. If you wanted to go down that road, there could be I think a way to possibly shorten the management unit.

MR. HARTIG: That was exactly the question I have and she answered it interestingly. I know we've gone down this path and I just had the question why can you just prohibit aquaculture harvest in the rest of the states while allowing Florida specifically to manage the harvest off of Florida?

MS. SMIT-BRUNELLO: Well, maybe you can make that argument. Let's hear some discussion as why you believe that is a good idea..

DR. LANEY: I had some discussion with Roger on that point earlier and I think one of the reasons it's probably a good idea involves the nature of hard bottom habitat once you get above the Florida line or actually maybe even once you get above Cape Canaveral. I will defer to Roger to clarify further; but there is the potential I think if you opened those waters to octocoral collection nor of there, then you get into the whole issue of actually harvesting the bottom that we dealt with in the past through the creation of the whole life rock industry, which is largely I think a Florida industry and not so much north of the line.

I think we have a lot more concerns about collecting those species north of Canaveral than we do to the south and Roger may want to elaborate on that. Also, I thought I heard, Anna, did you say earlier that if we remove from the management unit then that opens up the HAPCs to octocoral collection also, so that's a further concern. I don't know how we'd get around that one, but I think there are some habitat differences, Ben, and I think the concern would be greater north of the line than it would south of that line.

MR. PUGLIESE: Just quickly, I think as has been indicated just the concern it continues over once you move north of North Florida, the hard bottom habitat, significant habitats, octocorals is a significant component of it. A lot of discussion is focusing on the fishery and I think essentially all Mark is trying to do is to manage the fishery the way we're doing now in collaboration between the state and federal and off of Florida.

How you can that, if the option is something that we can do that's never been there before, but that great concern has been raised by the Habitat Advisory Panel in approving or recommending the existing preferred alternative in concern on how that – and I think what also been raised is as we look at a lot of other non-fishing activity impacting habitats, a lot of those habitats we're going to be saying have octocorals and components of those, that if they're not under the FMP, I'm sure if that's going to provide the same amount of weight as if that total prohibition of species under that FMP includes the entire complex.

That's only I think been raised by the Habitat Advisory Panel and continues in this discussion on how you deal with addressing what the state of Florida would like to do and being able to maintain those habitat conservation regulations and HAPCs in the Coral Plan and throughout all the council actions.

MR. HARTIG: Well, to bolster what Wilson said, certainly diving in those areas as you go north from say the Jupiter cutoff area is where the octocorals really start to drop out and you start to go to live bottom; certainly as you go to the north, octocorals play a much more significant role in cover for all of our reef species, there isn't any doubt about that. As far as juveniles all the way to adults use them for cover. Certainly. I wouldn't want to see areas outside of Florida have any kind of octocoral harvests because like Wilson said it is the part of the habitat that is very important in those areas and that's what I've seen from a diving experience.

MR. HARRIS: Monica, a question. One of the things that the state of Florida has said they don't want to do is manage octocorals under the FMP, so they want to manage octocorals on their own and have them removed from the FMP so they don't have to set ACLs and all those kinds of things. Is there a way then to allow Florida to manage octocorals, remove octocorals from the FMP off Florida but leave them in the FMP throughout the remainder of the range?

MS. SMIT-BRUNELLO: Well, I think that's what I was in a interesting way, as Ben put it, trying to convey I guess before in that actually what you're doing is you're shortening the management unit for octocoral; so the management unit for octocorals would be off of Georgia, South Carolina and North Carolina. That would be the management unit that you would deal with as a council.

Because, from what I'm hearing is I guess along the lines of what your sister council, the Gulf Council is doing, they think Florida adequately manages the octocoral fishery and there are measures in place which can constrain the harvest. Whatever the objective was for originally putting octocoral in the FMP, apparently from what I'm hearing at least some of you think that Florida can meet those objectives and that there is really not issue for their management in the EEZ if you were to withdraw or at least shorten the fishery management unit north of there.

I think what you have to do is if you want to do that, you should add it as an alternative and look at all the potential repercussions along the lines of what Wilson has said and Roger has said I guess, too, from what the AP suggests and then you can evaluate it, you build the best record you can and then you come back in June and decide how you want to proceed. I'll certainly work with staff to try to develop the document in such a way – and the discussion. At least we could try to pass legal muster and I think there is a good argument for us.

DR. LANEY: Okay, Mr. Chairman, I think I understand counsel's well enough to then – I guess we have a motion on the floor, but at the appropriate time I'm prepared to make a motion that we add an Alternative 3 that would shorten the management unit to include only the federal waters from I guess the Florida/Georgia line northward to the extent of the Mid-Atlantic Council's jurisdiction. I guess that would be the third alternative.

I guess that motion, Monica, should also include then removing the area that would include the EEZ from the Florida/Georgia line – or removing octocorals in that area to the south of the Florida line from the FMU; is that how we should word that?

MS. SMIT-BRUNELLO: Well, I think if you have the management unit for octocoral that only goes from the Florida/Georgia line northward, then you have in effect done just what you were

saying. I don't think you need to repeat – not repeat it, but I don't think you need to spell that out, but is it the council's intent that any regulation – I want you to think about when we get to that part what that would mean from a regulatory aspect. Would you want to then prohibit any harvest north of Florida?

DR. LANEY: Yes, I think that would be the intent. Also, if there is a way we can do it, could we still keep a harvest prohibition in place within the HAPCs – within the Coral HAPCs?

MS. SMIT-BRUNELLO: No, I think that if you shorten the management unit so that it does not include the federal waters off of Florida, then you've ceded management authority to Florida and you don't get to put in any management measures there.

DR. LANEY: Well, a follow-up question then to Mark I guess; would Florida entertain the idea of if we're basically handing management of those species to Florida, could Florida then impose regulatory restrictions within the council-designated HAPCs?

MS. SMIT-BRUNELLO: I think Florida could do that for Florida vessels as long as it was consistent with any other kinds of regulatory mechanisms you've got for other fisheries out there. I would have to think about it further, but I think Florida can regulate Florida vessels into federal waters.

MR. HARRIS: Okay, Mark, this is the last comment on this and then we're going to vote on the motion.

MR. ROBSON: No, I'm done.

MR. HARRIS: Okay, Wilson.

DR. LANEY: One quick followup, Mr. Chairman, I guess from a Habitat Committee perspective and also keeping in concern with what the Coral AP's preferred was, since we're going to add an Alternative 3, then I would wonder whether or not we might want to make Alternative 3 our preferred as opposed to Alternative 2 our preferred. I just make that as a comment.

MR. HARRIS: When you make that alternative, you can do that but not yet. Okay, are you ready to vote on the motion? The motion is to make Alternative 2 our preferred alternative. **Is there any objection to that motion, 4 objections to that motion; all in favor, 8. Okay, the motion carries.** Alternative 2 at the present time is our preferred alternative. Okay, Wilson, do you want to make a motion.

DR. LANEY: Yes, sir, Mr. Chairman, I'll make a motion that we add Alternative 3 which would shorten the management unit by including only those federal waters from the North Carolina/Virginia line south to the Florida/Georgia line, and that we would empower council to work with the IPT and staff to come up appropriate regulations, if we don't already have them in place, to prohibit harvest of octocorals within that shortened management unit. I guess, Monica,

we're still keeping that – that them becomes the management unit and octocorals remain in the FMU for just that defined management unit.

MR. HARRIS: Just make your motion and then we'll have discussion on it. Okay, has everybody heard the motion; is there a second to the motion? Second by Robert. Discussion on the motion? **Okay, the motion is to add Alternative 3 to modify the FMU to indicate that octocorals are included in the EEZ off North Carolina, South Carolina and Georgia.** Okay, discussion on the motion? Mark.

MR. ROBSON: And just to clarify again, in the area of Florida where octocoral is not part of the FMU, the state of Florida would seek consistent state regulations – adopt those regulations effective in federal waters and they would apply for federal waters to any Florida vessel or any vessel from another state landing in Florida, and we would apply basically right now our existing regulations that we have for the Marine Life Fishery Program to those waters off Florida, federal – just to clarify where we have to go with that.

MS. SMIT-BRUNELLO: Mark, would that include a limit on the amount of harvest of octocoral?

MR. ROBSON: Yes, and we would certainly look at doing that – and again to be clear, right now the only limit of octocoral in our regulations is the 50,000 colony limit that it really only closes the fishery in Florida when the federal quota is reached to 50,000 colonies. We would have to modify our language to include a specific quota and it would be – right now I think the 50,000 is what we're working off of as the existing quota. But whatever that number is, we would adopt that as the actual amount and we would close the fishery in Florida and adjacent federal waters when that quota was met.

DR. CHEUVRONT: And to clarify, this fishery is driven by demand. You can't harvest and sell everything that you can harvest. You have to have a buyer already lined up for this. If I'm not mistaken, Mark, the fishery has never closed in the past because the 50,000 colonies in federal waters have never been met. The point I'm trying to make is it's not likely to be an issue either because it's demand-driven, so the number that you all set may not be anywhere around that 50,000 colonies. I would probably be okay with that. I don't see the demand going up much from what it is now.

MR. ROBSON: Part of the demand issue is – again, there is an effort management program now in place for this fishery. The effort is capped with a limited number of available licenses to prosecute the fishery.

MR. HARRIS: Gregg gets the last comment.

MR. WAUGH: One of the things that would be very helpful to the IPT in analyzing these new potential impacts is what the level of harvest has been in state waters. Do we have any information on what the harvest has been in state waters?

MR. ROBSON: I don't have those in front of me, but as I recall – and I think we've looked at those – the actual landings of octocoral are primarily from state waters. A lot of it is from state waters and a lot of it is actually – and Jessica can correct me if I'm mistaken, but I think most of those are actually Gulf waters – no, they're from Atlantic waters, but they're Atlantic state waters where most of the landings are coming from right now.

MR. HARRIS: **Okay, is there objection to the motion to add Alternative 3? Seeing none, Alternative 3 is added to the list of alternatives.** Brian.

DR. CHEUVRONT: Would it be appropriate to make a motion to also make Alternative 3 a preferred. **I would like to go ahead and make a motion that we make Alternative 3 a preferred alternative.**

MR. HARRIS: So your motion is to make Alternative 3, which would be in addition to Alternative 2, as a preferred alternative. Is there a second to the motion; second by Wilson. Discussion on that motion? Mark.

MR. ROBSON: Just a question; so we're reducing the size of the FMP in the federal plan, but octocoral will still be a federally managed species in the Coral Fishery Management Plan; is that correct?

MR. HARRIS: Yes, I think so. Monica.

MS. SMIT-BRUNELLO: Mark, it will be but it will be managed north of Florida.

MR. ROBSON: So our management in Florida, there would be nothing impinging on the Florida management by the fact that octocorals is still in an FMP somewhere in the Atlantic?

MS. SMIT-BRUNELLO: Well, if this were to work out that way, I don't think so. I know that you voted or there is a motion about making Alternative 3 your preferred and that's fine, but I think you need to see and the IPT needs to think about all the possible permutations here – the potential problems that could arise, and Mark brings up one, which I think, Mark, the answer to your question is, no, I don't think it would impinge on Florida for Florida vessels, but I want to think about this further and we need to see what kind rationale we can put in the document and all that to support this action.

MR. WAUGH: I don't see how we can have both of these as our preferreds. Alternative 2 removes it entirely from the FMU and Alternative 3 just removes it from the FMU off of Florida, so it seems you've got to pick one of them.

DR. CRABTREE: Yes, I agree with Gregg the two motions are in conflict and can't both be in place. I'd also raise a point of order. You passed a motion selecting a preferred and you're now changing it; do you need a motion to reconsider to do that?

MR. HARRIS: Probably so but you're getting really complex for me at this late hour. Wilson.

DR. LANEY: Well, Mr. Chairman, would it fix things since, Mark, it seems to me that Alternative 3 does what the Habitat and Coral APs would like for it to do and also does what Florida would like for it to do; so would you be amendable to – is it appropriate to withdraw that motion to make Alternative 2 our preferred; is that appropriate or parliamentary procedure or –

MR. HARRIS: There is a motion on the table right now and we're going to dispense with that first. You can withdraw that motion and then Alternative 2 is preferred and then we can reconsider Alternative 2 being our preferred. Brian.

DR. CHEUVRONT: I'll go ahead and considering I caused the confusion I will go ahead – and if it's all right with my seconder – withdraw the motion until we get the other considered.

MR. HARRIS: **Okay, that motion to make Alternative 3 our preferred is withdrawn.** Okay, Robert.

MR. BOYLES: **Mr. Chairman, having voted on the prevailing side on the motion to make Alternative 2 our preferred, I would make a motion to reconsider.**

MR. HARRIS: Motion to reconsider; seconded by Chairman Cupka. Discussion on that motion? Mark.

MR. ROBSON: I would support the motion.

MR. HARRIS: Okay, are you ready to vote on that motion? **Okay, all in favor of that motion say aye; opposed, same sign. Okay, we are reconsidering whether to make Alternative 2 our preferred.** Okay, Wilson.

DR. LANEY: Mr. Chairman, for the reasons we discussed earlier, then I guess it would be appropriate at this time to suggest that Alternative 3 should be our preferred, and I would so move.

MR. HARRIS: **All in favor of reconsidering making Alternative 2 our preferred say aye; opposed same sign. Okay we have dispensed with that motion.** Now the chair will entertain a new motion with respect to another alternative being our preferred. Brian.

DR. CHEUVRONT: Correct; then don't we have to go back to that other motion that made that alternative our preferred and vote that motion again?

MR. HARRIS: That's what I said. Okay, with respect to making Alternative 2 our preferred motion, we will take a new vote on that. **All in favor of making Alternative 2 our preferred motion say aye; all opposed same sign. Okay, that motion is defeated.** Brian.

DR. CHEUVRONT: **I would like to make my motion again to make Alternative 3 our preferred alternative.**

MR. HARRIS: There is a second by Robert; a motion and a second to make Alternative 3 our preferred alternative. **All in favor of that motion say aye; opposed same sign. That motion carries; Alternative 3 is now our preferred alternative.** Okay, what is next, Anna?

MS. MARTIN: Okay, continuing on, Action 2 is on PDF Page 102 in the document, and this is an action that would extend the management unit in the South Atlantic for octocorals into the Gulf Council's area of jurisdiction. The council has selected Alternative 2 as your preferred, which would extend the management boundaries in the Gulf Council's jurisdiction. I guess in light of recent discussions on the octocoral fishery, we may need to revisit discussion on this action.

MR. HARRIS: I think you're correct. Right now Alternative 2 is our preferred action, which would extend the management unit into the Gulf Council area of jurisdiction. **Given the previous action, the chair would entertain a motion to return to Alternative 1, no action, as our preferred alternative. Is there such a motion? Chairman Cupka; seconded by Robert. Discussion on the motion? All in favor of the motion say aye; opposed to the motion, same sign. That motion carries.** Action 3.

MS. MARTIN: All right, Action 3 is PDF Page 103. This is an action that would modify the annual catch limit for octocorals in the South Atlantic. The council has selected Alternative 2 as your preferred, which would include state waters in the existing federal waters quota. Currently the quota is the ACL and it is set at 50,000 colonies in the South Atlantic and Gulf federal waters only. State landings are not accounted for. Preferred Alternative 2 is also the SSC's ABC recommendation.

DR. CRABTREE: Well, it seems to me that you need to add another alternative here which would establish an ACL of zero assuming you stay with the preferred you just selected.

MR. HARRIS: I think you're right. Robert.

MR. BOYLES: Mr. Chairman, I make that in the form of a motion.

MR. HARRIS: **Motion to make the ACL for what would be the new fishery management unit for octocorals zero; is there a second to the motion. Seconded by Wilson. Discussion on the motion? All in favor of the motion say aye; opposed to the motion, same sign. That motion carries.** Gregg, is that satisfactory? Okay, I just wanted to make sure you're all happy with that. Anna.

MS. MARTIN: Okay Action 4 is – I'm sorry, Robert.

MR. BOYLES: **Mr. Chairman, I make a motion that we add Alternative 3 and that Alternative 3 be our preferred.**

MR. HARRIS: **Okay, there is a motion to make Alternative 3 our preferred alternative; seconded by Chairman Cupka. Discussion on that motion? Is there objection to that motion? Seeing none, that motion carries.** Now Action 4.

MS. MARTIN: All right, Action 4 is modifying management of South Carolina Special Management Zones, and this PDF Page 106. The council has selected Alternatives 2 and 3 as your preferred. These alternatives would limit harvest and possession for snapper grouper and coastal migratory pelagic species to the recreational bag limit.

I would just like to remind you that the SMZs are relatively small areas in South Carolina. Twenty-nine artificial reefs carry this designation and they encompass a total area of 41.6 square miles. Now, the intent of the designation for SMZs has been captured in Section 4 of the document. To summarize in the Snapper Grouper FMP management measure number seventeen says that upon request to the council from the permittee, the artificial reef and the surrounding area may be designated as an SMZ to prohibit or restrain the use of certain types of fishing gear not compatible with the intent of the permittee.

It further states that fishing gear offering exceptional advantages over other gear types may significantly reduce improved fishing opportunities and eliminate any incentive for developing an artificial reef. In South Carolina they're managed by the Department of Natural Resources, and they have been permitted since their original construction as recreational fishing areas. They are primarily funded by the recreational fishing community through one of three sources; the Saltwater Fishing License Program, Fish and Wildlife Service's Federal Aid and Sportfish Restoration Program, which can only be used for projects that enhance recreational fishing; and profit donations from the recreational community.

MR. HARRIS: Is there any desire to revisit the preferred alternatives in this action? Seeing none, we will move along.

MS. MARTIN: Okay, Action 5 is PDF Page 115 in the document. That is an action that would modify the sea turtle release gear requirements for the snapper grouper fishery. Now, during the December meeting two alternatives were removed from consideration. Alternative 5 has been organized by the IPT into subalternatives.

Since the second briefing book deadline, the Protected Resources staff has met with folks from the Science Center; and based upon their input, some revised alternatives have been developed for consideration. Before I review the alternatives, I wanted to give you a little bit of background information on the biological opinion requirement.

It was last issued in 2006 for the snapper grouper fishery. A reinitiation of the Section VII consultation would be required when an agency action is modified that causes an effect on the listed species that has not been previously considered. The terms and conditions in the current biological opinion say that use of equipment and handling protocols listed in the highly migratory species bottom longline fishery must be considered.

At a minimum regulations similar to the Gulf fishery must be implemented. Now, general counsel has advised that the council can choose any of the alternatives that we have here. However, if you choose an alternative that is less restrictive than what we have identified in Alternative 4 or Alternative 5, a reinitiation of formal consultation of the entire snapper grouper fishery will likely occur.

A new biological opinion could take a while to develop and implement and could result in additional gear requirements for the permitted fishery. Okay, Alternative 1 is the current regulation and that is included in Snapper Grouper Amendment 15B. Again, the problem gears are the bolt cutters, the line cutters and the dehookers whose size specifications are heavy duty and designed for use in the pelagic longline fishery.

Alternative 2 would require for permitted hook-and-line vessels only a tool to cut a line such as a knife and a tool to remove a hook such as pliers; but according to Protected Resources staff and the Science Center, this alternative would not work and would not be in compliance with the biological opinion.

If this action is kept as an alternative, the IPT recommends revising the language of the last sentence of the alternative to more accurately reference the Science Center's protocol document, which is a technical memo they developed for protocols in handling. Alternative 3 maintains the status quo requirements for snapper grouper vessels carrying longline gear and require the council to identify certain gears for permitted hook-and-line vessels.

We have an IPT recommendation that would identify what the specific gears could be and also to reference the Science Center protocol document. Basically the revised alternative would only require a line cutter, a short-handled dehooker, a long-handled dehooker only for hook-and-line vessels four-foot freeboard height or greater, and dip net for the hook-and-line fishery. This is an IPT recommendation; however after it was developed, Protected Resources staff does not recommend this alternative either and say it not meet the current biological opinion requirement.

Alternative 4 tracks regulations in the Gulf which are dependent upon freeboard height. The IPT recommends changing the language of this alternative, which would still require gears based on freeboard height but does not reference the Gulf regulation specifically. The recommendation identifies in Subalternative 4A which specific gears are required for vessels with four-foot freeboard height of less and in Subalternative 4B gear requirements for vessels larger than four-foot freeboard height.

The Protected Resources staff endorses the revised Alternative 4 for this action. Revised Subalternative 4A, vessels with freeboard height four feet or less would be required to carry a short-handled dehooker, long-nosed pliers, bolt cutters, monofilament line cutters, a cushion, a dip net and at least two types mouth openers.

Revised Subalternative 4B, vessels with freeboard height four foot or greater and/or using pelagic longline gear would be required to carry a long-handled line cutter, a long-handled dehooker, long-handled device to pull an inverted V, a dip net, cushion, short-handled dehooker, long-nosed pliers, bolt cutters, monofilament line cutters and two types of mouth openers.

We did review this action with the Law Enforcement Advisory Panel and they did have a recommendation to suggest that gear requirements be the same or similar in the South Atlantic as what is in place in the Gulf, but they did also note that freeboard height distinction is very difficult to enforce and that a definition of freeboard height, the where you measure is currently not defined in the Gulf regulation. So, if this is an avenue that the South Atlantic Council

wanted to pursue, it would be important to define in the definition of the regulations for freeboard height.

Alternative 5 was also developed by Protected Resources staff and modified the specifications for required gears for the hook-and-line fishery. Subalternative 5A requires the minimum amount of gear to be in compliance; and with each additional subalternative selected protection to the resource increase but would not be required. The alternative would change existing requirements based on tackle size and would not account for freeboard height, so that's the distinction between Alternative 4 and Alternative 5.

MR. HARTIG: What are the distinctions on tackle size and what are the definitions used to separate those two?

MS. MARTIN: Well, Subalternative 5A requires all permitted non-longline snapper grouper vessels with hook-and-line gear on board; that's the specification, hook-and-line gear.

MR. HARRIS: While we're asking questions, is dip net defined anywhere? Monica, do you know because dip net can mean a whole lot of different things? I've been thinking about that ever since we discussed this at the last meeting, and a dip net could be a bait net. I don't know what is intended. I have a net for netting fish; is that sufficient for netting turtles? Does that comply with the dip net requirement? Ben.

MR. HARTIG: While she is looking, yes, it is defined in the protocols from the –

MR. HARRIS: Can you just give me that definition, then?

MR. HARTIG: I can't remember what it is, but it is defined. It has to be so big.

MR. HARRIS: I have an idea I'm not going to like it, then.

MS. SMIT-BRUNELLO: Well, it's not in the regulations that I see, but it is in the protocols and I can get you that by full council.

MR. HARRIS: The protocols are online. I'm just asking for somebody to throw them up there so I can see what it looks like. In any event, I still have issues with some of this gear; a gear that is being required or we're being told is required by Protected Resources. Brian.

DR. CHEUVRONT: Do we have a definition of what qualifies as mouth openers or mouth gags?

MR. HARRIS: I'm sure that's in the protocol, too.

MS. MARTIN: The protocols document is an appendix. It's Appendix D and they have a bit of a laundry list of what would apply for mouth openers.

MS. SMIT-BRUNELLO: Well, Roy or Bonnie can speak to this better than I, but, Brian, when I first saw the words “mouth openers”, I was thinking it was something to open the mouth. It’s actually something to keep the mouth open while you try to get the hook out as opposed to getting your fingers destroyed.

MR. HARRIS: Okay, go ahead. Anna, are you through yet?

MS. MARTIN: That is kind of an overview of the alternatives we have. I guess I need some guidance. We don’t have a preferred alternative selected for this action. I’m not sure how best to proceed here.

MR. HARRIS: What is the desire of the committee with respect to selecting or not selecting a preferred? There is a laundry list of options here. I can think one of them might satisfy me but I don’t think very many of them. Roy.

DR. CRABTREE: Well, it makes sense to me to tie the gear to freeboard height. That’s been done in the Gulf. **It makes sense that a large vessel would have to have different equipment Alternative 4 our preferred. than a small vessel. It’s seems Alternative 4 makes sense, so I would move that we make**

MR. CURRIN: Second.

MR. HARRIS: Motion by Roy to make Alternative 4 our preferred; seconded by Mac. Discussion on the motion? Mac.

MR. CURRIN: Yes, I was glad to see them take another look at this stuff. Prior to receiving this yesterday or the day before, my intent was to come here and basically force the regional office or the protected resources folks to look at the biological opinion because it was done strictly with longline gear in mind. I’m glad to see the flexibility. I think they’ve gotten closer to the mark here with the much shortened list of equipment and tied to freeboard height will also help as well. I’m pleased and thank those guys, everybody involved.

MR. PHILLIPS: The smalltooth sawfish; what gear is that because Georgia, South Carolina and North Carolina really don’t have to deal with that species. What extra gear is that?

MR. HARRIS: Good question; or is there any extra associated with smalltooth sawfish? Stay away from them. Okay, we don’t know the answer to that. Further discussion on that motion? We’ll found out and have it for you by full council.

MS. MARTIN: We do have I guess the IPT recommendation. They revisited Alternative 4 so that it specifies in Subalternative 4A what would be required for vessels with freeboard height four feet or less; and Subalternative 4B, what is required for vessels with freeboard height greater than four feet. It’s a little more specific than what we have in the original Alternative 4 that referenced the Gulf regulations.

DR. CRABTREE: Yes, and my motion was to incorporate that new language in those two subalternatives into this.

MR. HARRIS: Was that okay with the seconder of the motion? Okay, that's okay with the seconder of the motion.

DR. CRABTREE: Is that clear?

MR. HARRIS: That is clear now, yes. I think it's a good thing we've clarified that because I sure didn't understand it being that. Again, we'll be voting on this to become our preferred motion without most of us knowing how dip net is defined and those kinds of things. Wilson.

DR. LANEY: Mr. Chairman, just to Charlie's point, I think the historic range of the smalltooth sawfish, Charlie, extended all the way up through North Carolina. I know that doesn't still tell you what gear would be required, but it used to be there.

MR. HARRIS: I still think these are too onerous, but I'll call for a vote. **Is there objection to the motion? Seeing none, that motion is passed.** Brian.

DR. CHEUVRONT: Anna, if I remember correctly from what you were describing several minutes ago about this, you said that Alternative 3 would not be acceptable under the current biological opinion. Is there any benefit if we were to remove Alternative 3 at this point? Has all the analysis and everything all been done.

Would there be any additional analysis that would be required if we left that in there? If it doesn't meet the conditions of the current biological opinion, it makes sense to me that we would remove it if there was a cost savings to do so because I don't think that at this point anybody would seriously consider that alternative. If you could answer my question about the cost savings in terms of time and effort, that will let me know if I need to make a motion or not.

MS. MARTIN: I believe we've gotten all of the analysis for that alternative and protected resources input has said – yes, okay.

MR. HARRIS: Okay, moving right along we've dispensed with that one and we now have a preferred alternative for the sea turtle release requirements and smalltooth sawfish I guess as well. The next item, Anna.

MS. MARTIN: Okay, the remaining actions in the document are non-regulatory and I'll hand this over to Roger. They pertain to essential fish habitat and designation of essential fish habitat-habitat areas of particular concern.

MR. PUGLIESE: Okay, if go to Page 121 PDF, Action 6, the first action is to amend the Snapper Grouper FMP to designate new EFH-HAPCs. As I indicated earlier on, we've been working closely with the Habitat Conservation Division to refine what specific areas were remaining and reviewing existing designations.

What we have presented are three alternatives. Alternative 1 is a no action, designation of new EFH-HAPCs. Alternative 2 was to essentially address an oversight of the original designation where all the wording was including and the information on tilefish. However, there is no specific designation of EFH-HAPC for tilefish, either golden or blueline tilefish.

Therefore, Alternative 2A designates EFH-HAPC for golden tilefish to include irregular bottom comprised of troughs, terraces, intermingled sand, mud, shell hash bottom, mud clay bottoms in the depths of 150 to 225 meters would be HAPCs. Golden tilefish are generally found between 80 and 540 meters and commonly found on 200 meter depths.

Subalternative 2B essentially identifies the same type of detail for blueline tilefish. The information was provided by a detailed review from personnel in both the Southeast Fisheries Science Center as well as South Carolina DNR to give us a more specific, refined designation and to address this oversight.

We do have one preferred alternative, Alternative 3, which is to designated EFH-HAPC for the snapper grouper complex including the deepwater marine protected areas. This is again to address the idea of conserving and protecting the complex identified within the MPAs, the habitat complex and not just the individual subparts of the habitat.

This would help the National Marine Fisheries Service and the council in addressing non-fishing impacts relative to marine protected areas. What we have right now is that is one preferred alternative. The council did not select a preferred alternative for addressing the tilefish designations under Alternative 2.

**MR. CUPKA: Mr. Chairman, I'd like to make a motion that we designate Alternative 2, including both subalternatives as a preferred alternative.**

MR. HARRIS: Is there a second; second by Wilson. Discussion on the motion? Brian.

DR. CHEUVRONT: Roger, you mentioned that the subalternatives have been reviewed by NOAA personnel and South Carolina; has anybody from North Carolina looked at the proposed areas off of North Carolina?

MR. PUGLIESE: Well, other than being brought to public hearing, this was essentially tapped in on the – mainly the individuals that we had contact directly with, so the answer to that would probably be no for North Carolina directly.

DR. CHEUVRONT: Brian, I don't know. I think when you were coordinating with habitat conservation personnel, Fritz is on – isn't he on the – yes, Fritz is now NMFS and not DMF anymore, so he probably did take look at them, I would think.

MR. PUGLIESE: Yes, and I think it was a combination of Fritz, one of the key individuals; George Sedberry as well as other staff from the Southeast Center.

DR. CHEUVRONT: Yes, but Fritz doesn't work for us anymore and he is not looking at it from a North Carolina perspective now. To be honest with you, I'm going to vote against this until somebody from North Carolina has had a chance to weight in on it.

MR. HARTIG: Roger, how deep is 225 meters; and if you don't know that, what is the conversion factor? Yes, I did it by three feet but it's a little more than that. Is it 10 percent more? Okay, I'm just wondering because the depth range by three feet doesn't encompass anywhere near the habitat most viable for tilefish in South Florida. Anything up to probably 900 feet would; whichever that works out to meters. It's not correct for where most of the fisheries are prosecuted and where the best HAPCs would be located.

MR. PHILLIPS: Roger, maybe I misunderstood; did I hear you say that part of the reason or one of the reasons this needed to be done was to protect this bottom from non-fishing activities; and if that's what I heard, what kind of non-fishing activities?

MR. PUGLIESE: Well, that's in part I think on any of the EFH and especially the HAPC designations. This came up actually when we had deliberations on the LNG in Florida and there were actually tilefish grounds identified. John Reed did diving on those areas and found extensive tilefish. They reoriented the locations relative to what were found as tilefish habitat. I think in addressing these, that's one of the most immediately ones I can relay as an action that had specifically to do with tilefish habitat.

MR. CUPKA: Well, I understood that this had been vetted through everyone it needed to. Obviously, some sort of designation like this needs to be included because it needs to be in there. If it hasn't been fully vetted, I'll be willing to withdraw my motion with the understanding that we are going to proceed to include something like this after it has been properly vetted.

MR. HARRIS: **Motion to withdraw; is that okay with the seconder of the motion? That is okay with Wilson so that motion is withdrawn.** Is there any desire to revisit our preferred alternative at this time? I'd agree with David; we do need to revisit this but it has got to be vetted. I think Ben needs to be brought into this discussion because we need to make sure we get these depths correct and make sure we're not putting in areas that are not consistent with what we're trying to do. Brian.

DR. CHEUVRONT: Yes, and I think Ben said it a little elegantly than I did. That's part of the reason why I would like for somebody from North Carolina to look at this as well. I guess probably the best one to talk to is Anne, and she would help figure out who in North Carolina who can do that. Roger, if you could do that, I would appreciate it.

MR. HARRIS: Thank you. Okay, Action 7, are you doing this one?

MR. PUGLIESE: Move to PDF 126, and Action 7 is to amend the Coral Reef FMP to designate EFH-HAPCs. Presently we have no action. Alternative 2 is to designate HAPCs using the deepwater coral HAPCs and EFH-HAPCs. This again was to address the issue of trying to understand and protect the complex of habitats that exist in the HAPC and again to look at the

potential for non-fishing impacts relative to those areas. This is something that we've been working closely with our NMFS partners and habitat conservation to address.

MR. HARRIS: And at the present time there is not a preferred alternative; is that correct?

MR. PUGLIESE: At this time, yes.

MR. HARRIS: Yes, so if you do what Roger is recommending we do, Alternative 2 would be the preferred alternative. Mac.

**MR. CURRIN: Duane, I'd move that we select Alternative 2 as the preferred.**

**MR. HARRIS: There is a motion; is there a second to the motion? Seconded by Wilson. Discussion on the motion? Is there objection to that motion? Seeing none, that motion is approved.**

MR. PUGLIESE: That moves us to Action 8 on PDF Page 131, and that's to amend the fishery management plan for pelagic sargassum to designate new EFH-HAPC. As indicated earlier, the original plan was approved but we did not have a designation for EFH. To meet the Magnuson mandates, this specifies options for the council's consideration for EFH designation.

Alternative 1 was no action. Alternative 2 was to designate the top ten meters of the water column as EFH for pelagic sargassum and Alternative 3 was to amend the plan to designate the top meters bounded by the Gulf Stream. We have no preferred alternative at this time.

MR. HARRIS: Is there any desire to have a preferred alternative for this action? Mac.

**MR. CURRIN: Yes, Duane, I would move that we select Alternative 3 as our preferred.**

MR. HARRIS: Motion; is there a second? Seconded by Wilson. Discussion on that motion?

MR. PHILLIPS: I guess you're going to draw up some boundaries even though the Gulf Stream does seem to move in and out, so you're going to give us some coordinates on what it would be.

MR. PUGLIESE: Yes, technically any EFH designations, the wording trumps all that; but in the case of that we already have EFH-HAPCs – the Gulf Stream is EFH-HAPC and Figure 4-5 on Page 132 presents a boundary that is one of the averaged boundaries. What it is it says sargassum – what that is is the existing boundary that has been identified for EFH-HAPC for the Gulf Stream so it does give you – it does recognize that there is that latitude but it gives you one of the at least attempts to look at an average, so it gives you a footprint of what that looks like.

**MR. HARRIS: Further discussion on that motion? Any objection to that motion? Seeing none, that motion is approved.**

MR. PUGLIESE: Okay, it moves us to Action 9 on Page 134 PDF, and it's to amend the FMP for Pelagic Sargassum to designate EFH-HAPCs. Under this we have a no action alternative is

not to consider any EFH-HAPCs and then Alternative 2 provides two area of unique oceanographic characteristics that would essentially be important to the maintenance of sargassum itself and not of associated species but of sargassum.

These would be Subalternative 2A, the Charleston Bump Complex; and The Point, Alternative 2B. Again, we do have areas that we've identified and already designated under the Dolphin and Wahoo FMP that provide at least a spatial footprint for those areas. Right now we do not have a preferred alternative for EFH-HAPCs for pelagic sargassum.

MR. HARRIS: Is there a desire to have a preferred alternative for this action? I don't see anybody jumping up and down to do so. Okay, moving along to the next action item. That was the last action item. The next item is initial approval of CE-BA 2 for public hearings.

MS. MARTIN: We've already had public hearings.

MR. HARRIS: I knew that; so what are we doing, we're just approving it, then? That doesn't make any sense to me.

MS. MARTIN: We're on track on approve the document during the June meeting, so the intent was to select preferreds for those that didn't have them, if possible, and so it seems as if we have done that.

MR. CURRIN: If we could, we can go back to Action 9 and maybe we can select a preferred there as well. I'm a little uncomfortable with isolating just a couple of areas like The Point, which is a great place to fish, and the Charleston Bump Complex as well to designate them for sargassum. I know sargassum exists there, but it may be there one day and be gone the next.

It just doesn't make a lot sense to me out of our entire area of jurisdiction to pick a couple of places like that. Maybe the intent is to go back and pick up some others, but again this stuff just comes by in the current and it may be there one day and it's gone another. Maybe I'm missing something, Roger or Anna, and if I am tell me, but my inclination is to select Alternative 1 as our preferred and do nothing with respect to this.

MR. PUGLIESE: Quickly, I think we run into this problem of sargassum as EFH and then EFH for sargassum, so all we were trying to do with this action is to identify some of the most significant oceanographic areas that would be important for sargassum to be maintained. I mean, those two areas are pretty significant in terms of entrainment of sargassum and the growth and removal and the trajectory into the other regions. That is just an attempt to try to highlight some of the most significant areas.

As we have right now, the larger area we can encompass the Gulf Stream or the original proposal was the entire EEZ just for that fact that it's all over the place. It's just trying to highlight that. As I said already, we have EFH for – HAPCS for those areas under dolphin and wahoo plus other areas like the Georgetown Hole and all types of other more fish-based and use of habitat-based designations.

MR. CURRIN: Yes, and I'm comfortable with the current designations and protections that we have associated with EFH-HAPCs. **Duane, if it's okay I'd move that we select Alternative 1, no action, as our preferred on Action 9.**

MR. HARRIS: You've heard the motion; is there a second to the motion? Seconded by Charlie. Discussion on that motion? Is there objection to that motion? Wilson, discussion?

DR. LANEY: Just a quick question, Mr. Chairman, and that is since we already them designated under the dolphin and wahoo, do we gain anything additional by designating them here as well, just back to Mac's point?

MR. PUGLIESE: It's just where they would maybe highlight potential impacts on dolphin and wahoo, they could add sargassum as its functional value. I think we do have layers already in for those. This is the case for many of our EFH designations already, so we do have multiple layers. We're not going to necessarily lose a lot by doing this. This is just trying to highlight how that area is a functional kind of an oceanographic system for you.

MR. WAUGH: It's not specific to this motion, but we do need preferreds for all your actions. The IPT is going to finalize this document so that in June you see a complete document with all the analyses. In June you'll be reviewing the final document and approving it to go to the Center, so we really do need preferreds.

MR. HARTIG: The only thing I was going to add, Wilson, was it has been designated for coastal migratory pelagic, snapper grouper species, coral and live bottom habitat, also, as HAPC. I don't know how many times you need to do it.

MR. HARRIS: Further discussion on this motion? The motion is to make the no action alternative our preferred. **Objection to the motion? Seeing none, that motion carries.** Now we do have preferreds for all the actions; is that correct?

MS. MARTIN: No.

MR. HARRIS: No, we don't. What else don't we have preferreds for?

MS. MARTIN: Let me just take a look. Action 6 – I'm sorry, I take that back; we do have preferreds for everything. We have a preferred Alternative 3 for Action 6, so we do have them all.

MR. PUGLIESE: I think that was the one where there was going to be some additional review of the tilefish designation and that's going to happen and be available, so the council can reconsider that at the June meeting.

MR. HARRIS: Okay, as Gregg said, the IPT will be going back and working on this document, analyzing all the preferreds and all the other alternatives and bringing it to us for final approval and submission to the secretary in June; is that correct? Okay, anything else on CE-BA 2. Okay,

update on ecosystem activities; Anna has got one on the NOAA Coral Reef Conservation Program.

MS. MARTIN: Yes, just real quickly, we have received preliminary approval for the council's proposal we submitted last fall to the Coral Reef Conservation Program. We have two projects that are underneath this proposal we submitted. Both of the projects will span for three fiscal years starting in October 2011 and they will go through September 2014.

The first project will be undertaken by staff with Harbor Branch and the Science Center. It will be a characterization of benthic habitat and the South Atlantic MPAs and two of the Deepwater Coral HAPCs. Staff will document and characterize the habitat and fauna within seven of the MPAs and two of the HAPCs.

They will continue to do annual monitoring of these areas to examine area closure effectiveness and continue to conduct analysis of underwater video tapes of two of the coral HAPCs, develop a master data base and continue remote operated vehicle surveys. Again, the monitoring will be an effort to ensure the council remains informed of changes within some of these reef populations within these closed areas.

The second project will be undertaken by staff at the Staff Center and will develop a full description of the octocoral fishery. Again, this is a fishery without a stock assessment, but the project will assess the biology and ecology of harvested octocoral species, analyze data collection programs and develop research plans. Both of these projects will be for three fiscal years. They will be providing status reports and presentations when time permits during some of the upcoming council meetings.

MR. HARRIS: Thank you, Anna; questions for Anna? Okay, Roger is going to make his short. He said five minutes and I said I'm cutting you off in five minutes, so, Roger.

MR. PUGLIESE: Okay, quickly, just highlight some of the activities under each one of these collaborations under regional activities. The South Atlantic Landscape Conservation Cooperative that I have highlighted in past meetings had its first initial inaugural steering committee meeting on February 1<sup>st</sup> and 2<sup>nd</sup> in Raleigh, North Carolina.

They've hired their Director Ken McDermond and Science Coordinator Rua Mordacai. This is moving forward. That group selected an initial charter, mission statements and is building on what was put together as a governance document back in April of 2010 where it highlighted that landscape was not just land. It went through the marine environment and through the extent of the EEZ in our initial discussions.

A key point is the Cooperative is also tied very closely with what was just rolled out – the Department of Interior Southeast Climate Science Centers. There was a roll-out meeting last week, March 1<sup>st</sup> and 2<sup>nd</sup>, in Atlanta. There is \$12 million allocated to move the southeast center forward. With this center, it is going to be providing direct input to the Landscape Conservation, and it's going to be one of its primary clients. Our direct connection and the ability to connect into that I think is going to be real key in the long term.

The other followup, the Southeast Aquatic Resource Partnership has developed a prioritization tool that is building information that is integrating even our EFH designations and managed species into it when they're looking at the habitats from the entire region. It's going to be a key component that provides long-term conservation and monetary funds directly into projects that are going to be looking at habitats that include our essential fish habitat designated areas.

One of the other key big projects that is funded through the South Atlantic Landscape Conservation Cooperative for SARP is a big in-stream flow project that is going to provide flow recommendations and conservation recommendations for all of the – at least the foundation for all of the southeast river systems for our region.

It's again kind of making these merge and connect and provide resources where we didn't have products, the states don't necessarily have products, but some of these other larger coordinated efforts are going to provide some pretty significant opportunities for collaboration or outputs that can be used at a state and federal lands local levels.

The South Atlantic Alliance – the Governor's Alliance is moving forward into implementation phase at this point. State meetings are going to be held to provide – state workshops, I should say – input on how these implementations are going to meet those major priority areas, so that's the phase they're in right now and more to come as those get online.

The Southeast Coastal, Ocean and Regional Association was informed that the budget was approved for their 2012 now. Whatever comes we'll see, but it's a pretty significant issue because it does integrate, for the first time, some direct funding that connects oceanographic with fisheries information and the ability to look at some of those drivers on fish stocks in the southeast region.

The SEAMAP Program of which I chair the South Atlantic Committee is coming up on its five-year plan development. It will be provided to the Atlantic States Marine Fisheries Commission's South Atlantic Board at the upcoming meeting in March. We had an opportunity to integrate on the broader scale what fisheries-independent research should look like and drew heavily on the council's workshop document, integrating that to show the SEAMAP Program can expand and collaborate with the SEFIS, the MARMAP Program and to address long-term needs for mapping for snapper grouper, coastal migratories, a lot of species of concern to the council. This document I think is really going to be a very effective tool to look at the bigger picture of fishery-independent efforts.

The council's ecosystem tool efforts, we continue to develop IMS and GIS capabilities and are refining the Arc Services that will provide information on all the fishery-independent surveys under fisheries and the refining of our habitat services and EFH services.

Actually one that is going to come on line is going to be one that's going to facilitate our discussion on alternative energy and any energy service to build our information and integrate with many of the different activities that are going on at state, federal and other levels.

The last couple point is there is a Marine Aquaculture Policies out for NOAA and for DOC. I've been looking at that and actually sit in on one of the on-line sessions; and after a quick review of some of those, it was highlighting a lot of what the council had identified early it. It does defer to a great degree to other actions, say the Gulf Council's Aquaculture Program and other activities in the future.

It really is a very broad – both of those are very broad policy states. They're not getting into the – they made it very clear that they're not getting into the implementation side, so it's at a very early level again, which gives the council the broadest latitude to put input. The last area is ocean energy and the state of North Carolina has continued to evaluate ocean energy and wind.

Their first energy task force was held January 19<sup>th</sup> of this year and one is scheduled coming up fairly quickly on March 28<sup>th</sup> with a newly developed task force. BOMAIR, which is the new MMS creation now, has put out two documents for comments; one on survey methodology for surveying habitat and the other for species and protected species. The important points on that is that they integrate clearly the directive to identify essential fish habitat for managed species in the survey methodology and to identify specific information systems like the South Atlantic Council's EFH and IMS systems and the council's plans and documents and regulatory measures in any of the survey capabilities. That is it.

MR. HARRIS: Seven minutes, Roger – I didn't cut you off but you made those last two points and those last two points made you go over by two minutes. The next item is the EFH Five-Year Review Status; Dr. Crabtree, do you have anything.

DR. CRABTREE: Yes, there is a letter from me that was sent to the council with some comments and summaries of it, but basically the bottom line was saying that what you've done meets the requirements for the five-year review. I guess that was e-mailed out to everybody, but I'm not sure. Apparently it was.

MR. HARRIS: Okay, our next item is other business. Anna has one item for other business.

MS. MARTIN: Yes, real quickly I just wanted to let you know there was a resolution that was introduced into the House last week about the invasive lionfish issue. The bill expresses the need for developing a comprehensive regional strategy to address the issue. It also supports research, encourages raising public awareness through education and outreach.

Now, James Morris, who provided a presentation to the council I believe at a previous meeting – he is with the Beaufort Lab – was involved with the drafting of the resolution and wanted me to bring this forward just to let you know about this resolution and that he would be available at an upcoming meeting and time permits to update the council on this issue.

MR. HARRIS: That's interesting news; any money there? No, no money for lionfish; I didn't think so. Timing and Task Motion; do we have any timing and task motions to deal with? No. Okay, we all know what everybody is going to do, right? Okay, is there any other business to come before the Ecosystem-Based Management Committee. Seeing none, we are adjourned.

(Whereupon, the meeting was adjourned at 5:48 o'clock p.m., March 7, 2011.)

Certified By: \_\_\_\_\_ Date: \_\_\_\_\_

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April 2011

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# PLEASE SIGN IN

So that we will have a record of your attendance at each meeting and so that your name may be included in the minutes, we ask that you sign this sheet for the meeting shown below.

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March 7, 2011

St. Simons Island, GA

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