

OVERVIEW

Ecosystem-Based Management Committee Meeting

June 10, 2009
Hutchinson Island Marriott
555 NE Ocean Boulevard
Stuart, Florida

The Ecosystem-Based Management Committee will: (A) Review the NEPA and legal comments on the Comprehensive Ecosystem-Based Amendment 1, (B) develop recommendations to modify the CE-BA 1 document and proposed rule as appropriate, (C) discuss management options for the Comprehensive Ecosystem-Based Amendment 2 and provide guidance to staff, and (D) receive a presentation on the status of the South Atlantic Alliance and staff work on ecosystem coordination.

A. NEPA and GC comments on CE-BA 1 (Attachments 1 & 2)

The CE-BA 1 document was to be filed for DEIS review in time for the comment period to end prior to the March and June 2009 Council meetings. The intent was to approve CE-BA 1 for formal review and implementation, first at the March meeting and then at the June meeting. Public hearings have been completed and the Council is ready to approve the document once the NEPA process is complete. NEPA SERO staff and NOAA GC found sufficient shortcomings in the document that prevented the amendment from being filed for NEPA review. These items will be presented during the committee meeting, and the committee will need to approve changes to the document so that the NEPA process can be completed prior to the September 2009 meeting.

REQUIRED COMMITTEE ACTION: The committee needs to provide guidance to staff on:

- Modifications to the CE-BA 1 document based on NEPA and NOAA GC comments

B. Modify the CE-BA 1 document as appropriate

Based on an overview of other changes (*Attachment 3*) made to the document since the March 2009 version, the committee will instruct staff on necessary modifications to the CE-BA 1 document (*Attachment 4*). The committee will also review the proposed rule and instruct staff on necessary modifications (*Attachment 5*).

REQUIRED COMMITTEE ACTION: The committee needs to provide guidance to staff on:

- Other modifications to CE-BA 1 document based on staff/team comments/reviews
- Modifications to the proposed rule

C. Discussion of CE-BA 2 Options Paper (Attachment 6)

The Options Paper for Comprehensive Ecosystem-Based Amendment 2 contains 6 actions for the Council's consideration. The proposed actions would amend the Coral FMP and address potential habitat impacts from the wreckfish fishery and "deep-dropping." Action 6 would establish new EFH and EFH-HAPCs for various FMPs.

ACTION 1. Separate the combined 50,000 colony quota for octocorals between the South Atlantic and Gulf of Mexico.

ACTION 2. Prohibit harvest of octocorals in the South Atlantic.

ACTION 3. Allow the take of the erect forms of the gorgonians *Briareum* sp. (corky seafingers) and *Erythropodium* sp. (encrusting coral).

ACTION 4. Establish a permit system to harvest the invasive orange cup coral, *Tubastraea coccinea*.

ACTION 5. Evaluate potential impacts on hardbottom habitat from "deep-dropping" and gear used in the wreckfish fishery.

ACTION 6. Amend Council FMPs as needed to designate new or modify existing EFH and EFH-HAPCs.

Amendment 1 to the Fishery Management Plan for Coral, Coral Reefs and Live/Hardbottom Habitat (Coral FMP; SAFMC & GMFMC 1990) established a 50,000-colony combined quota for octocoral harvest in federal waters of the South Atlantic and Gulf of Mexico. However, since the quota was implemented in 1990 it has never been met. Moreover, Florida law allows unlimited harvest of octocorals; however, if the 50,000 colony quota is met before September 30, then harvest is closed in state waters until October 1 of the following year. Octocoral landings since 2000 indicate that the majority of the harvest has occurred on the east coast of Florida and in state waters

In order to better track octocoral landings, and due to the difference in landings between South Atlantic waters and the Gulf of Mexico, the Council may consider separating the current 50,000-colony combined quota. In addition, **Action 2** of this amendment proposes prohibiting all harvest of octocorals in the South Atlantic region or only allowing harvest of octocorals under the existing Live Rock Aquaculture program since octocorals are designated as essential fish habitat (EFH). This action is needed in light of recent studies suggesting unanticipated interactions between climate change and ocean acidification, stressors that might compound the problems coral ecosystems face from land-based sources of pollution and fishing impacts. Current atmospheric CO₂ already exceeds levels seen during the last 600,000 years, and probably during the last 28 million years. More importantly, the rate of change has occurred much faster than any time in the past. Therefore, management policies and management actions are urgently needed to assist coral ecosystems withstand the impacts of climate change and ocean acidification.

In **Action 3**, the Council proposes to consider the harvest of the erect form of corky sea fingers (*Briareum* sp.) and encrusting coral *Erythropodium* sp. The Coral AP maintains that the erect form of corky seafingers is easily harvested without the substrate and there is demand for it in the aquarium trade. Similarly, *Erythropodium* sp., even though it is an encrusting coral, can easily be peeled off the substrate on which it is growing. Hence, the AP requested that the Council consider allowing the take of these two species without the substrate on which they are growing. This action has potential beneficial economic impacts to the industry.

Action 4 would establish a permit system to harvest the invasive orange cup coral, *Tubastraea coccinea*. The orange cup coral, *Tubastraea coccinea*, is a stony coral not native to the South Atlantic region. The harvest of stony corals is prohibited in the South Atlantic. However, at the request of the Coral AP, the Council is considering the feasibility and implications of allowing harvest of this invasive coral species.

Under **Action 5**, the Council would evaluate potential impacts on hardbottom habitat from “deep-dropping” and gear used in the wreckfish fishery. The “deep-dropping” technique is used by fishermen targeting deepwater snapper grouper species and highly migratory species such as swordfish. This technique involves the use of weights to position the fishing rig at a desired depth and then releasing the weight upon a fish being caught. The concern is that this technique is being employed in the vicinity of vulnerable habitats (i.e., deepwater corals) that could experience significant damage from weights landing on them. Through this amendment, the Council would also like to determine whether gear impacts from the wreckfish fishery are likely to jeopardize the integrity of deepwater habitats in the South Atlantic region.

Action 6 would amend Council fishery management plans (FMPs) as needed to designate new or modify existing EFH and Essential Fish Habitat-Habitat Areas of Particular Concern (EFH-HAPCs).

The Interagency Planning Team (IPT) has recommended adding an action to establish Annual Catch Limits (ACLs) and Accountability Measures (AMs) as part of this amendment instead of addressing this in the Comprehensive ACL Amendment. This CE-BA 2 is already amending the Coral FMP and it follows that another action to further amend the FMP should be included in the same document.

REQUIRED COMMITTEE ACTION: The committee needs to provide guidance to staff on:

- Actions and alternatives for analysis in CE-BA 2

D. Update on South Atlantic Alliance and work on Ecosystem Coordination

The Committee will receive a presentation by Ginny Fay (NMFS, NOAA) providing an overview and status of development and implementation of the South Atlantic Governor's Alliance. This is intended to serve as an information and feedback session facilitating the continued regional coordination on the development of the Alliance which is envisioned to support the move to ecosystem-based management in the region.

Roger Pugliese will update the committee on ecosystem coordination work thus far in 2009.

REQUIRED COMMITTEE ACTION: The committee needs to provide guidance to staff as necessary