Outlook

FW: Public comment on Coral Amendment 11 and Shrimp Amendment 12

From Myra Brouwer <Myra.Brouwer@safmc.net>
Date Tue 8/12/2025 3:37 PM
To Allie Iberle <allie.iberle@safmc.net>; Kathleen Howington <Kathleen.Howington@safmc.net>

From: SAFMC Administrator <administrator@safmc.net>
Sent: Tuesday, August 12, 2025 3:36 PM
To: Myra Brouwer <Myra.Brouwer@safmc.net>
Subject: FW: Public comment on Coral Amendment 11 and Shrimp Amendment 12

From: Michael Gravitz <mzgravitz@gmail.com>
Sent: Tuesday, August 12, 2025 3:23 PM
To: SAFMC Administrator <administrator@safmc.net>
Subject: Public comment on Coral Amendment 11 and Shrimp Amendment 12

Marine Conservation Institute Comment to South Atlantic Fishery Management Council
On
Plan to Open Up Oculina Coral HAPC to Trawling in Coral Amendment 11 and Shrimp Amendment 12

My name is Michael Gravitz. I am the Senior Policy Fellow at the Marine Conservation Institute (www.marine-conservation.org). Marine Conservation Institute employs marine scientists to identify the most important places in the ocean to protect for us and future generations. As one of the founders of the Deep Sea Conservation Coalition, the Institute has special expertise and interest in deep-sea corals in US and international waters. We have been following the Oculina habitat issue for several years and commenting on proposals to allow trawling in a critical buffer area that protects a portion of them since 2021. We continue to oppose the creation of a Shrimp Fisheries Access Area (SFFA) within the northern area of Oculina HAPC. The buffer strip, aka Shrimp Fisheries Access Area that would allow trawling, is critical because it keeps shrimp nets and sediment suspended by trawling away from the sensitive Oculina coral reefs. The buffer strip does not need to have coral in it to be protected from trawling; it's function is to create adequate space/distance between active trawling effort and the sensitive corals much like buffer strips between lanes on a highway reduce the likelihood of collisions or buffer strips around dangerous facilities.

Little New Information to Change Prior NMFS Rejection of Amendments; Many Published Scientific Papers Support Prohibition on Trawling Near Corals

Very little has changed since NOAA Fisheries rejected Coral Amendment 10 in July 2022. A research cruise in 2025 by NOAA's Nancy Foster has again established that there is little to no live Oculina coral or coral rubble in the buffer area proposed for trawling. The purpose of this buffer strip is to keep trawl nets and sediment sufficiently far from adjacent living coral, so lack of corals in the buffer strip does not mean the buffer area is unnecessary. It means that it will

serve its function without having corals in it destroyed. Opponents of proposed Amendments 10, 11, and 12 have never maintained that trawling in the buffer strip should be prohibited to protect corals *in the buffer strip*. This is an incorrect characterization of our opposition.

There is no new information presented about bycatch in the fishery, let alone impacts on species like the snappers-groupers that are known to spawn and use the Oculina habitat to grow and feed and are under a recovery plan. Your Environmental Assessment of the proposed amendments does not have a bycatch practicability analysis as requested by NOAA in 2022.

On the contrary, there are dozens of published and unpublished scientific studies done over decades documenting: (1() inadvertent and intentional damage from shrimp trawl collisions to the Oculina coral reefs that has reduced them by 90%, (2) the damage that sediment from nets can do to the corals, (3) the flow of currents that would bring suspended sediment from the east where the SFAA is proposed to west over the corals, and (4) the uniqueness of these Oculina coral reefs. We would be happy to provide an annotated bibliography of these studies to the Council staff but we believe you may already be familiar with many of them.

Opening the Buffer Strip Will Not Minimize Bycatch
The 'best practicable' means of avoiding damage to some of the last 10% of this unique Oculina reef resource is to maintain the buffer strip that currently protects them. The 'best practicable' means of minimizing bycatch of unwanted species, including Oculina coral, in the rock shrimp fishery is to maintain the buffer strip. Turtle Excluder Devices (TEDs) and Bycatch Reduction Devices (BRDs) have been used in the fishery for a long time, but bycatch analysis for shrimp trawling usually show a ratio of 2.5 to 3.0 of bycatch to shrimp. There is still a great deal of bycatch in the fishery even with use of these devices. Bottom trawling, especially with fine shrimp nets, is inherently going to generate a high ratio of bycatch to intended catch.

Direct evidence exists for this problem. In November 2014 an analysis was reported by SAFMC staff to the Council (https://safmc.net/documents/a2_rockshrimp_bycatch-pdf/) in a memo titled "Area Description of Bycatch in the Rock Shrimp Fishery" based on 224 shrimp tows. It showed that only 38% by weight of the material captured in each tow was rock shrimp, meaning that almost two-thirds of the marine life caught in the nets were not rock shrimp. Shrimp trawling is a well-known high bycatch fishery.

Additional Trawling in SFFA Will Produce Insignificant Economic Benefit to the Public and Commercial Fishermen
An important reason the Council report states as an objective of these amendments is to benefit fishermen and satisfy an Executive Order designed to benefit fishermen. But there is no evidence that opening the buffer strip would have a significant economic impact on the fishery or its participants. On the contrary, the draft Environmental Assessment of the proposed amendments concludes:

"Given the likely variability in usage of the area [SFAA] as well as the exhibited variability in overall participation in the regional rock shrimp portion of the shrimp fishery, these economic effects cannot be quantified." Pg 21

One economic reason stated for the proposed amendments is to allow fishermen to achieve Optimum Yield (OY) in the rock shrimp fishery. At the webinar on August 5, staff stated that the OY for rock shrimp in the area from North Carolina to Key West, FL, is approximately 4 million pounds per year and that the last year (2023) for complete landing information showed a catch of approximately 3 million pounds. Thus, the conclusion that there could be another 1 million pounds of rock shrimp to catch. Hence, the expectation that trawling in the SFFA will reasonably help address this gap. If fishermen were to catch 1 million pounds of shrimp each year in the preferred alternative that is about 16 square miles, they would be catching 62,500 pounds of

shrimp per square mile. Simply put, that is a lot of shrimp per square mile and would require intense trawling to achieve even if the shrimp were there. Our conclusion is that even if the SFFA were approved, it would contribute a very small amount towards achieving OY in this fishery.

No New Evidence on Damaging Sediment Plumes and Direction of Current at Bottom
Analysis of sedimentation and sediment plumes from the proposed trawling is inadequate in the current proposal. Sediment has been documented to kill or weaken Oculina and other corals and coral larvae. It has been shown to slow regrowth and recovery of corals. This is crucial to determining the true impact of these proposed amendments that narrow the existing buffer strip protecting corals. From the Environmental Assessment:

"Little is known about the effects of sedimentation from trawling on Oculina and other sensitive species in the OHAPC ecosystem. From a study examining the size, duration, and composition of sediment plumes from multiple trawl types in the Mediterranean Sea, lateral plume spreading depends strongly on current variability. This study observed plumes spreading for hundreds of meters laterally in the hours after trawling (Durrieu de Madrona, et al. 2005). Therefore, more information on the seafloor current direction, strength, and particle size/weight would aid prediction of a sediment plume swath created by trawling activities, and ultimately inform decisions regarding trawl distance from known corals". Pg 35/36

Professor John Reed has provided Council staff with data on currents at the bottom near and on several Oculina reefs. These data are from multiple locations, collected 24 hours a day, 7 days per week, for an entire year. These data, so far not used or referenced by Council staff, show that at times bottom currents flow from the east to west over the coral reefs which would bring suspended sediments from the SFFA over the corals. Without using this 'best available science' on currents, your decision on amendments 11 and 12 would essentially ignore this impact and would not represent the 'best practicable' means of avoiding damage to the unique resource.

Review Process is Broken
Though your process for considering these amendments has been deliberate, you have skipped a critical step by not consulting your own coral experts on the Coral Advisory Panel (AP). Council staff asked the Coral AP to assess Amendment 10 which the AP did and found to be a bad idea. However, this time around, the Council has studiously avoided asking the coral experts what they think about Amendments 11 and 12. Without input from your own Coral AP, your process could look like it arbitrarily and capriciously ignored the Council's own experts.

Conclusion
Our request is that you abandon this entire process. Save your money and time for more pressing issues. The existing boundaries of the northern CHAPC were originally based on good science and judgement. There was **no** error made at the time on determining eastern boundaries for the Northern HAPC even though fishermen claim that unspecified errors were made and that they were promised a remedy. The boundaries were drawn on a rational and scientific basis then and should remain in place.

Thank you.

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