SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
DEEPWATER SHRIMP ADVISORY PANEL

Hilton Garden Inn
North Charleston, South Carolina

MAY 9, 2013

SUMMARY MINUTES

Deepwater Shrimp Advisory Panel Members:

Michael Merrifield, Chairman
Fred Dennis
Nancy Jones
Marilyn Solorzano
John Williams
Steven Wilson, Vice-chairman
Warren Gautier
Richard Reid
Laurilee Thompson
Brent Zirlott

Council Members:

Tom Burgess

Council Staff:

Roger Pugliese
Julie O'Dell
Anna Martin

Other Obervers/Participants:

Rusty Hudson
Otha Easley
Pat O'Shaughnessy

The Deepwater Shrimp Advisory Panel of the South Atlantic Fishery Management Council convened in the Hilton Garden Inn, North Charleston, South Carolina, Thursday morning, May 9, 2013, and was called to order at 9:00 o'clock p.m. by Chairman Mike Merrifield.

MR. MERRIFIELD: Welcome, everybody. This is the Deepwater Shrimp AP and we go around and do introductions. Let's start with you, Laurilee.

MS. THOMPSON: I'm Laurilee Thompson; Dixie Crossroads Seafood Restaurant, Titusville, Florida.

MR. WILSON: Steven Wilson with International Oceanic Enterprises in Bayou La Batre, Alabama.

MR. GAUTIER: Warren Gautier with Pascagoula Ice and Freezer Company, Pascagoula, Mississippi.

MS. SOLORZANO: Marilyn Solorzano; vessel owner.

MR. PUGLIESE: Roger Pugliese; South Atlantic Council staff.

MS. MARTIN: Anna Martin; Council staff.

MS. JONES: Nancy Jones; vessel owner.

MR. DENNIS: Fred Dennis; commercial fisher.

MR. WILLIAMS: John Williams; Southern Shrimp Alliance.

MR. REID: Richard Reid; Cape Canaveral Shrimp Company.

MR. ZIRLOTT: Brent Zirlott; vessel owner.

MR. MERRIFIELD: Mike Merrifield; Cape Canaveral Shrimp Company and current Chair of the Deepwater Shrimp AP. Otha.

MR. EASLEY: Yes, Otha is on the line.

MS. MARTIN: Otha Easley is with NOAA's Office of Law Enforcement. I also wanted to recognize Tom Burgess who is one of our current council members, he is with us today; and also Pat O'Shaughnessy with the Vessel Monitoring System Office at National Marine Fisheries Service.

MR. MERRIFIELD: First are there any additions or changes to the agenda? Does everybody agree with the agenda?

MR. WILSON: I move that we accept the agenda, approve it as it is thank you.

MS. SOLORZANO: I second.

MR. MERRIFIELD: Okay, that's fine; we'll go to the second item on the agenda which is approval of the October 2012 Joint Coral and Deepwater Shrimp AP minutes. This has created quite a bit of concern, because there are only half of the minutes there. What do we need to do here to request? First of all, how do we request that the remaining minutes be presented?

MS. MARTIN: Well, technical difficulty, we don't have them and that is why you only see a portion of the Joint AP minutes transcribed. The others were lost. Is that describing that correctly, Julie? The Coral Advisory Panel; they approved the partial allotment of minutes at their meeting on Tuesday.

MS. THOMPSON: Wasn't the meeting on the webinar?

MS. MARTIN: Yes.

MS. THOMPSON: You couldn't pull the minutes off the webinar?

MS. O'DELL: The webinar is not recorded; it's just broadcast.

MS. THOMPSON: There was a lot of discussion after we got back from lunch specifically on the northern expansion of the Oculina Reef. I don't know we can even move forward if we don't have a record of what was said in those two committees.

MR. MERRIFIELD: Let me just start by saying there is a lot of concern, because everybody felt like that was such a good meeting. There was a lot of synergy; there was a lot of discussion, a lot of exchange between the Coral AP and the Deepwater Shrimp AP. There were a lot of things that were discussed in the second part of that meeting where there were a lot of agreements and things made that are I guess lost, or how do we recreate them?

The point is this; this group comes here and participates and puts their time in on these AP meetings, because they feel that they have some kind of input into this process. It is very concerning to the group that their voice is not being recorded or documented. It creates a level of mistrust beyond what is already there.

The group tends to come to these meetings and they already are in a defensive mode, because they are trying to preserve their fishing grounds. They are trying to preserve their industry, their trade, and their livelihoods. Then it just feels like a slap in the face to them and to us. I think that it is an issue that needs to be addressed.

MS. MARTIN: Thank you for your comments. There is nothing Roger and I can do about this. I would recommend, if the advisory panel feels compelled, submitting a letter to the council or Bob.

MR. PUGLIESE: There is nothing intentional about this. This is a technical thing that happened. I know what your concerns are and the concerns as this process has moved forward. There is no intentional effort. It was a technical error that happened. However, the deliberations through that entire effort came out with an agreed-upon decision on how to move forward. I think that is one of the most important things that you did go through all that.

Part of the record has to be recreated in terms of understanding what those ended up, but you got to an end point of agreement on how to proceed, and we are at that stage in response to the full deliberation of all the advisory panels to that point. It is not intentional and hopefully Tom can re – this is the last thing you would want to see anything happen. This is just one time when something has happened with this system.

MS. MARTIN: We also have the Joint Advisory Panel meeting report and the motions that were made by both of the groups. That was reviewed and vetted through your advisory panel as well as the Coral Advisory Panel. I guess if there is concerns with what is contained within that report in light of the compromised minutes, then we need to talk about that today.

I think that there is some rationale in that AP meeting report for why the motions were made, and perhaps we can build off of the rationale that the Deepwater Shrimp AP provided for those motions. I think we need move forward; there is nothing we can do about the technical glitch.

MR. MERRIFIELD: I think our intent is to move forward, and there no one has said that there is an intentional effort here to expunge this documentation. It is just a concern that when we went through the minutes and saw that half of the meeting was not recorded, that we considered that to be a serious issue.

MR. WILSON: I would like to put on the record, as Mike said earlier, as an industry we come to the meeting in an already somewhat defensive mode. Because not only does it involve our own individual livelihoods, but there are a lot of people who are counting on us and support industry supporting our industry.

It affects a lot of jobs and a lot of livelihoods. Our main concern is that we come to the meeting. We come in good faith that the process is going to follow through. We are concerned to make sure that the process is not skewed. We would like to make sure that the council is overseeing the process; that things are not being manipulated, or moved, or skewed in a certain direction so that we can have faith in the process itself. I would just like that to go on the record.

MR. DENNIS: I am losing faith in the process, because you remember some of you older people, some of us older people; I'm saying the people that have been on these committees for the longest; do you remember back years and years ago they were threatening to close it down because they said we were encroaching on the Oculina Banks.

We went in and we agreed, all right, we'll pull these in – we'll do the VMS thing. They said, "Well, if you that, it is all over with and that is what we need. We did that. Here a few years later they come up with where we've got to protect all this coral. Gregg Waugh at a meeting over at the Town and Country on 17; he told us, he said it is nothing for you to worry about. If you'll give us your tracks, anywhere that you all have dragged, that won't be part of what we take, because you have already been dragging there.

I mean, we have been dragging there 30 plus years or 40. He said that will be protected. You will be protected. We won't take anything that you have been dragging, because we know there is no coral there. If you have got tracks, there you are safe. Okay, well, we did that. We

swallowed that hook, line and sinker, and here we are now with Roger drawing lines all over our grounds taking our track lines. Why are we not mistrustful of this whole process?

MS. SOLORZANO: One thing quick to say; I feel like when we were in the meeting last time and we came in, we had a lot of good back and forth with the Coral AP. Things were going well. We did agree to a lot of stuff. But comments that were made such as boundary lines, people agreeing on; okay, yes, you could go fish there; coral people saying, yes, you know, we don't have a problem with these areas being reutilized, because you have traditionally used them.

None of that is in the minutes. Those things meant a lot to us that they agreed that we could utilize those; that they agreed there was no coral there, yet we have no proof that this ever existed. It is not recorded, it is not documented, it is just we know it happened. Therefore you have created an issue that we don't know if we want to go forward without proof that we want our bottom back that we have used historically.

MR. BURGESS: I understand your concerns on this issue. As Anna has said, you had come to some agreement on several things at that meeting and they are documented as far as -- I guess that would be preferred alternatives that came out of the joint meeting; is that correct?

MS. MARTIN: That is correct, Tom; preferred alternatives that the advisory panels have agreed on.

MR. BURGESS: That everybody did agree on, and that would be in a sense for the record because of the agreement between the two groups. As far as being at the meeting the past two days between Habitat and Coral and then the joint meeting yesterday; I think that spirit of cooperation still exists.

Mike was there and everybody seemed to continue to agree on the things that were discussed at the joint meeting in October. I think there is still a good faith approach according to observations yesterday, and what came out of yesterday's meeting. I don't feel that you have lost any ground, but I do understand your concerns. By observing this meeting. they will be known by the council.

MS. THOMPSON: One of the things that were agreed on was that Mike Merrifield would be involved in the process of creating the new alternative 70 meters to 100 meters, the new lines that were being drawn. It was going to be Mike and the guy from the Coral Committee and Roger. Mike was not involved in that process. We have no record of that being the agreement, but it was.

MR. MERRIFIELD: Okay, we are going to proceed with the meeting. Is there anymore comment on Item Number 2 on the agenda as far as approving the minutes; and I don't know?

MR. WILLIAMS: I think we should probably approve the minutes that are there, but with a caveat that they are incomplete, we know they are incomplete, and we are concerned about what is missing in those minutes.

MR. MERRIFIELD: Is there a second?

AP MEMBER: So moved.

MR. MERRIFIELD: All in favor say aye. The minutes have been approved with the caveat that they are not complete.

MR. WILSON: When the motion is made, there should be a discussion, right?

MR. MERRIFIELD: I thought we had the discussion beforehand, but let's go ahead if you want to continue the discussion.

MR. WILSON: Well, I don't agree with approving the minutes at all.

MR. MERRIFIELD: Okay, so you're an abstention.

MR. WILSON: I mean. I agree with going on with the meeting, but I don't think we should approve the minutes, personally.

MR. WILLIAMS: Just for the record, that was not really a motion. That was just a comment.

MS. MARTIN: Would you all like to make a motion?

MR. MERRIFIELD: Do we have a motion?

MS. THOMPSON: What happens if we don't approve the minutes? It just goes on record that we don't approve the minutes?

MS. MARTIN: Yes.

MR. MERRIFIELD: Do we have a motion?

MR. WILSON: I move that we do not approve the minutes.

MR. MERRIFIELD: Seconded by Marilyn. Do we take a vote now? Are there any further discussions? All in favor say aye. **The minutes are not approved**, and now we can proceed on to Item Number 3.

MS. MARTIN: We do have Pat O'Shaughnessy here with us today. I've asked him to attend the meeting. With some potential modifications to the coral habitat areas of particular concerns, there would be some manipulation for your VMS units. Pat is our resident guru on the VMS capabilities, functioning and is here to talk with you today and specifically answer your questions you might have about your units. When we get into discussion of the transit provision, the different specifications that the advisory panel outlined at the joint AP meeting last fall, I am looking for the AP today to ask Pat some questions that you have about your VMS units.

MR. O'SHAUGHNESSY: My name is Pat O'Shaughnessy; Southeast VMS Program Manager. Most of you know me already. I was asked to give a short presentation on some of the capabilities of the exiting VMS units and some of the capabilities that do not exist and a general discussion on what geo-fencing is in regards to the VMS program.

The main thing is that any questions you have and there will be a period at the end, or if you have anything from my slides, please pipe up and ask those and I'll jump right on them. Again, provide a brief overview of the current approved VMS units; explanation of geo-fencing capabilities and the limitations; description by unit type of the five that we have approved; and again answer any other questions that you might have.

As we know now, the population is about 79 vessels. It goes up and down a little bit, but those are the ones that we actually have VMS units on and that do routinely shrimp; first required in 2003. The current vessel monitoring systems; the current type approval regulations require that all new units be enhanced mobile transmitting units.

Those are the units that have a monitor and a computer capability so you can send and receive forms and send and receive e-mails. Not all of the rock shrimp vessels currently have those, but that is what is required for any new purchases. The old pingers-only are not authorized. There are five current VMS vendors that are approved shown across the bottom there; Boatracs, Thrane or Thrane & Thrane, Faria, CLS and Skymate. Units range from $3,100 to $3,800; monthly usage fees roughly $45 to $600. There are additional costs based on how people use it for e-mail and other features.

MR. MERRIFIELD: Pat, do you want to take questions as we go along here or do you want to take them at the end? I have a question did you say that the pings-only are no longer valid, so does that mean that the ones that are in the field today have to be replaced, anyway?

MR. O'SHAUGHNESSY: No, sir. The way the regulation is written; any new installations have to be the new VMS units; but a currently operating and properly performing older pinger unit is good for the life of that unit until it has to be replaced; but you cannot go to the store and buy what was roughly a $1,200 to $1,500 pinger-only unit.

All the new units you have to buy now are the $3,100 and up units. That is the difference. But if your unit is working fine and you can keep it alive and meeting the reporting requirements, they are good to go as they currently exist. A brief history on the rock shrimp; the current rock shrimp fleet has some vessels still with the older pinger-only units.

Those of you who have the Thrane units, there is a 26 Delta which has the monitor, but there is an earlier version the 30-22 that just has the antennae and the modem that sends the positions; but you are unable to do forms or e-mails. Those are not required with the rock shrimp program; you are just required to report once an hour on the hour; once an hour hourly. The original rock shrimp permit holders were eligible for reimbursement of $775 if installed prior to December 31. That is how the original regulations were written. There is not currently anything there for additional reimbursements. However, I have approached OLE Headquarters to see what if any movement there is on that particular program given the existing VMS reimbursement funds that are there now.

Geo-fencing explanation; there is some confusion on what is and is not involved with geo-fencing. That involves putting a closed area into the VMS unit to change the poling rate; so when a vessel crosses over a line and the GPS immediately detects it; it will increase that poling rate to some more common or more frequent poling description.

It can be accomplished in two ways, hard-coded into the VMS unit, which is the preferred. When it is hard-coded into the unit, it is into the antenna. The GPS is constantly monitoring the position of the vessel, but the VMS unit only reports it to us once an hour, but the GPS knows where it is at all times.

When it is hard-coded into the VMS units antenna, as soon as that first position is detected crossing that line, and it would be seconds over the line, it would detect that it is inside the area and it could change the poling rate from the antenna. The secondary way to change or geo-fence is remotely detected.

That involves receiving that position from the unit hourly, once an hour; and once that is received; if it is detected inside the closed area, a command can go back to the unit to change it to the increased poling. Now the downside to that; if you're transiting, say, six knots, and you pinged right before you went into the closed area, then your next ping would be an hour later.

You may be five miles into the closed area before your next ping would come in where the computers at our end could change your poling rate. It is not really effective for a narrow area, smaller areas or those types of things, but it is another way that geo-fencing can be accomplished. Those are the two different ways that geo-fencing can be accomplished; hard-coded and remotely detected with a command coming from us.

Quickly going over to the five different units; because there are some limitations with each, not all have that capability; there are approximately 39 current Thrane units in use in the rock shrimp fishery. I tried to do a rough look into the vTrack system, and it appears that there are about 22 only pinger-only units. Then there are 17 of the newer 30-26 CMT units that have a monitor or screen.

These units do have the ability to have geo-fenced closed areas input into the units. They do have the ability to have them updated over the air. In other words, you can send a command to it, provide the new closed area inside the unit, and then the next time the vessel goes in, it would be detected by that antenna.

However, the cost to upgrade over the air is roughly $250 per unit to get that new closed area into the unit. It would be significantly cheaper if the antenna was sent back to the vendor and they had it on their bench and installed it that way, vice having to pay the satellite communications cost to transmit all of those positions. But it does have the capability.

The Skymate units; there are approximately 21 current Skymate units in the rock shrimp fishery. These units do have the ability to have geo-fenced areas inputted, but these must be hard-coded into the antenna. In other words, they have to be sent back to the vendor. There is no over-the-air capability right now.

In discussing with the vendor; that is something they could potentially do in the future, but that would involve testing and a lot of software changes and work to accomplish that. Right now a Skymate unit would have to send that antenna back to the vendor to do that update. Although I requested it, they were unable to provide a cost at this particular time, and I didn't get it by this meeting.

The Boatracs unit; there are approximately 20 current Boatracs units in the rock shrimp fishery. These units do not have the ability to have geo-fenced closed areas inputted to the units. In speaking with the vendor, it is something that they could do at their back end. When it received the position report, it could send the poling command.

That would have to be developed to write that software to do it or it will be done at ours. Again, this is back to the problem. It would only change that poling rate after it received the position inside the closed area. It is not like it is in the antenna when it immediately crosses over seconds later, it would change the poling rate.

There are two units that have recently been approved in the last few years, CLS America. There are currently no CLS America units that are in use in the rock shrimp fishery; but they are growing in numbers in the Gulf reef fish fishery and the HMS fishery, so they are out there. These units do have the ability to have geo-fenced closed areas inputted.

They could be updated over the air. The estimated cost is about six dollars for a closed area with 40 positions. Another option that is a type-approved unit. The last is Faria. There is currently only one Faria unit in use in the rock shrimp fishery.

MR. MERRIFIELD: Is that six dollars a recurring cost or is that a one-time cost?

MR. O'SHAUGHNESSY: That is a one-time cost to transmit the positions over the satellites. Again the vendors do not – I shouldn't say that. Most of the vendors do not own the satellite communication; they contract that out with the satellite provider. They have to pay for anything that goes up and down over that antenna.

They encapsulate the data of the closed area, 40 positions or 100 positions. They shrink it down to the smallest possible size and then it has to hit the satellite and and go down. They pay another vendor contractor to do that. Again, one unit for Faria; currently the units do not have the ability to have geo-fence closed areas. The only one they have is one circular; basically a circle that they could have in there.

However, there is a firm-ware update, a software update that does exist and is used by some other countries. It has not been put on the NOAA units yet. However, it has already been developed. Those could be done on all future units before they are shipped out; or to upgrade any existing ones with an updated firm ware would be about $150 per unit for the existing units; but it does have the capability once it has that firm ware update.
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here were some other questions I was provided by e-mail that I just wanted to address here. Again, any questions whatsoever at the end of the presentation; but the specific questions I was asked; explanation of authorized installation or options in the event of failure. The rock shrimp fishery did not have the requirement for a certified marine electrician to install the units.

They just had to be properly installed. If owners do have problems, we always recommend they contact the vendor first to work through the vendor. Often it requires a marine electrician to come, because they will be checking to see if it has the proper power as well as if there are any cabling issues.

Cabling seems to be what more commonly goes through the sun degradation. They follow that vendor's guidance and if they do not get satisfactory assistance from the vendor, we always recommend that they call us. Then we get involved to try to assist or prompt the vendor to provide that timely assistance.

The other question was the Thrane 30-27D replacement; that replaces the 30-26. All the functional testing has been completed; it is just going through forms testing now. The new antennae can send those forms. That work was being done this week and continues while I am out of the office. I anticipate that approval is going to come very near term.

I would say days or maybe a week, two weeks, but it is at the final stages. I know that has been a lengthy time-consuming process, but it looks like we're near the end of that. I always throw these in the slides. This is the VMS staff as it is. We have four techs and myself total. Matt Walia is one of the newer members, and he supports the South Atlantic rock shrimp fleet.

However, any of the four or I can answer any questions that owners or council members or staff has, if they have any VMS questions. That is what I prepared as requested, but I am here to answer any questions whatsoever on the VMS program.

MR. MERRIFIELD: Can we get a copy of that from you, because it has got all that capability listed out there which is hard for me to retain.

MR. O'SHAUGHNESSY: Anna has all that.

MR. MERRIFIELD: You guys that are out on the water that know the functionality that you're looking for need to make sure that you understand those functionalities. If you have any questions, now would be a good time.

MR. O'SHAUGHNESSY: One of the first questions was if the changes did have to be put into place, the cost; I haven't gotten a clear answer whether that would be at the owner's expense or if it would be eligible – it doesn't necessarily fit into the requirements of the reimbursement program, because the reimbursement program is to reimburse for the purchase of initial units. Upgrades to assist with a transiting program; that cost; I just want to make sure it is not assumed that NOAA would be picking up that cost, because I have not been told that is the case.

MR. MERRIFIELD: You are talking like in the Faria that doesn't currently have it, but has the ability; it would have to be a software upgrade if you happen to have that unit?

MR. O'SHAUGHNESSY: Correct; any cost to upgrade the antenna or for shipping it to the vendor and then the vendor back. I haven't gotten answers now if this goes through; are you guys going to pay to ship my antenna back and update it and send it back to me. I do not believe that NOAA will be funding that. At least I have not been told that at this point.

MR. MERRIFIELD: Are there any questions as far as the functionality of the units? .

MR. WILSON: I guess I am a person of suspicious nature. I know we are dealing with a question of now but I am always trying to think in the long term. I guess this struck me when

one of our employers locked her keys in her car and then I watched her; she just called and they just unlocked her car by satellite.

I thought, wow, that is really convenient; that is so neat. Then I started thinking, but that technology could be used against you, too. You could be driving along and they could shut you down or whatever. I'm seeing this now in the trucking industry, because they are trying to force us into electronic.

We've gone from VMS to electronic logging now and actually having control over the driver; and once he has hit his ten hours on his log, he is shut down. I am like, good Lord, this is already happening in the trucking industry. This is all innocent right now, and it is working towards so it is convenient for us in this industry to be able to save time and money.

But are there plans for the future for more requirements? Now you can log in this geo-fencing and then the council could come in and just change boundaries and put it on your antenna, and, boom, you know, shut you down. I don't know, but I just have that suspicious nature and I've seen things happening and I'm just wondering. We're giving a little now, but then what does that entail for the future? That's all.

MR. MERRIFIELD: I think that is why you have got to pick the unit that fits what you want it to do, because there are a lot of capabilities in these units. A lot of them have e-mail capability, other communications type capabilities. At this point we are just looking at this – and we already have VMS on all these boats. It is required; so you are already pinging; they already know where you are. We are not changing any level of giving up anything there.

That is already happening. In some ways it has come to help us. If you look at when we go through this data here, you will see what Roger has put together as far as all the VMS points. Even though we can bring the data to the table and prove ourselves; that data also proves where we are and where we are not. As far as down the road, who knows?

But the intent here is to satisfy a requirement that allows us to transit. The biggest area we have – I mean the biggest problem we have is we can transit this new northern extension in a heartbeat. It is very narrow in some places and you are going to be across it before an hour is up to get that second ping.

It is the existing Oculina HAPC in its current configuration; hoping there will be a future change, but that takes longer to get across. I think that is where it is going to help out a lot is getting across that area down there; and just the fact that the length of this thing north to south is so far that it is a safety and an economic issue to be able to transit.

I don't know that we can address future things, but this is what we're at today. I think we'll talk – there are a few things we need to talk about in terms of ping rates and things like that and what it changes. From what he is saying, I think if everybody has got a good feel for which units do and which units don't, you all know what units you have, or what the boats around us have; it kind of tells us where we have to go from here.

There are going to be some exchanges. There are going to have to be some units that are gotten rid of and upgraded completely; the whole hardware and everything. We need to have the

answer as to whether that is going to be reimbursed or not. Then some units are going to have software upgrades.

You might be able to keep the hardware unit, but the software is going to need to be upgraded. What are the issues there? But as far as; yes, what will happen is that the provider – and correct me if I'm wrong, Pat, but the provider will be the one that puts in the coordinates that Roger gives them that creates this geo-fenced area where the ping rate will change.

MS. SOLORZANO: I have a question that is totally off the subject, because I'm AADD, who here besides Roger and Anna is staff? I'm just curious. You're the recorder of the thing. All right, I was just –

MR. MERRIFIELD: Are there any other questions technically for Pat? Pat, do you have any answers as far as a roll-out timeframe? How long does it take once we've agreed upon an alternative has been approved and this goes into – Roger, do you have an input on that?

MR. PUGLIESE: The timeframe right now is that we're approving for public hearing. Council was looking at what comes out of these meetings to look in June to approve for public hearings that would be in August; for potential approval of the amendment in December. Then you're talking about into next year before the rule would actually be published and finalized.

Then a lot is going to be working in the background in terms of answering all the questions you have there. I think, yes, there is a pretty good out time. With the fact that the region has a lot more control over the VMS systems and that; I think they have a whole lot more ability to kind of ramp up exactly where we need to go, what the constitution of the existing fleet is, how many would need this and those kind of things to at least understand what the stage is. I think it is not going to happen like tomorrow or a roll out.

I think if the technology is going to continue to change; software is going to continue to change as we even continue over this; so hopefully that is going to be able to all be worked in as we proceed through the entire amendment-solving process and hearings into the future. There is still a good time out before this would ever actually hit the water for actual rule. Even if the rule goes in place, then you have a lot of time, say, a cooling-off period and then they take into account some of the implementations at the regulatory level.

MR. O'SHAUGHNESSY: I did have one question. For those that are rock shrimp owners here that installed them back in 2003; do any of you here received – this was before my time and my entire staff has changed out as well, but how many here received the $775 reimbursement that was authorized in 2003? Okay. Because one of the things; the current reimbursement provides up to $3,100 for a vessel reimbursement.

If your received the $775; the question I was going to ask the headquarters could potentially an owner be eligible for that difference between $3.100 to $775. I do have some concern; you have some of these older pinger-only units that have been working for seven, eight, some are nine years; you start disassembling antennas to ship back to get software updated and then something is perfectly fine and you start tinkering with it, and then it doesn't work; and then the owner is going to be on the hook to replace the unit, which is now a $3,100 unit not a $1,200 unit.

That is the only concern that I have. That is why I was curious on who had been reimbursed that small amount back in 2003, which is now $3,100 now. To your question, sir; my phone number – Anna will get the presentation out to everybody. My phone number is on the last page. If anybody has any questions, feel free to call me; but I can assure you if you call me, I cannot unlock your pilot house from my office.

MR. MERRIFIELD: To that point; we've had some problems especially with the Thrane & Thrane, because the pinger models, when they would malfunction, they would no longer work on those units because of waiting for the next model to be approved. There were a lot of people and a lot of installers that were very upset with the company for that reason, which gave that company a black eye, because they did not produce that unit anymore, because they were relying on this other unit to be approved; which is still waiting to be approved.

It created a problem for people that were trying to get their units fixed, and then they had to finally just go to reinvest in another unit, because they could not get it fixed. That has been an issue out there. Those are the kinds of things that people are thinking about when they're thinking about being dependent on these units to go fishing; because if it holds them back, it has cost them a great deal of money.

That is one thing I wanted to mention. When I talked about the timeframe, what I was talking about was I know what always happens is everybody waits until the last minute to make that change; and so what I'm asking is once this becomes law or a regulation that is on the books.; at that point in time, whatever date that is; that is when nobody can transit without this ability to increase their ping rate, correct?

MR. PUGLIESE: Not necessarily. That becomes a decision on the rollout and the implementation. That becomes a function of NOAA Fisheries and OLE on what their timing is to actually get the system operational. I mentioned there is some built in just automatically; because in rulemaking they knew that there were some of these types of things.

That is why you have the 90-day cooling off period imbedded in rulemaking already. Plus in some of the last technical applications like that, there has been that advanced timing for when the requirement would be to track when either capability or things; so I think that is built in so there is latitude to – when the final rule is published; you don't automatically have a requirement tomorrow that you would have to have that.

That becomes integrated in the deliberation. My point was that there is so much lead time here, a lot of the work can be done maybe – you know, some of that might be able to be more rapid if a lot of it is done in advance and the capabilities, and we begin addressing some of the new advances and things in advance of that timeframe. It is not an automatic thing. When the final rule publishes, it doesn't automatically necessarily make it that way.

MR. O'SHAUGHNESSY: Some of that – for one, this is a very small fishery. We're only talking about 80 boats spread out amongst really three vendors. It is not a huge – you look at the Gulf reef fish; when we do a change there and we have 900 antennas that have to go back. Where the regulations have been passed, it is approved today and it goes into effect 90 days or 120 days out; so it is usually that period of which it is finalized and approved so we know exactly what the coordinates are.

Then, whatever, 90 to 120 or however the regulations are passed; that is the time that we work with all the fishermen to get their units in. I've just jotted down send a follow-up e-mail to the vendors to ask them how long would it take from the date they received an antenna until they could update it, until then they could turn it around and send it back out. On my initial discussion with them, it was not very difficult.

Once you have the coordinates, they do all that programming up front, receive the new antennae program it and send it back out. I don't want to go on the record as saying I believe it is a one or two day turnaround, but I believe it is a one or two day turnaround.

MR. MERRIFIELD: The other point that I wanted to make was that there are probably a lot of boats that will not opt to upgrade, because they will not go on that offshore side of the Oculina Coral HAPC. They will continue to use whatever they have, however old it is, until it is no longer functioning I guess. I guess that is okay from what you are saying. It is just the ones that are going to be doing that transiting, which will be the bigger boats that go offshore that are going to need to upgrade in order to have that capability of transiting.

MS. JONES: The cost for the geo-fencing upgrade, you are not sure who is going to pay for that. But we are already paying for increased pings, and we didn't ask for this extension. I guess what I'm getting around to is it is three different vendors and then how many are going to be on the outside that has to have this upgrade?

If you are going to put the cost on the shrimper, it is going to increase the cost per unit. I guess just for the luxury of being able to go out there, you have to pay the upgrade or for the new program. It just doesn't seem to be fair that we should have to pay for the upgrade. We didn't ask for it.

MR. MERRIFIELD: It will be the boats that go out there first of all, and then, second of all, the increase in cost is going to be for the unit if you need to upgrade your unit and for the ping rate just for the period of time that you are inside the closed areas. It is just for that transit period that ping rate increases. Other than that, it is the same, it is once per hour, which everybody that has a rock shrimp permit today has to pay, anyway. It is that $60 or whatever it is a month and recurring costs.

MS. JONES: But we agreed that if you were inside the closed area, they would increase that ping to every five minutes. That increases – the more pings you have, the more you have to pay a month. If you overdo your allotment or whatever, your pings, you have to pay more.

MR. MERRIFIELD: You have to pay more to transit; that is correct.

MS. JONES: Yes, we requested the increase, but that was our concession to be able to do the transit. But, again, like the original software, they are going to have a software person do this program and input all this thing; and that is what they are going to charge you for is the initial guy to sit there and type all that stuff in; and then they are going to divide that out to however many people get it.

MR. MERRIFIELD: Well, there is an initial upgrade, whether it is hardware of whether it is software. There is that initial cost plus the increased ping rate while you're in that area. Roger, I think I heard in the Snapper Grouper AP meeting or the webinar that the ruling was is that the first unit is paid for but subsequent units are not; is that why we're having a lack of funding to do this?

MR. O'SHAUGHNESSY: The reimbursement regulations are written such that owners are only entitled to one reimbursement. It is to get them up and started; and then the expectation is the owner works that into their business plan to allot for having to replace it five years, six years, and seven years, however long out in the future; but the regulations only allow for one reimbursement. As I said earlier, I want to clarify; I said right now I haven't been given assurances.

With the budget situation as it is now, I have a placeholder for this proposal in the reimbursement account; but so do a lot of other regions have requests. Since it is a limited amount of money, I just wanted to clarify it is not guaranteed that it would be paid for, but it certainly may be paid for. I have that request out there, but again it is a proposal just as this is a proposal to see whether that would be accomplished.

MR. MERRIFIELD: Okay; so at this point we don't know basically is what we're saying. There needs to be followup as to whether there is going to be a reimbursement for these units or not. Are there any other questions for Pat? There is some other functionality in these units as well. I don't know if the rock shrimp permit regulations allows for it or not; but there is like the in-port functionality; that when you are actually sitting in port, that it goes like once every four hours, which would reduce your ping rate.

MR. O'SHAUGHNESSY: Again it depends on which unit you have. Some vendors, say, Faria, for instances, you pay a monthly set fee that accomplishes all of your poling. If you turn your unit off, you still pay that monthly set fee for your positions. Now Thrane, for example, has an in-harbor mode.

Thrane, you pay for each ping. The average 24 pings a day times 30 days adds up to that $45 to $60; I forget which one it is. In their case you hit the in-harbor mode and then it reports only once every four hours, which lessens your bill since you pay by the ping rate. However, the rock shrimp; that requires you to have it on when you are underway in the South Atlantic.

I believe in port the rock shrimp vessels are not reporting, anyway, so it doesn't really affect the rock shrimp fleet. Gulf reef fish it does. The Snapper Grouper proposals that were proposed were also going to have 24 by 7. But the rock shrimp; it is when you are underway in the South Atlantic that you have to report, so it wouldn't really affect those in port.

MS. SOLORZANO: I have a question? Moving forward, are you the VMS guy, right? You do the monitoring or with the people who do the monitoring? In the data here – and I'm really confused –

MR. PUGLIESE: Why don't we go – we need to do the presentation before you get into some of these.

MS. SOLORZANO: I'm ready to move forward. Sorry.

MR. O'SHAUGHNESSY: I'm going to be here all day.

MS. SOLORZANO: Well, you're the VMS guy.

MR. PUGLIESE: You go and ask the question, but I worked with OLE and with the group that provided the data.

MS. SOLORZANO: We can wait until we get there; that's okay. .

MR. MERRIFIELD: The last thing I think on the VMS is the call-in emergency or malfunctioning or situation out there that we need to talk about, because we were talking about it last night that I think the requirement in Option Number 3 is – was it six knots?

MR. PUGLIESE: Six knots.

MR. MERRIFIELD: Six knots, so you have to be traveling at least at a six knot pace. We want to make sure that piece of this transit provision is going to be there, is that call-in capability, and if you could talk about that for a second.

MR. O'SHAUGHNESSY: Yes; for the call in, that is really not VMS related. I would defer – I believe Otha is still on the line. Is Otha on the line?

MR. EASLEY: Yes, I'm still on the line. Mike, in other fisheries, not only with this council; especially dealing with the VMS potential outages and failures and such, which don't happen very often anymore; there were concerns by fishermen that, hey, what if the unit goes bad and what can I do? I want some assurance I can still do this, that and the other.

They had asked to have a call-in option put into the regulation. Those call-in back-up plans have historically not gone into regulation, because there is the fear that, okay, now this is a viable option by many people that has a pretty good potential to be abused. That option of calling in has always been – regardless of what the violation is, has always been something that a fisherman can do; call in to law enforcement, whether it is Coast Guard, OLE or Florida or Georgia, wherever and say, "Hey, I have a problem; I have an issue and I want you to be aware of that."

Those calls are always taken into account as opposed to someone that is sneaking an issue and gets snagged. Putting that into regulation, I, at least from an enforcement end of things, don't want to go there with that. But as far as putting on the record that when there are issues and you give us a call, that will be taken into account and in most cases, unless you have a history of making those calls all the time, will be used in the fisherman's favor.

MR. WILSON: I was just reading in the Alternatives 2A and 2B; it states minimum speed of 5 knots.

MR. MERRIFIELD: I think 2 says that and I think 3 says 6 knots.

MS. MARTIN: This is Action 2 in the document. Laurilee, I've printed off 15 copies of the summary, so I am not sure. It's in the briefing materials we did send to the AP so if you have that on your computer, the summary is included within the amendment.

MR. MERRIFIELD: I think given what Otha had just said, we're going to have to consider that when we talk about the transit, because, Otha, the transit, as it sits today, I believe states in there that there will be an emergency call-in. I guess we may have to reword that a little bit. Does that sound right, Anna, if law enforcement doesn't want to put that in there?

MS. MARTIN: I defer to Otha.

MR. MERRIFIELD: The transit capability has that written in – the alternatives today have that written in as a call-in provision in – it is just one sentence at the end of it there. It says –

MR. EASLEY: Yes. in Alternative 3 under Action 2?

MS. MARTIN: Yes.

MR. EASLEY: Yes, I see it as well. Well, it is up to the council to decide what they want to put in and approve; but I would have to tell them the same thing I just told you. Whether they want to keep it in there or not, it is going to be their call; but that is about all I can say on that one.

MS. SOLORZANO: I just want to tell the law enforcement guy that if it is 6 knots. the fishermen are going to be calling him a lot; so 5 would be better, because it is going to be really hard to transit at 6 knots and not have to call in, especially in any kind of weather. When the weather is bad and the rock shrimpers are out, be close to the phone.

MR. EASLEY: I'm not necessarily wed to 6 knots. I know Pat O'Shaughnessy and I talked about that. If the speed is considerably higher than – well, let's say necessarily higher than where your regular fishing speed would be; we are likely to get a lot of alerts on the VMS system; because in this case 6 or 7 or 8, because someone dropped beneath the target or the threshold speed; but for enforcement, just some responsible, some reasonable speed difference between greater than the maximum speed that you would use when you're fishing should be sufficient for us.

MR. MERRIFIELD: Okay, thank you, Otha, and I guess we will consider that when we're going through that document. We'll talk about that at that point. To try to finish up with Pat and any information that he can provide us, does anybody have any further questions for Pat?. Okay, I think we can move on.

MR. O'SHAUGHNESSY: Again, I'll be here so as questions come up during transit.

MR. MERRIFIELD: Thank you very much; Pat, I appreciate the input. It sounds like everybody wants to take a break.

(Whereupon, a recess was taken.)

MR. MERRIFIELD: Why don't we go ahead and we can at least start talking about what the actions are; and then as we get into the alternatives, hopefully everyone will be back in the room.

MS. MARTIN: All right, I guess how we would like to structure this; I would like to provide you just kind of with a summary of the actual document. The document is something that you want to follow at the council level. This is always going to come up under the Ecosystem-Based Management Committee at the council meetings.

That is where the council members will be discussing Coral Amendment 8. This is the document that you kind of want to keep your eyes on at the next few council meetings. As far as what the council's decisions will be; ot will take place during that committee. What we would like to do; I would like to just kind of walk through the document. It does look different than the last time you saw it at our joint meeting last fall.

I'll point out the changes. Then Roger would like to get into some of the details with the VMS analysis. That is one of the most significant changes in this document. As you are all aware, at the fall meeting we only had the VMS data from 2007 to 2011. What you see now includes the entire range since VMS was required for your fishery. Did we lose Otha? Okay, he has already heard this introductory so I'll keep going.

We already touched on the timeline; and again if you have any questions about the actual document, questions about the timing for this, what is going to happen at the June council meeting; please stop and ask me. I would like to keep the questions about the analysis and any recommendations the AP wants to make as far as new alternatives or modifications to the existing alternatives until after Roger has been able to go through his presentation with you. He has a few slides to present as well.

I guess just to restate the timing; the council has asked for this advisory panel to come together and meet once again before they take up discussion of Coral Amendment 8. They will be talking about this at the June meeting, which is the second week in June. The meeting is in Stuart, Florida. The council has not yet selected any preferred alternatives for these actions.

The advisory panels have collectively come up with recommendations for preferreds, and that is what I'll review with you; but the council specifically was interested in your discussion and input once again before they talk about preferred alternatives. They have not selected any preferred measures here.

We are anticipating that they will approve this document for public hearings at the June council meeting. That is kind of where we are in the stage right now. There is still time for development. There is still time for new alternatives, changes to existing alternatives. Our public hearings would be held – if this were approved for public hearing at the June meeting, our public hearings will be held in August. As you are familiar, they are all over. There will be three public hearings down in Florida, one in Georgia, one in South Carolina and one in North Carolina.

If this document does go out for public hearing in August, the council would then be looking to finalize this amendment at their September meeting. This is taking a number of different timing

tracks, so that is obviously subject to change; but that is what staff is anticipating with the timeline for this moving forward.

I know there are often questions about timing; where do we stand in the process; is it too late to make new recommendations, and that sort of thing? Hopefully, that gives you an idea of where we are today. Hopefully everyone has had an opportunity to review the actions and the alternatives before this meeting.

Action 1 pertains specifically to the Oculina Bank HAPC. I think most of you were at the joint advisory panel meeting in Cape Canaveral, so everyone is familiar with the rationale for where these recommendations came from. There are a few deepwater coral research scientists that sit on the Coral Advisory Panel, and these actions in the document are a result of new observations of coral.

For the Oculina Bank it is in areas north of the HAPC and west of the HAPC. We're talking about multi-beam bathymetry data. They have been able to go out there and obtain deepwater ROV dives down to the bottom to groundtruth some of those multi-beam assessments. Alternatives are options as you are familiar hopefully with the lingo in these amendments.

Alternative 2 and the two subalternatives are the only two options currently for a northern extension of the Oculina Bank. This is another change. This along with the updated VMS information are the two significant changes to this document. You recall we had quite a range of other options for some of these actions.

The council, when they talked about Coral Amendment 8 at their December meeting last year, following your joint meeting, they cleaned this document up a good bit. They took out some of the alternatives that none of the APs had been talking about, weren't really applicable to any of the interested APs; and so those are now in our considered but rejected appendix section of the document. It is much more concise than it was when you last saw the document.

Subalternative 2A – and I will project the charts here. Again, Roger is going to get into some of the specifics with these spatial areas and the VMS points and the analysis in each particular scenario. This depicts Alternative 2A. The blue polygon is the proposed northern extension for the Oculina Bank.

You can see down below the yellow polygon in the corner there is the existing HAPC for Oculina. This was what the Coral Advisory Panel and the Habitat Advisory Panel originally recommended. Again, it is based on the multi-beam data obtained in areas off of Daytona and Titusville, and probable extent of habitat.

The bathymetric charts were used to make that assumption. You can depict the high-relief features in the bathymetric charts. That is where this particular alternative came from. Now Subalternative 2B was what the Deepwater Shrimp Advisory Panel had a hand in crafting at the Joint Advisory Panel meeting last fall. This is also what the Coral Advisory Panel discussed, so this came out of the meeting.

Hopefully, you have had an opportunity to see this rendition; but again the green polygon here is the proposed extension, and this tracks the 70 and 100 meter depth contour while annexing

obvious hard-bottom features. I know there are some important areas that the rock shrimp fishery is interested in preserving for fishing activity. Much of your concern about the 27 fathom ledge –

(Remarks made off the record)

MS. MARTIN: Okay, well, this is an interpretation of the motion that was made at the Joint Advisory Panel meeting. You can review – I know we've talked about his a little already this morning, but in that joint advisory panel report there is rationale for this particular alternative and that at the meeting both groups kind of had an understanding about what Alternative 2B should depict, so this is what we have.

This is currently a preferred option for the Coral and the Habitat Advisory Panels. I guess we need to talk about that today, if this is something that the Deepwater Shrimp AP would like to endorse and provide that endorsement to the council. It was our understanding that you do have this option as a preferred; but if we need to make changes there, we can certainly do that after our discussion here.

Alternative 3 under Action 1; this is the scenario for a proposed modification to the Western Boundary of the Oculina Bank HAPC. This hasn't changed since the scoping process for the amendment; so this is nothing new. This is the same scenario that you have seen before. Again, the blue polygon is the area of proposed modification here to the western boundary.

We've kind of with Pat's discussion and Otha; we've discussed the transit provision. That is Action 2. This is the other action pertaining to Oculina Bank. Again where did these come from? Alternative 2 originally came from the Law Enforcement Advisory Panel. When they were first presented with this amendment, they were instrumental in providing input.

As you recall, the transit provision did not use to be its own action. It used to sit as an alternative under Action 1. It has been separated out, but the Law Enforcement Advisory Panel specifically came up with the specifications identified in Alternative 2. We reviewed this with you last fall at your meeting; and essentially Alternative 2 stipulates the same transit provision that is currently in place for the South Atlantic Marine Protected Areas.

The difference in Alternative 2 and Alternative 3 is the minimum speed. The Law Enforcement AP developed a minimum speed of 5 knots and also stowage of gear, so that is different. If you look in – the CFR is the Code of Federal Regulations. That tells you that – yes, so it says that vessels must disconnect trawl doors from nets and stow and secure them on deck.

That is another big difference here between 2 and 3. Alternative 3 was what you and the Coral Advisory Panel developed during the joint meeting last fall. We've already talked about that a little bit this morning so I won't get into all the details there. These were the specifications that your AP developed. We will look to your group today if you are interested in recommending changes.

The council is obviously interested in your guidance here for specifying a transit provision with assistance from law enforcement. Six knots has been identified as a minimum speed in

determining that ping rate acceptable by law enforcement, which they specified at the joint AP meeting to be five minutes when in transit through the HAPC.

We are talking about transit through the entire HAPC and not just the proposed northern extension. All right, there are only four actions in this amendment. Action 3 is moving offshore to the Stetson-Miami Terrace Coral HAPC. There are only two alternatives under here. Alternative 2 was the scenario that was developed during the Joint Advisory Panel meeting with your assistance last fall.

This is what the Deepwater Shrimp AP and the Coral APs came up with collectively and the Habitat AP has also endorsed Alternative 2 as their preferred recommendation to the council. Alternative 2 is depicted here. The pink polygon is the proposed extension to the western boundary, delineated along the 200 meter depth contour.

This does release more of that sandy bottom in the southern region of the proposed extension here in cutting out some of those royal red points here that indicated in the VMS. This does incorporate that area of known habitat while opening up the portion of sandy bottom. What we would like to ask you today is this depicts Alternative 3.

Now Roger and I have talked about this alternative; and it may be something that we recommend that the council remove to the considered but rejected appendix simply because this alternative came from the Shrimp and Deepwater Shrimp Advisory Panels during your meeting in 2012, after the public scoping process.

So this is perhaps outdated if the Deepwater Shrimp AP is in agreement today in recommending Alternative 2. Alternative 3 was the Deepwater Shrimp and Shrimp APs kind of response to the Coral and Habitat APs original recommendation for this area. They have since kind of parsed it down to a much smaller extension; and so it is kind of staff's understanding that this alternative is no longer applicable.

MS. THOMPSON: Whose authority is it; who gives staff the authority to just throw an alternative into the rejected?

MS. MARTIN: Well, staff can't do that. The council makes a recommendation. The staff can make a recommendation to the council and they take that into consideration when they deliberate these areas.

MS. THOMPSON: When was Alternative 3; when was that deliberated and when was staff instructed to put it in the garbage can?

MS. MARTIN: It is not.

MR. PUGLIESE: Laurilee, it is not put in the garbage can. This is the one that if you remember we talked about after scoping and came up with a scenario to look at trying to capture traditional fishing grounds and then reduce it based on what was known with the mapping and habitat. A lot has transpired since then.

If you look at this, it actually chops off a big significant portion of the northern portion of the area, cut off the southern and the readjusted, and that was from deliberations at the last AP meeting. The only thing that happens about – and the only reason this was even raised, it is the council's prerogative to include additional alternatives for public hearing.

We don't do that. The only reason it got raised is if it is not something that really was – you know, all the deliberations between the advisory panels and the recommendations from Deepwater Shrimp had said this is the new alternative we need to consider. If this is something that is not being really truly considered as one of the alternatives, it reduces the amount of additional analysis that has to be done.

It just cleans up the ability to focus on what may be the direction that both the shrimpers want to see as well as helping guide the council and giving you appropriate information. When it goes to public hearing, it may take away some confusion on what really say you all wanted to see versus something that was originally discussed; and maybe a lot larger and have a lot of different caveats that weren't included.

We don't have the ability to pull anything out of the document. The council makes the decision that they want to have it included as an alternative for hearing. But they will be selecting potentially preferred alternatives; and your guidance is the other one, it just made sense to have discussion just like with the northern extension. Then you focus on really what the real alternatives for consideration. It is nothing we're throwing out.

MS. MARTIN: I'm sorry I didn't make that more clear. These are all currently in the document. How this has been presented sequentially to the Deepwater Shrimp AP, you have developed Alternative 2; so perhaps you as a group are no longer interested in the additional scenario. We can get to that when we open this up for recommendations. If the Deepwater Shrimp AP wants to keep that in there, then by all means we won't take that forward to the council.

MR. WILLIAMS: In Alternative 3 from this AP; why was so much bottom reached down further south from the mapped habitat? In Alternative 3 then it looks like they were willing to just not have that in Alternative 2.

MR. PUGLIESE: Now you're talking about why that originally had that finger down over there?

MR. WILLIAMS: Yes.

MR. PUGLIESE: Well, I think the original bound that was recommended by the – and actually when I do my presentation, I've got the original one that was identified. It extended all the way down – that was the one that came out of the first recommendation for a northern expansion. It went all the way down to there. What we did is we actually cut up into that and removed a big chunk of the area inside. The southern boundary was part of the original proposal.

The scoping alternative was removing a good portion of it, so that is why it is a remnant of that; and then the transition to where we are now was the latest based on the mapping and the AP reassessing habitat and coral; reassessing the need to go that far to the south; with the recommendation from the Deepwater Shrimp to move that off and then allow that to be added back in to adjust based on some of the real high-resolution mapping and everything to get that

kind of a – and with the endorsement of Law Enforcement saying we do have the ability with the VMS capabilities to deal with an irregular.

Because originally a lot of times we propose those kind of things – so that is kind of the origin. It is really based on trying to address and reduce the impacts on the operations up to what is the mapped habitat.

MR. WILLIAMS: One other quick question. How much between Alternative 3 and Alternative 2, how much bottom – or actually not between those two, but between the original on the royal red shrimp part; what is the distance of that that will be closed off?

MR. PUGLIESE: Let me clarify the distance or the amount of area?

MR. WILLIAMS: Actually the distance in the shrimp access fishery area.

MR. PUGLIESE: This portion right here.

MR. WILLIAMS: Right; that will be closed off under either of these alternatives.

MR. MERRIFIELD: If you look at Table S-3 that Roger has there; it gives you the percentage of points difference between the two alternatives.

MR. PUGLIESE: His question is different. It is about five miles of the access area. Once we get into it; you will see how many points we're talking about and how much fishing is actually going on in this area, the reality by cutting out that – I mean, in all scenarios that we're talking about from almost the beginning; we're talking about less than 1 percent of the entire time series that we're talking about that even occurred within any of that inshore area. I'm not sure there are any points in that northern portion all the way up to the top, but it is about – I think just looking at the scale we have on here, about five miles of the northern distribution of that large range access area.

MR. WILLIAMS: Well, at some point I would like to hear what maybe Marilyn and Brent have got say about how that affects or impacts their fishing operation in the royal red; at some point today.

MS. MARTIN: Right; yes, that Alternative 2 does intersect with the northernmost fishery access area. That takes us to Action 4. The Deepwater Shrimp Advisory Panel has not provided a recommendation here. This is an expansion of the Cape Lookout Coral HAPC. This is the deepest of the HAPCs that were put into place back in 2010.

This is in waters off of Wilmington, North Carolina. The Coral Advisory Panel has come forward with new multi-beam bathymetry data that has depicted high-relief mounds and they have groundtruthed this to determine its lophelia mounds. They proposed an extension or recommended an extension to the council and that is where this action has come from. This adds approximately eight square miles to that Cape Lookout Coral HAPC. There is only one scenario for extension there, and that is Alternative 2; but the Coral and the Habitat Advisory Panels have endorsed that alternative as a preferred. Those are the areas, and I think now we want to get into the VMS specifics unless you have questions before we do so.

MR. PUGLIESE: One of the significant reasons we were going to reconvene the Deepwater Shrimp and other APs was at the concern about not having a more complete series of information on fishery operations as represented by the vessel monitoring system that had actually been implemented in 2003.

In response to that, I've been working with OLE and the Southeast Regional Office, with Carlos Rivera, to get the information so that we could add that information into what had been presented earlier on the analysis of fishing operations relative to the alternatives selected. This did provide us the opportunity to update those and focus on a more limited number of alternatives now; as well as even on, say, Stetson-Miami have more refined information. Before we used some of the collapsed information.

What I wanted to do is touch on both the fishery operations and highlight a lot of the habitat discussion we've already had in terms of justification. To that, in order to be able to look at it in context, we were able to look at the entire time series of the VMS system, which I'm going to actually jump forward one and then jump back.

This is a snapshot of the entire VMS pool of VMS points from 2003 through 2013. The great thing about this is that it really distinctly shows the differentiation between the three fisheries, the penaeid inshore fishery – now, of course, it is only of the vessels that have the VMS, so the penaeid, of course, will not be a complete set.

But it does a very good job of showing the concentration and focus of the penaeid fishery inshore, the rock shrimp fishery; and you can even see the outlines of the existing closed areas; and then very distinctly the royal red and that comment about the extent of the northern royal red you can really see how it is tapering off.

When we look at that alternative; that literally is right where that alternative is, right at that point. This is some of the best fishing operations' information we have for any of our fisheries. This was really good to be able to work with this. Now, in order to do the analysis, we wanted to capture the deepwater shrimp fishery, which would basically be all the offshore areas.

But in order to refine it a little further and to be able to look at it, we looked at the royal red offshore fishery as well as the inshore portion of the rock shrimp fishery. Now originally there had been some tiering to the north further inshore, to be able to at least capture and clip this information. A lot of that gets washed out because the focus is going to be on fishing levels.

Any of the transit that was occurring kind of on the inside gets pulled out automatically; so it does focus right on the fishing along those core areas of both rock shrimp and royal red shrimp. But this I think brought it down to a lot more of a very focused area of both fisheries. Moving into the actual alternatives that have been developed; the spatial presentation, as Anna indicated before, this was the original alternative that was the highest habitat-based alternative acknowledging that the distribution of habitat inshore started essentially at 60 meters and went out to 100 meters.

That was based on the work that John Reed did and mapping information and characterization of these habitats; combined both the habitat mapping information as well as the high-resolution

bathymetry. Now that is something I need to make very clear is the high-resolution bathymetry was used to really be able to look at this area and look at how high-relief areas were associated with it.

The line areas from the original discussions we had back when we started this were the alternatives that went from 60 to 100 meters and all in between; those have been based on 10 meter line bathymetry; so we had very fine point resolutions, and that is where these real lines came from. They are not based on this map.

They are based on using that line bathymetry; but then using this habitat information on resolution. I at least want to lay that out in the beginning before we move forward. Then I'll continue on.

MR. WILSON: I was just curious; these two squares; that is where the bathymetry mapped out, right, these two blocks?

MR. PUGLIESE: That is the actual multi-beam mapping and numbers of levels imbedded within those areas.

MR. WILSON: This area that goes even further north; all this is based statistically on these two areas, right? Okay.

MR. PUGLIESE: Yes; and this is tracking – you've got to remember this amendment is directed toward the council's mandates for conservation of deepwater coral and coral, coral reef and live hard-bottom habitat. This is the capturing of both fine-resolution mapping that exists as well as that maybe high probability of occurrence; because from the experience on the offshore deepwater CHAPCs, virtually all this high resolution – when you were showing these type of high-resolution areas, they absolutely not only showed the similar bathymetry's pinnacle distribution, but usually were like fivefold more. Even though we consider this high resolution, it is nowhere near high – I mean, you look at one of these, when we zoom in to one of these things and then you might have four pinnacles on the high res bathy; 25 or 30 or 40 and it is on both sides, whatever; and once you get really focused down into the system; and it is also a system of systems you're looking at here.

It is the pinnacles, the hard-bottom structure, the low-relief coral distributions, the hard and transitions between the soft bottom and hard bottom. It is an entire ecosystem that is being intended to be protected, similar to what has happened in both the Oculina existing area as well as the deepwater CHAPC. That is kind of the context.

But the answer – the long answer to your question, yes, that is the high-resolution mapping. This is building on the technical advice that the council has been giving in terms of conservation of the highest probability for conservation of these areas. This one represented kind of the broadest scope of what would occur; the original one that went forward.

Now, as everybody has been working together, the collaboration has been to respond to the determination that came out of the last joint meeting to look at moving into the 70 meter to assume that a lot of that impact may have occurred in between the 70 and the 60, but try to recapture some of those.

It really was a habitat decision on the size and that is why some of that crafting of that, using this and picking some points. It is very nominal amount of areas that really change from the 70, but it did capture those. Everybody was in agreement that the 100 meter was the outside bound. Again that 100 meter on this is based on that high-resolution bathymetry so you can't look at the – or the 10 meter line bathymetry; so you can't look at the bathymetries on here as absolute.

That is what created that. Again, that is from the beginning of this discussion. Those are the alternatives for the northern extension. Looking at the VMS information, so the idea now is now we have an eclipsed original area, refined-down area and let's look at the historic information; the combinations of these.

MS. SOLORZANO: May I ask one thing? You say you are fivefold on this bathymetric meter to say where the coral is. That is little small areas; but we give up 406 square miles of bottom to protect that. Not that we drag it all, but we're expanding out a lot of area to give up for these two little spots.

MR. PUGLIESE: No, I think that is the miss here is you are not protecting those two spots. You are protecting the habitat throughout the range of this entire area. It is a representative snapshot. In that area it may show four pinnacle areas that really translate to 30; and if you expand that through the entire, you are talking about hundreds and whatever; and again it is not just protecting those pinnacles. It is protecting all the habitat connected in association as an ecological functional area.

A lot of it is the nursery grounds for rock shrimp and for many of the other managed species. It is a complex deepwater habitat system that is being protected, not just those few snapshots. If it was just a few snapshots, of course, we would have created boundaries around those two areas and that's it.

But I wanted to at least walk through what we – in order to understand the fishing operations with the VMS information we had, again taking the information we have and the operations of the rock shrimp fishery; looking at the first one being that more I guess conservative view of the habitat conservation under 2A; what you do is you have this snapshot; you clip out these points that occur within the area.

Now this is a little misrepresented, because this is all the points included in this image. The way I worked on this, I was able to get all the points of the clip, but then actually sort it down to 2 to 4 knots to do the analysis. You will see the difference between where vessels have gone through there or have been fishing.

This does show any occurrence of a vessel within that area, as well as the Alternative 2B, which you see does cut out a very significant amount of operations within that area. Moving to the western extension, again this is the same thing. One of the obvious comments has been, well, you looked at that and you are seeing actual activity in the satellite areas.

Well, this includes both fishing and transit. That is why you are seeing anything within those areas. But this one again there is – it is not represented here, but the mapping down through the center of the northern portion of that; and this is some of the most high-resolution bathymetry

that occurs in any of the areas. A lot of people have already stated that very little opportunity; the western – sorry the western extension, Alternative 3 of the western extension. Here is a quick comparison – yes.

MR. WILSON: I just wanted to ask; is there something that – are there VMS points within that mapped habitat area? I can't see it.

MR. PUGLIESE: I have to zoom down. I am sure there are probably some, but the question is whether those are transit across. If they are on top of the pinnacle, I hope they're transit unless they are hung up on the pinnacle. I would assume they are transit through that area. But in order to at least look at the relationship between these and the spatial discussion; I put together this that compared where the original habitat coral recommendation on the northern for 2A; and with the deliberation between the groups, how it is brought back in and addressed a lot of the fishing operations that may have occurred in the western edge of it.

What you see here is what we've gone from that one line at 60 meters to essentially the 70, with some bumps to capture some of the high-relief other habitat. This is the modifications; and with everybody in agreement the time that is also – they are basically the same outside bounds of 100 meters. That is the comparative.

MS. MARTIN: Those are right now the two scenarios we have, 2A and 2B.

MR. PUGLIESE: 2B is the one that is in response to the joint meeting and the Habitat Advisory Panel in November was able to look at it, because we were able to respond and create this. Mike attended that and we were able to look at least where it was at. The Habitat at that time endorsed this as their preferred to move forward.

Subsequently, the other day with the Habitat/Coral deliberations continued that based on – and again while there are adjustments, it is based on what they are determining as significant habitat conservation that the council needs to address. It brings us to the information that we really wanted to try to look at and be able to look at the fishing operations relative to these areas.

I've showed the points; I've showed the habitat and now looking at some of the relationship between the two areas; so I've got an analysis of what the impacts are relative to 2A and Alternative 2B. Again, you've got over 1.2 million points for this entire time series that we were looking at of vessel operations.

Of course, that included transit, it included fishing, it included all of it; penaeid, inshore, offshore and everything. In order to craft that, as I indicated earlier, I identified where the core focus fishing operations were, captured all those areas and you can see within the table it shows the total points that you have of rock shrimping fishing through the entire area, how much rock shrimp fishing is actually, quote, fishing then between 2 and 4 knots; and then the total points within the alternative that we're looking at, and then how many are actually within that area that is 2 to 4 knots.

Now when you look at this, what I've done is we had the original dataset between 2007 and 2011, partial 2007 to partial 2011; so that is why you kind of see a break between these. The

beginning I think is in August of 2003 through a fall; so you have that connection. But in order to at least kind of combine these, the key one was looking at the entire time series.

When you look at Alternative 2A, the amount of points that are between 2 and 4 knots occurring within that area showed to be 12.3 percent. Now, there had been comments that earlier there was a higher activity; and this does show that because if you look back to the 2003 to 2007 there is about 14 percent and it dropped to 9 percent.

Then the time series 2011 to '13 is somewhat truncated, because it only goes through March of this year. We may be able to add a couple more months before we go to hearing, before we finalize it and kind of maybe tweak it even a little further; but I can't imagine the percentage is going to change that working with a million points or whatever like that.

MS. SOLORZANO: I do have a question on that. Looking at your total rock points, this is all rock shrimp VMS, correct?

MR. PUGLIESE: Yes.

MS. SOLORZANO: When you go to the third column, rock shrimping 2.5 knots; we move over, total points in Alternative A; in every one of the columns there is probably three times more total points in Alternative 2A than actual fishing in 2A. In the fourth column, if all of them are moving 2 to 4 knots, you go to the next column and you just cut that in a third? How do you know they are not fishing? How do you know that is not –

MR. PUGLIESE: Wait a minute;, let me explain the way this is. As you look at the rock shrimp fishing knot; that is the actual fishing that is the focal.

MS. SOLORZANO: 2.4, 55,000; just using a top number, 17.

MR. PUGLIESE: You look at the other one that is fishing in – no, don't worry about 17; look at fishing.

MS. SOLORZANO: Total points.

MR. PUGLIESE: No, don't look at that one; look at the fishing in Alternative 2A. That is the relationship you look at is how many are 2 to 4 knots of the entire rock shrimp fishing effort. What you would compare that total points in 2A to would be to the total rock shrimp fishing, if you want to come up with that; so that includes transit and everything. The ones that – and this was trying to show the complete.

MS. SOLORZANO: I'm damned confused.

MR. PUGLIESE: Well, I'm trying to show you –

MS. SOLORZANO: The rock shrimp fishing 2.4 knots; that is supposed to be all rock shrimp fishing or am I the only one seeing that? If the third column says 2 to 4 knots, rock shrimp fishing; isn't that anything that would be moving 2 to 4 knots, okay?

MR. PUGLIESE: Yes.

MS. SOLORZANO: The only thing you're looking at are rock shrimp vessels VMS data. You've got – let's just use the top number, 55 through 22. Then we got total points are 17,588. How do we get –

MR. PUGLIESE: What you are doing is you are comparing a little bit apples and oranges, because what it should have done is push this column over to the other columns, because that total points in Alternative 2A relates to the total rock shrimp.

MS. SOLORZANO: Right, but look at the difference between 2A, 17,500; and 2A, 7,600.

MR. PUGLIESE: You can't compare – well, what it is of the 17,588; only 7,000 are fishing.

MS. SOLORZANO: How do you know that? Why aren't 17,588 –

MR. PUGLIESE: Because those are 2 to 4 knot VMS points fishing; that is what they are.

MS. SOLORZANO: Right; but they're not VMS rock shrimp data?

MR. PUGLIESE: They are. I should have put the same title.

MS. SOLORZANO: Am I wrong here; am I confused?

MS. JONES: I see what he's saying.

MR. PUGLIESE: It is the same; I should have put rock shrimp fishing instead of fishing.

MS. JONES: It is the total points in all of them.

MS. SOLORZANO: I don't understand that; I'm looking at the last two columns.

MR. PUGLIESE: This should say rock shrimp fishing in Alternative 2A.

MS. SOLORZANO: What is the second column?

MR. PUGLIESE: This is all the points.

MS. JONES: All points fishing or not.

MR. WILSON: Well, what is rock shrimp fishing?

MS. SOLORZANO: Only vessels that have points are rock shrimp boats, right? Am I right or wrong? I don't know, somebody clear this up, because I think we're using a percentage from the last number, the 7,696 which makes the fishing in the areas lower, but maybe I'm wrong.

MR. PUGLIESE: No, it is terminology is all it is. When you look at the first column –

MS. SOLORZANO: Am I wrong, Richard, or right?

MR. PUGLIESE: Wait a minute; let me walk through it.

MS. JONES: Let's go through it again column by column.

MS. PUGLIESE: The first column –

MS. SOLORZANO: They don't add mathematically; go ahead, Roger, I'm sorry.

MR. PUGLIESE: They mathematically add up; they do.

MR. REID : You can tell 2 to 4 knots with the one hour ping rate, so how can you say that?

MS. MARTIN: Richard, if you are going to speak to the group, turn your microphone on.

MR. PUGLIESE: What you have in this dataset is the entire amount of VMS that occurs within that area of rock shrimping. That is what the total VMS points are.

MS. SOLORZANO: Row one.

MR. PUGLIESE: No, the total VMS is the total for the entire everything; so that includes everything. The total rock shrimp is what occurs in that offshore area. Then what we looked at was that off that entire offshore area, how much is actually those points are identified as fishing points. That is the 2 to 4 knots you see.

MS. SOLORZANO: Right.

MR. PUGLIESE: Right; so then what we did is we looked at the 2 to 4 – and, again, it is the placement of columns probably. That area and then you look at a snapshot of the actual alternative we're looking at; and that really is what is in this column.

MS. SOLORZANO: How did we change those over so drastically?

MR. PUGLIESE: This should be here to there and this should be here to there is what it comes to, because this relates to this. This should be total rock shrimp points in 2A, including both transit and fishing. Then this is rock shrimp fishing. Then this is rock shrimp fishing in 2A. Are you all following that?

I mean, what it is is it is just taking a snapshot of the area, cutting into it and then looking at how much is fishing versus transit. That is what you come up with here. This is all the points that occur within that alternative. Then these are all the points that are actually between 2 and 4 knots.

MS. SOLORZANO: Then why do you have that other column that says rock shrimping 2 to 4 knots? Because you have a total rock shrimp, a total VMS and then a 2 to 4 knots, then in total points in A and then you have fishing in total. It's probably me.

MR. PUGLIESE: My question is –

MS. SOLORZANO: It doesn't look like it's adding up. It looks like we got a lot less dragging points being given credit for; but maybe I'm wrong.

MS. PUGLIESE: Are others having problems understanding this scenario, because right now –

MS. SOLORZANO: I'm probably the only one.

MS. MARTIN: Really, this just builds off of what that – it is the same analysis that we reviewed in October last fall. The only thing we have done is added in the entire dataset. We did have only 2007 to 2011, and you have all reviewed it, and everybody talked about it in October. The only thing we've done here is added to that data pool.

MS. SOLORZANO: I don't mind that part. I'm just confused with total points in Alternative 2A; they are moving at 2.4 knots also. That is in the box, and that is my question. In the fourth column, total points in Alternative 2A – that would be moving at 2.4 knots, because –

MR. PUGLIESE: No, this is not 2.4. What I should have done is put 2 to 4 knots in Alternative 2A. This is total points so it is all boat points. These are the ones that you are looking at fishing and you're looking at fishing in the alternative. But then you are looking at the total, both fishing and non-fishing.

MS. MARTIN: The headings could be clarified and we can do that.

MR. PUGLIESE: Yes, because this is all of the rock shrimp fishing. Then that is what is fishing actually was identified at 2 to 4 knots within the actual area. You relate these two and you come up with a percentage there. These are totals down here. These are not aggregating that. This is when you look at the entire time series, there is 81,000 rock shrimp; what would be considered points that are between 2 and 4 knots. Within the alternatives, there are 10,000 points there between 2 and 4 knots; so probably just drop that entire column we would have kept it cleaner. That is what it is. It is a terminology.

MR. MERRIFIELD: Marilyn, let's go from left to right so you have total VMS points. That is all of them in the world, okay?

MS. SOLORZANO: Yes, I've got it.

MR. MERRIFIELD: The next one is total rock shrimp points.

MS. SOLORZANO: All of them in the world.

MR. MERRIFIELD: That is reducing the area, correct?

MR. PUGLIESE: That is cutting it down to only those points.

MR. MERRIFIELD: That is just reducing the area that he is saying that rock shrimp occurs. If you looked at that one where he had those two stripes on the page, it would be that stripe that

was considered to be rock shrimp versus red shrimp. That is that total rock shrimp. Then he says total rock shrimp fishing in that total area that is considered to be rock shrimping at 2 to 4 knots. Then he's got those same total points at 2 to 4 knots in Option 2A.

MS. SOLORZANO: Okay but see the way it is worded, it says – but it's okay.

MR. MERRIFIELD: Correct.

MR. PUGLIESE: Clean up the wording, correct, yes.

MR. MERRIFIELD: Then we have –

MS. SOLORZANO: Just making sure I understand why we went from one to the other, but I got it.

MR. MERRIFIELD: That's okay. No, that is fine. I think that you need to understand it and we need to look at this data and see what it's telling us. That is important.

MR. PUGLIESE: Truthfully, I tried to make it simpler here, because the last time when I did this is I compared it not only for like rock shrimp; I did it rock shrimp and then as it related to the deepwater shrimp, as it related to the entire shrimp fishery. I was really trying to focus and make it a little simpler to look at, because those are relative ways to look at – especially if the economics is in the analysis. Sometimes they want to look at how it relates to the different fisheries. But that is why this was to focus very specifically on the fishery.

MS. SOLORZANO: If we're going to go to economics of this; if we have in 2011 to 2013 only 5.4 percent in that area –

AP MEMBER: That's two years.

MS. JONES: That's only two years.

MS. SOLORZANO: That's only two years.

MR. PUGLIESE: It is not even a full two years.

MS. SOLORZANO: But 5.4 percent can be where we made the entire rock shrimp trip, season. That might be the one trip that made our money. Economically that is a lot more – in other words, over a whole year, two-year period of time you have got 5.4 percent of it. You're saying that is all that we used in that box in that area. That could have been the $200,000 trip that made us or broke us.

MR. PUGLIESE: Well, those are the things that need to be discussed in the economic analysis. What I'm trying to do is really look at what we can at least connect to fishing. Because what you need to do is jump down to the next area, which is the alternative that has been developed through the collaboration between Deepwater Shrimp, Coral and Habitat that was adjusting this down, because now what it did is it has dropped the overall down to 5.5 percent activity within the entire area.

Historic again, with a little higher than – which everybody had made the comments earlier on was up at 604 in that time series, but the key is looking at the entire fishery over time, which is still pretty close. It is still pretty close with 5.5, which is a far cry from the historic 13.9 percent under Alternative 2A or the overall 12.3 percent, so it is even less than half of those areas.

I think there has been a pretty significant reduction down to that. Yes, that is where this is really going to is that where we stand with that alternative is included in response to the approved motion at the October meeting and then subsequent discussions. That is 5.5 percent of that alternative.

Let me move to the western extension and I'll just go directly to the entire time series. On the western extension you are showing at 0.8 percent of basically of – it is basically less than 1 percent of any of the VMS points that were between 2 to 4 knots came from that little sliver that is in the existing alternative.

There was an image that we would need to add – it may be in there now – that shows the entire extent of the fishery and then where that alternative sat. It showed how it is right at basically the top end of the entire fishery. It stops right up in there even before you get into I think that northern portion of that area. That isn't much different than the historic.

If you look back at what wasn't included earlier; 0.9, there really has never been – once you get to that point, you are really getting at the top end of the operation so that even the occurrence of that species within the area. Moving on to the Stetson-Miami area that we had just talked about a little bit before – yes.

MR. MERRIFIELD: I just wanted to point out that in that western area there, that 2.8 percent; I think I pointed this out yesterday in the meeting, too, is that is a pretty significant increase actually in that short period of time. I know you are laughing about the significance.

MR. PUGLIESE: Well, no, I'm looking at the point numbers. We're talking 90 points out of 300,000 points in the time period.

MR. MERRIFIELD: What is significant though is if you have got a four-year period and you've got 0.9 percent and you've got another four-year period and you've got a 0.5 percent, and you've got a two-year or less period and you've got 2.08 percent; it shows an increase in fishing in that area. That is all I'm pointing out. The significance there is that the fishery moves. In these last couple years, it has moved into areas where it puts pressure into different areas. That is the only thing I'm pointing out.

MR. PUGLIESE: Okay; moving on to the areas encompassed by the extension of the Stetson-Miami Deepwater CHAPC, the one that is closer and impacting the royal red fishery operation; going all the way back to the first proposal that was on the table; this is the extended proposal that really went a lot further than both north as well as south and adjusted. What you see is our partners, the Navy actually – this is some of the most extensive multi-beam mapping and characterization work done – provided this.

This is the foundation for further discussion. Of course, the area, as discussed earlier on, included a portion of the North Florida Marine Protected Area; so we got the secondary benefit of actually mapping some of our protected areas in this. But it also gave us that southern portion that gave the ability to look at that.

Then Steve Ross looked at that, and others, it was really the Navy information that helped refining and going beyond what was the scoping alternative to this alternative here. You can really see if you go back and forth; so just go to the scoping alternative, it went beyond this scoping alternative to the next one, which is the present alternative. What it did is if you look at that original detailed area and you can see that notch; you can see the habitat really starting up at that area.

It really gave that ability to tweak and refine that southern boundary. In addition, if you remember that image of the mapping; they also dropped it down to where there was no mapping north of that area. Now it doesn't impact the fisheries that great; but to be a little more conservative and drop it down to what we definitely have some mapping for, so that northern boundary dropped down to 30 degrees, 37 minutes.

It did adjustments on both ends. It removed that tail on the bottom and more clearly connects into some of the distribution information on the southern boundary and reduced the northern boundary down to the mapped areas. Looking at that area; the one thing, when we originally had the analysis that was put together, this is an area that we deliberated on and had had when we were first building the Deepwater CHAPC, the shrimp fishery access areas; and that is why you're seeing some connections.

If the shrimp fishery access area went to the bound of any VMS points, we went right up to that line; so that is why you are seeing that extend all the way to the points. The analysis last time was just showing that there was an occurrence within this area; that southern portion. What I was able to do now is get at the data for the entire time series extending all the way up there; and what it did was it provided the snapshot of what is really going on in the area.

If you do look at that; the two alternatives, what you're seeing in the original alternative, it showed that there was 0.7 percent if you look at the entire time series. Then Alternative 3 is 0.1 percent was the one that had originally come from scoping. In both scenarios, again less than 1 percent; the fishery is operating generally south of this entire area for the entire fishery.

MR. MERRIFIELD: Basically, what is cutting out the fishery by this alternative is not where they are actually dragging; it is where the line is being drawn. Because what has happened is any of that area that is above that line; there is no net on the bottom of that area. What that typically is, is drift from pulling up the nets. That is the point that these guys can make better than I can.

MR. PUGLIESE: The bottom line is the VMS points that even occur are just the drifting up into there. There is really no –

AP MEMBER: Why are you bounding the south end of it? Why? Tell me what is the reason for doing what you did on the south end? Tell me what you see there that would justify you putting a boundary on that south end right now. Why did you do it?

MR. PUGLIESE: The idea was to capture an entire area. When you say putting a boundary –

AP MEMBER: Well, I'm asking you –

MR. PUGLIESE: – how could you create a protected zone; because again think about this now – and I think I should have made this point before in relationship to the habitat discussion. This is prohibiting the use of all bottom-tending gear, anchoring and grappling so it addresses a number of other fisheries beyond shrimp in these types of areas.

It protects these from bottom longlining, from use of black sea bass pots, from use of anchors or grapples throughout this entire system; so it goes beyond that. What this southern area is, is trying to compensate both –

AP MEMBER: So you –

MR. PUGLIESE: – and captures the most of the habitat boundary while reducing – cutting off that area and reducing any points that occurred in that southern beyond the mapping area.

AP MEMBER: Well, see, I just want to make a point to you. What you see there is really not what you see, and I'll explain that. When we hit that southern edge we're hauling back, anyway. We've never drug there. That is VMS data that is saying we are there; but you cannot stop at a point and pick up at that same point in that depth of water and that tide.

That is going to take you miles until you get your rig to the top; do you know what I'm saying? It just doesn't work that way. Now, what you have done to us there is you have cost us probably another hour dragging time on the bottom, because we are going to have to stop way short again and start picking up. We're going to lose a lot of bottom just by putting a boundary down there when really it doesn't need it for us; maybe for another fishery, but for us we're not even dragging it.

MS. THOMPSON: If I could elaborate; what he is saying is that the gear – so the reef might be here and they are coming with the tide. They start picking their gear up off the bottom a mile from here; and by the time they are moving with the tide and they're pulling their nets up, the nets are up off the bottom, but the tide is still pushing them north at a really rapid rate.

Those VMS points that you are seeing right there; their gear is not on the bottom. They are picking it up, it is on the boat, and the tide is pushing them. They are trying to get turned around in the tide and get going back south again. By putting that boundary there, you have eliminated not only – I mean, they are not dragging where you see those VMS points, but you have also eliminated their ability to fish up to a mile south of there just because of the way they have to pull their gear up in the tide. You've taken away more bottom than what you actually depict on that graph just because of the mechanics of how you have to work the boats and the gear in the tide.

MS. MARTIN: I guess I'm just curious why didn't this come up then at the October meeting?

MS. THOMPSON: It did.

AP MEMBER: It's in the minutes if we can find them. I personally stated it. I talked about this in the last meeting.

MS. MARTIN: But in the report from the meeting, we have the motion that was made by the Coral AP, and there was no opposition by the Deepwater Shrimp AP.

MS. THOMPSON: The report is one page long. Half of the minutes are 70 pages long.

MS. MARTIN: It's a four-page report.

MR. PUGLIESE: But I think the key, too, though, is the motion was brought to the group. If you all had that much problem with it, why didn't you oppose that action? That is the thing that I'm a little curious about, because if it was that significant – and right now even though you are saying that it is impacting and has some potential over there; the points we're talking about still are not – they are all going to be less than 1 percent of any activity in the entire fishery, so I'm not sure – you know, we have to balance this – the council will have to balance what the implications are on that. But this is something that we had that extended area going down and cut that off to reduce that area so that it addressed where more of the points were occurring.

MS. THOMPSON: The motion that came out of that committee was to modify the southern boundary of the HAPC extension in a manner to release the flat bottom region to the extent possible while maintaining protection of the coral habitat. Then we were supposed to be working with Dr. Ross to develop lines for this area.

Did anybody work with Dr. Ross? I don't think so. But, Roger, we probably spent 30 minutes talking about this at that meeting. Unfortunately, the minutes aren't available to reflect that; but this was brought up and it was discussed for a long time. That is why you have Alternative 3. I think Alternative 3 kind of allows that to happen. Alternative 2 is going to take away a huge amount of the ability to fish where they have traditionally fished.

MS. MARTIN: Well, I think the purpose of the meeting today then is to reaffirm or provide rationale for what your recommendations are going to be. I think we can move away from the fact that the minutes have been compromised. We've already talked about that this morning. It is unfortunate; we all think it is unfortunate.

But in a productive manner and for efficiencies sake, I think we can kind of move beyond these presentations and kind of discuss what does the Deepwater Shrimp Advisory Panel want to recommend to the council. If your recommendations are different, then I think that will be productive and helpful to take forward to the council. We don't have anything set in stone here today. If you want to make changes, if you recommend an entirely new alternative, then that is what we need to get from you.

MR. WILSON: I have a question. Where they did the mapping there in that chunk right there; what occurred over here to this side that they felt that they only needed that little space and they could move the boundary over?

MR. PUGLIESE: That is one of the reasons I included that. The mapping and characterization information provided by the Navy; the Navy shows that mud area extends up into it. That is where on the left side, the hard structure and pinnacle areas and lophelia; the most inshore distribution of lophelia known extends down like a finger down in there that fart. That is why it was trimmed off there, but it does occur there and then it kind of tapers up into there. That is why this configuration was developed.

MS. SOLORZANO: Since we lost the minutes last time, I would like to just make a comment. Before 2003, when we put the VMSs on, the agreement was made from council to all of us that have boats that we would not lose anymore trawl bottom. By putting the VMSs on, we were regulating ourselves.

We're back in here doing exactly what they promised us that we paid for not to happen. We argued this at the last meeting that was not put into the minutes. We don't want to give up any of our VMS pings, none of them. I'm not in favor of giving up not a point of a zero percent; so there, in the minutes recorded.

MR. MERRIFIELD: Okay, Anna, how do we want to proceed from this point? Have we got all the presentations? I don't think there is any point in going over Lookout Point. I don't think there are any issues where Lookout Point is concerned. In fact, we can cross that one of the list as done, I think.

Does anybody have any issues with Lookout Point; so we don't even need to go there at this point. What do we want to do at this point is go back and talk about the alternatives and say which one we prefer or what adjustments that we want to make to those so we can get some progress going here?

MS. MARTIN: Yes, I'll leave that up to the AP.

MR. MERRIFIELD: Okay; is that what everybody is agreeable to do is we'll start back now. We've got all the presentations; we've seen all the data. We've seen everything. Let's now start and look at the alternatives and say, yes, no or whatever it is that we want to do to them, okay? Let's go back to our alternatives' document.

MR. WILSON: On the Alternative 2B for the northern extension; suppose we wanted to just tweak it a little bit. Can we suggest tweaking 2B or do we have to have a whole new alternative?

MS. MARTIN: Well, it would be a recommendation to tweak Alternative 2B. The council would then talk about it; and because 2B is what the Coral and Habitat APs have endorsed, and they are charged to conserve habitat, I would anticipate the council would consider making that a new alternative; but I would suggest recommending tweaking Alternative 2B.

MR. MERRIFIELD: Okay, we're going to start with Alternative 2, correct, Anna. Okay, so 2A that is basically the 6,100. I don't think that there is anybody here in the room that is a pro 2A person, correct.

(Several responses of "right".)

MR. MERRIFIELD: Okay, next is 2B. Roger, could you put up the slide that shows the VMS points within the green existing 2B? In November of last year I sent some coordinates to modify that southeastern edge from about halfway up to the southern start of the expansion. I don't know if everybody has seen that; but basically what it did was if you see the VMS points that are on the eastern southern edge of that boundary – and one thing that would really help, Roger, would be to – it is really hard to see at that level.

It would be really helpful to see some blow up of these areas in a little bit more detail. But working with what we have, what I did do was create an alternative from about halfway down to the southern edge of that boundary. That would be my recommendation is that we either modify 2B to include that edge or have a new alternative that has that boundary change in it. I think, Roger, you and I talked about this on Monday, that that would probably be one of the recommendations coming out of this meeting.

MR. PUGLIESE: I think what is going to be important is you identify what the rationale is to go beyond – I mean, your position coming out of the joint meeting was that you were going to use the 100 meter contour on the eastern boundary, and all the groups agreed to that. I think if there is specific rationale of the fishery, because what I tried to indicate that right now that boundary, based on the line bathymetry, is where those 100 meters was from the beginning of this discussion.

If there is additional rationale like you would like to see it move into 90 meters, add that to the rationale of what this point is, or an approximation of what those points represent. I think it ultimately is inshore, because you can't use the habitat bathymetry to kind of determine that. Make that clear for the record, I think, and that is definitely the direction you would go in terms of recommendation coming from Deepwater Shrimp for council consideration.

MR. MERRIFIELD: Okay; and that recommendation is being based on track data that was given to me that shows – as the VMS data points out; so I think it would be worthwhile to see that modification and then look at the VMS analysis at that point. Since the track data is really not something that we want to look at here; let's look at the VMS data and say, okay, well, how many VMS points, then what is the change.

If we do make that modification; where are we at now in VMS analysis points? Do you see what I'm saying? I am not going to argue with you about the 100 or the 110. I have charts that show one thing, and you probably have better charts, more recent charts that may show something different, so that is not the point. The point is what we're trying to do is preserve rock shrimp habitat for catching rock shrimp that has been there.

MR. PUGLIESE: The way this will be done is you make those recommendations, we can do the analysis for the council and the council will have that to determine where to go with it. That is how this would unfold, because we will proceed with whatever recommendation; and we can look at what that means relative to the existing with the additional rationale that you build for the case.

Then the council will be looking at the existing position of the Coral and Habitat as well as the recommendations from them as well as the recommendations from Deepwater Shrimp, with

whatever rationale you make for adjustments to any of these alternatives we're looking at. That is what is going to unfold after whatever deliberations you make here.

MS. JONES: I've got a question. Can you go to the one that shows all the VMS points? No, just the one that shows all the VMS points. That one – why can't we just draw the line right inside the track? We don't drag inside there, anyway. Why can't we just inside of our tracks draw the line? We don't drag the coral heads, anyway. Has anybody drawn an alternative where you just draw inside the track?

MR. PUGLIESE: You all provided an alternative to council a long time ago that basically eliminated everything and that has been addressed. You went to the last AP meeting; you had the deliberation between Habitat and Coral and came up with this alternative; so it has been on the table before to eliminate everything. That was one that actually the council removed out of here because you all had talked about and endorsed a subsequent alternative. If you want to go back to something that does that, that is the prerogative of the advisory panel in its recommendation to council.

MR. WILSON: I believe we were handed some documents showing that we want to take this; and then we had to deal with that and try to fight for it and gain whatever we could out of that and make some kind of compromise. I know we didn't walk in with here is what we want and we like this. We did not.

MR. MERRIFIELD: We did present – and I have it if you want to see it; but we did present an area that basically left all tracks outside of the proposed closed area. When we went to the meeting in October with the Coral Committee, we did try to come to a compromise between us and the Coral Committee and made great strides in that direction when we went to the 70/100.

That is the progression of how we got to where we are today with the 70/100 that is the green line that Roger has. The only contention that I had – and they redrew that western boundary; John Reed and Roger did. I had really no basic problems with what they did, because it really didn't exclude any more tracks that I had from the 70/100 just as a general term.

What they redrew I didn't have a problem with; but when I looked at it, it looked to me like on the southeastern side, according to the data that I had, the tracks that I have, it hadn't moved; but it did have tracks that were on that southeastern side that in my data showed that they were out to the 110,. In Roger's it is the 100.

We're not going to dispute the 110 or the 100. What we want to do is say there is significant amount of fishing here. Significant is a relative term, right, but for us it is a significant amount of fishing. It occurs in that area that we want to preserve. We are going to recommend that we move that line in to the boundaries that I sent to you guys. The rationale will be that we want to preserve that traditional fishing area, and the other part of that rationale will be the VMS analysis that says the amount of impact it is going to have on the fishery.

Though it looks small to everybody and insignificant from a numbers point of view when you are looking at these percentages, Roger, it is not necessarily that small when you look at the fishery and what they're doing out there.

MS. SOLORZANO: When we were in the meeting in November, we were basically told that they were going to take 60 to 110 and we had to come up with a plan of something to give to them so that they would be accepted. We didn't want to give up anything. We didn't go in, volunteer and say, here, go ahead take this bottom from us.

That was never on our plan. It wasn't on our table. What happened was we were told we're going to have to work with you all. We've got to give you something. Everyone here agreed that is what we were told; we've got to give up something. We tried to work it to as narrow of a loss as possible and brought it into the 70/100 to work this; but we're still losing a small percentage to you, but not to us.

Sometimes our entire trip for the year, all our profits and money made are in that small percentage. I know you are thinking I'm exaggerating, but it is a lot to us when the shrimp – the shrimp aren't in that whole area. That big section you see on there; we don't just go out and rock shrimp anywhere and everywhere on there and catch shrimp. They are going to be in spots. Sometimes those spots that you're taking; that is our survival.

MR. WILSON: I would like to say for the record the only reason we come here is because we are told somebody wants this area and you need to come here and deal with it. This is the only reason we come here. Otherwise, we wouldn't come here at all if we were told, hey, everything is fine and nobody is going to take your area ever again. We know that in two years we'll be here again for the same reason.

MR. MERRIFIELD: Anna, how do we proceed here with an alternative? Let's just try to get through some wording here that gets us past this point here. How do we get to an alternative here or a suggested modification to 2B that includes that and includes the VMS analysis that shows some rationale as to why we want this?

MS. MARTIN: Well, first of all, I just want to go back to Marilyn. The AP can bring back an alternative from the considered but rejected. I think the joint AP meeting; you shouldn't have felt like you had to come. You could have presented your own. We could have met that meeting with a recommendation from the Deepwater Shrimp AP that was completely different from the recommendation that the Coral AP was interested in suggesting to the council, but that didn't happen.

Both APs agreed on the same motion, and nobody was holding your hand to say the Deepwater Shrimp AP has to agree to these terms. I just want to make that clear. I mean we can bring back an alternative from this considered but rejected appendix. I don't want the Deepwater Shrimp AP to feel slighted here. You can make your own recommendations.

The council is not just listening to the Coral and Habitat Advisory Panel. That is why they wanted this meeting here. The recommendations from the Deepwater Shrimp AP are also a part of this process; but what we took from that meeting was this Alternative 2B. I think that is what we're trying to work on. I think we need a motion that would reflect what – and the AP perhaps doesn't – maybe the AP doesn't agree on what to do here.

MS. THOMPSON: We did come in with a recommendation. Our recommendation was 70 meters to 90 meters, and we were told that no, no, no you can't do that. The Coral AP; they wanted a half-mile buffer between the pinnacles and –

AP MEMBER: Buffer zone.

MS. THOMPSON: Buffer zone, yes. Even though it was mud bottom, they wanted a half a mile buffer zone between the pinnacles, but then they came back – after we had a lot of really amiable discussion; they came back and their attitude was we really don't want to take the bottom away from the shrimpers. It is mud bottom and there is not coral in it.

They were kind of okay with not taking our bottom away from us. But when we came in with our original proposal, which was 70 to 90 meters, we were told no, that won't fly. You can't do it. You have got to come up with something different. That was our proposal, 70 to 90 meters.

MS. MARTIN: Could you clarify, Laurilee. Who told you that you couldn't?

MS, THOMPSON: Without the minutes, it is kind of hard to tell.

MR. PUGLIESE: Let me make a comment. I would like to redo something real quickly is that you do have to remember that this amendment is being developed to protect these habitats under the council's congressional mandate to conserve these systems, so that is the driving force on here. I think the groups have been trying to adjust and work together to try to minimize the potential impact, but the directive to the council is conservation of these resources.

I think that also is a driving factor in terms of that and from the last meeting that agreement on those boundaries was at least where we stood coming out of that. You have the opportunity here to come up with a recommendation, use the area with adjustments based on those coordinates or preexisting recommendations. It is in your hands for further recommendations at this point.

MR. MERRIFIELD: Okay, I think we're rehashing a lot of stuff that we did at that meeting. I know there is a lot of don't give up any bottom and that; but I do think we're close. If we can get to the point where we can get a motion that us – and maybe I'm wrong. Maybe you guys want to go back to our 70/90 and not go with any of these or any modifications to 2A or 2B.

That is the AP's prerogative here. My recommendation would be that we make some modification to 2B to move that eastern boundary westward enough to allow for that trawl area to remain inside the fishery, but leave the western boundary where it is. We knew we were giving up that middle ground area. We talked about that as a group back then and knew that we were giving that up; but we were fine with going with the 70/100. Now we're just asking that we move that lower portion in a little bit to allow for those VMS dots to remain as part of the fishery.

MR. WILSON: I make a motion that we make a recommendation to tweak 2B to those amendments that you turned in.

MR. MERRIFIELD: Is there a second to that motion?

AP MEMBER: Second.

MS. MARTIN: Hold on just a second; I want to make sure I capture it.

MR. MERRIFIELD: I think I have sent most of you pictures of that bottom. I don't know if you had a chance to look at that eastern side; the coordinates that I sent to Anna and Roger I had on there. Have you all had a chance to look at that to know what you're agreeing to? As long as everybody has had a chance to look at it and you know when he makes that motion, it is to those coordinates that were sent to you already. That is what the motion is.

MR. WILLIAMS: I would like to sort of – I guess Steve made a motion – maybe add where it says westward to open up trawlable areas; I would make that historical trawlable area.

MR. MERRIFIELD: Do we go to discussion here on that motion, because we have a motion and a second, correct?

MS. MARTIN: **The motion I typed reads recommend tweaking of Action 1, Subalternative 2B to move the eastern boundary of the HAPC westward to open up historical trawlable area as indicated by Mike Merrifield's coordinates provided to staff.** Roger, do we need to get them again?

(Mr. Pugliese made remarks off the record)

MR. MERRIFIELD: Do you want them listed right here; I can give them to you. I have it right here.

(Mr. Pugliese made remarks off the record)

MS. THOMPSON: I just want to make a comment. I think we are tying ourselves way too much to 100 meters, 90 meters, whatever. Anybody that has been out in the ocean and tried to coordinate what is on a paper chart with the reality of what is happening knows that the two don't always coincide. We're talking about 100 meters. What we want to do is deal with reality.

In this case, reality on this ancient bathymetric chart; the 100 meters where is says, it may not be 100 meters; but we do have scientific data that shows that we've been dragging in these areas for 30 or 40 years. The data doesn't show that; it only goes back to 2003; but we do have scientific proof that we've been working in these areas. That is what we want to preserve.

I don't care whether it is 300 meters; I don't care. What we want to preserve is where we've been fishing all this time. We know there is no coral there or we wouldn't be making these drags. I think we are killing ourselves by trying to pin it down to a certain 90 or 100 meters.

MR. MERRIFIELD: But that is how the original – and maybe it was misworded at that time, but that was how the original alternative was set up. All we're doing now is changing a portion of that to be a specific set of coordinates that are going to replace a set of coordinates that you have already, Roger. It is from 0.16 to 0.25 in the 25 set of coordinates.

It is just going to change those numbers 16 to 25 to a line closer to where the track data shows that we are. You are right; probably going to a contour line isn't always the best way to go here; so that is why we should have that ability to come back and maybe tweak that as John did on the western side, this is what we're doing on the eastern side. If you've got a comment, go ahead.

MR. PUGLIESE: It just that I think in the discussions – and this is the habitat side. This is your recommendations. I think there is kind of a reorientation discussion in terms of doing this. In the joint session, I think there was discussion and agreement on that 100, because it also provided some distance between the edge of the habitat and the activity.

I think that was in the context of that. It is fine to change that position now, because we're getting down to kind of brass tacks in terms of what your recommendations are. Yes, I think it is clear now with what you said here with the coordinates – and we are on a coordinate thing. We are not on bathymetries anymore, because every one you see is as represented by the spatial image, and they have specific coordinates for everything.

It has gone far past – especially with tweaking; that doesn't track a line, this doesn't track a line. Those are as represented. Now I will state that the Habitat and Coral made it very clear that they wanted to still support the 100 meter very specifically. It goes back to their original justification about the bounds of habitat distribution. That I just will kind of insert in the discussion, but I think you all are heading to what the council needs for their deliberations.

MR. MERRIFIELD: In yesterday's joint meeting, on the Coral AP side there was certainly some interest in supporting or at least listening to and then what it is that we're presenting and then going from there as to whether they think they needed to have a committee approval or AP approval or not. I don't really know how that would proceed. At any rate, I think that they were amiable to changes as long as we had some kind of justification that said this is why we want to do this. I think we have that. Are there any other comments? John, did you have one?

MR. WILLIAMS: Yes, going back to the motion, if Steve agrees, maybe change it one more time. **Where it says open up historical; it is not currently closed now. I would just change that to include.**

MR. MERRIFIELD: Are we at a point to take a vote on this motion?

MS. MARTIN: For the record we have justification, which is helpful in explanation of the motion so, yes. I think, AP, if you want to vote or take consensus, however.

MR. MERRIFIELD: You have enough justifications for doing this at this point. All in favor of this motion say aye; any opposed.

MS. SOLORZANO: I don't want to do anything now.

MR. MERRIFIELD: **You're abstaining; that's fine. Okay, that's fine, Marilyn abstains. Everybody else is all fine.** Okay; that takes us to Alternative 3. This is the western expansion. The alternative is to modify according to – and we have not really ever offered an alternative here. We've just kind of looked at this and said that we didn't have any strong objection at the time to this alternative; correct?

MS. JONES: I've got a recommendation for the bottom part of it; go from the bottom left corner of the satellite and go straight to the corner of the other Oculina Bank instead of having that little hanger and you free up a lot of points on that bottom corner. Do you know what I'm saying? If you just go from here to here, it frees up all those where it is taking them away here.

It would go right on the outside of them. I mean, I've done a paper on my map here and it uncovers all those VMSs but it still covers the pinnacle. I mean that could be an alternative; from the bottom left corner of the satellite, the lower satellite, to the bottom left corner at the bottom of the yellow. Right there; there to the corner of the satellite; and instead of having that jog over it is a straight line down.

MR. PUGLIESE: You're talking about a line that would extend through the area to this point, the end of the map through here. We can find out what that coordinate is and it's just a simple line.

MS. JONES: It frees up a lot of the VMS. I was going to that triangle – however you all think that it should go, but I don't think it should jog over like that. I think it should go over more.

MS. THOMPSON: I have a question, because I'm looking at the report from the joint committees, Joint Coral and Deepwater Shrimp AP meeting report. We actually do have minutes for this part. There was a lot of discussion about that the Deepwater Shrimp Committee wasn't prepared to develop a recommendation for the southern part of the HAPC. I want to know at what point where in the process did it go from we're not prepared to do this? How is it in front of us now?

MS. MARTIN: This has been there since scoping.

MS. THOMPSON: This is a Coral AP that we said we weren't ready to participate in or develop any recommendations or anything.

MR. MERRIFIELD: If you're prepared to do that today, then let's do that.

MS. THOMPSON: Well, if you look at the comparisons, what is it; Table 1

MR. MERRIFIELD: No, I've got Table 2.

MS. THOMPSON: Or Table 2, fishing associated with the Oculina CHAPC proposed western extension Alternative 3. Roger has got it up on the screen.

MR. MERRIFIELD: We need to get conversations down here. If you want to make a comment, we can do so, but it's hard to get everybody talking at the same time.

MS. THOMPSON: I have the floor right now, though. If you look at the percentage of fishing in Alternative 2B and then you look at 2003 to 2007, that is four years; 2007 to 2011, that is four years, and that is like 0.5 percent. Then you look at 2011 to 2013, well, we all know that there is no data for 2013 that is even available yet. The season hasn't even started.

MR. MERRIFIELD: We've said this already.

MS. THOMPSON: You're basically looking at part of 2011 and all of 2012 and maybe January of 2013, but it jumps up to 2.8 percent. That is in a two-year period, and it goes back to what Marilyn was saying about the shrimp move around and they're in different places in different years. The shrimp that were caught in 2012 were caught in that area that we are talking about closing now.

It was a big percentage, a big jump. I think we need to be careful, because that is where everybody made their trips that year was between the two satellites and just south of the south satellite. If we hadn't been able to fish that bottom, we would not have had hardly any rock shrimp at all in 2012.

MR. REID: I would just like to make a comment. The last time we met we did not have the data from 2012, and that is why it wasn't a factor then as much as what has made it up now. I just became aware that is exactly where the shrimp were – a great majority of the shrimp were caught last year.

MS. MARTIN: What would you all like to do here? You can make a new recommendation. Currently you haven't endorsed Alternative 3. I guess we need some specific guidance from the AP. Would you like a new recommendation here for a new proposed extension? It is kind of at the pleasure of the AP what you would like to do here.

MR. WILLIAMS: Yes, I would have to side with Marilyn on this. I don't know why we would even consider a western extension. Because we're not dragging in the coral, anyway, why would we even consider a western extension?

MR. MERRIFIELD: Well, back to Roger's comment is that they are going to be federally mandated to protect a lot of that area that does have pinnacles in it, which some of that western area does have a fair amount in it. Most of the line that is currently up there right now, it resides on the 70 meter.

A little bit where the shrimp was caught in this last year resides right on that 70 meter in the lower half, below the second satellite, below the southern satellite of that western expansion. I don't believe there was anything in the northern part –

(Remarks made off the record)

MR. MERRIFIELD: in the northern part or in the southern part? Which part?

(Remarks made off the record)

MR. MERRIFIELD: The only area that falls within the 70 meter – and we're going back to the meter thing, meters are one thing and realities another. But everything that is in between the satellites is according to my bathymetry greater than 70 meters. The place that gets inside of where the 70 is was included inside that new boundary – new closed area boundary is below the southern satellite; that piece that is in the southern portion of that expansion.

MR. WILSON: On this proposal; was there any mapping; because there is no box on here so it is not showing any mapping.

MR. PUGLIESE: The high-resolution bathymetry was core of it, but there is mapping that has occurred right down through the center that originally, I think, started some of the discussion to begin that, because it was pinnacles. That relief that we see here is real. Those are some of the most extensive pinnacles in the entire system occurring in this area.

MR. WILSON: What if we followed that line?

MR. PUGLIESE: No, they go all the way out to the other area. These areas in here include those. It is the same type of situation where the mapping occurred inside, but the pinnacle structures in that area occur.

MR. WILSON: The previous technology never saw this before? I mean, we've been dealing with this since 1995 since I've been on here and previous technology never noticed this before? It was a council stand at one point with the current HAPC, we have conserved 95 percent of the coral. That begs the question are we going for conservation or preservation?

MR. PUGLIESE: What did you get in '95?

MR. WILSON: I have documents from the past.

MR. PUGLIESE: As time goes, the council responds to new information. This high-resolution bathymetry wasn't in our hands when the council did the satellites. A lot of that was based on the sample components that were done as transect by Harbor Branch Oceanographic Institute, John Reed that occurred in those areas; so the council was conservative in selecting those two areas.

This is just like many of the other situations; habitat distributions are not focused; they are extensive. This, in combination with the bathymetry – I mean the bathymetry in combination with the mapping of some of those areas has given more information on how extensive this habitat exists in those areas. That is why coral area has been recommended by the Coral and Habitat Advisory Panel.

MR. WILSON: Is there data we haven't seen?

MR. MERRIFIELD: What is the pleasure of the AP here; what do we want to do here? We have this alternative that is here. We haven't offered any alternative to it to date. We have just kind of gone with it. Then what has happened is in this last year we get a significant amount of fishery in some portion of that and now we have some concerns about the boundary.

I guess what we need to do is decide is there an alternative here that we want to offer? I can see a modification on the southern half of that expansion, because I can see where the 70 meter goes inside of that boundary. That is the area that I understood was where we had some strong fishery activity in the last year to year and a half or whatever it was.

I don't know anything about the northern. I don't know about any activity in the northern portion, not to say that it is not there. I would need to have some data that says what to do there. It sounds like we don't want to go with this alternative and we want to develop something different; is that what I'm hearing?

MS. MARTIN: Your other option would be to oppose Alternative 3.

MR. MERRIFIELD: Right; the other option is to say no action to a westward expansion. I don't think that is a wise option, because there is a lot of coral in there that will be protected whether you like it or not.

MS. JONES: I propose that we come up with an alternative.

MR. MERRIFIELD: Is that a motion?

MS. JONES: I make a motion that we come up with our own alternative.

MR. MERRIFIELD: Is that something, Anna, that we can do at this point is say that we're going to come up with another alternative for this within some time period?

MR. PUGLIESE: Well, you've been discussing some of those.

((Remarks made off the record)

MR. MERRIFIELD: Right; but to give coordinates to this right now, I am not prepared to do that.

MS. MARTIN: I think, sure, as long as it is an AP recommendation. I'll defer to the Chair to tell staff that this is a recommendation from the AP in entirety, or not entirety even, a majority I guess; as long as we have that in time for the council meeting.

MR. PUGLIESE: There won't be any ability to do any analysis if we don't get that type of a recommendation soon. The whole point of this meeting was to come up and to look at the present alternatives; to either endorse them or come up with additional alternatives and provide some guidance to council.

We're talking about this being added in and adjusted and brought to the council for a recommendation. It is the prerogative of the group. There have been some recommendations on at least some guidance on what you were looking at. Tom is here. If he feels that is appropriate, then maybe we can just respond as provided. We need some of those things sooner than later to be able to at least give the council a perspective on what the recommendation is. If that is the reality of what is going to be recommended, then we will respond and add that in.

MR. MERRIFIELD: The only thing I can offer, because I am not prepared to give coordinates to some alternative at this point, is that I would need to have data from the AP. I've got some track data, but I need to know what it is that you are concerned about here. I can have an alternative together in a matter of – it takes not time at all to do that, but I need input.

MR. BURGESS: As a council member and observing your meeting; it is important that you all understand that this is your meeting and you do as you see fit. I would say that I wouldn't like for anybody to feel they have to rush at a decision right at this very minute. It is 12:30; and if you all would like to think about it a little bit rather than rush into anything, I wouldn't like anybody feel they're shortchanging themselves or have time to discuss this. That is an option.

MR. WILSON: I know it is a bit of an expense, but is there a possibility of calling another Deepwater Committee later down the line?

MR. PUGLIESE: That's a priority of the council; but from what I'm hearing recently, we're going to be dealing with some significant budget cuts and the council is going to have to deal with what is coming out of Congress I think shortly. I think it is important. I'm not trying to couch it, but this is why this meeting was held to specifically address the proposals on the table.

This one especially has been on the table multiple times from the beginning of the discussion. Whatever you can do to provide guidance in the most rapid point, but like Tom said, you don't want to rush anything; but the sooner the better to give guidance to the council on what your position is. It is your prerogative and it is your meeting. Again, back to that point that Tom made; I think that is the key.

MR. MERRIFIELD: I think we have two options here. One is that we look at this at lunch time and come up with a decision; and the second option is that we come up with something within the next five to seven days and say that this would be our recommendation. I think that is probably the better option of the two only because there is data out there that you are going to need to get that says where this activity is and where it is that you want to preserve. I don't have that data. I have historical data, but I don't have last year's data or maybe the last two seasons data. To me those are the two options. What do you want to do here?

MR. WILLIAMS: I agree with you, Mike, I think Option 2 is the better one to at least gather up some data so we can make an educated motion on this.

MS. THOMPSON: There was a lot of discussion at the joint meeting. In fact, there are almost 20 pages of discussion in the minutes about the original HAPC and the western boundary. The Coral Committee was okay with kind of making a tradeoff between we would put the boundary in place on the western side and then have an allowable trawl area on the mud bottom where we had historically fished before on the other side. I have been trying to find where that was shot down in Wilmington.

MR. MERRIFIELD: It was tabled at Wilmington at the council meeting by Doug Haymans as the chairperson of that committee, I believe, to hold off until 2014 when that area is going to be reviewed. That is something that we want to keep on top of, but right now I don't think that is going to play into that action or this alternative.

But it does maybe as some justification to making this change not only because we've had some recent fishing activity in that area, and Roger's VMS point analysis of any modification that we would make, plus that aspect that you just brought up that point that you just brought up about the Coral AP's position. Put those together and that would be our justifications of why we would make this recommendation.

MS. THOMPSON: Why wouldn't we just say why don't we hold off on making this decision until 2014 when everything is going to be reevaluated, anyway? Where is the big emergency that we have to do this right now today if the whole thing is going to be reevaluated in 2014, anyway?

MS. MARTIN: 2014 will be an evaluation of the Oculina Experimental Closed Area. If you remember, that was developed under a snapper grouper amendment as essential fish habitat for snapper grouper species. The added benefit there is the protection to the deepwater coral that occur in that area, too. It has been documented that tilefish – it is important tilefish spawning grounds. The reevaluation that will occur will obviously take a look at the deepwater coral in the area, but it is specifically a snapper grouper amendment.

MR. MERRIFIELD: Is that reevaluation of just the experimental area or the entire Oculina Coral HAPC, including the expanded area?

MS. MARTIN: It is the Experimental Closed Area alone. The evaluation is a requirement under when the Experimental Closed Area was initially put into place to evaluate the effectiveness of the regulations that were put into place in the Experimental Closed Area. That precluded possession of snapper grouper species on board.

MR. MERRIFIELD: The other area – we're getting off track here on this, I know, so the other area inside the Oculina Coral HAPC but outside of the Experimental Closed Area; what is the status of that area? Does that fall in at the same time as part of that evaluation or is it a separate evaluation altogether or does it not require any evaluation?

MR. PUGLIESE: What you've got with the Experimental Closed Area is evaluation specifically tied to the MPA. It is an evaluation. The last iteration actually was tied to a sunset clause. This is not. This was really intended to be a progress report on where the Experimental Closed Area is and encourage as much research to be done to support the council's continued use of that in the existing MPA areas; and how a lot of the questions that really were driving its reason for being placed into conserve those resources for the council's benefit. The evaluation will be looking at – and I think, as Anna has indicated, the species – it will be addressing it in the habitat characterization, because that has been occurring within that area, but that is the focus of it.

MR. MERRIFIELD: Okay, let's get back to this here, because we're off track here.

MS. SOLORZANO: One real quick comment back to the VMS. The guy doing the VMS stuff, if he pulls up the coordinates for '11 and '12 that he has; that is going to show where the boats were working last year. Did he have access to just those pings; if he could do that, that gives us the information?

MR. MERRIFIELD: Roger actually should have that data, correct? Does that chart include?

(Remarks made off the record)

MR. MERRIFIELD: In the western expansion, that has the VMS points inside the box; right there; does that also have –

(Remarks made off the record)

MR. PUGLIESE: That includes the entire time series.

MR. MERRIFIELD: That goes all the way up to 2013.

MR. PUGLIESE: You do see what occurrences within that area for the entire – but what you're seeing right there includes both – it is the entire points, so it is transit as well as fishing in the area.

MR. MERRIFIELD: It is kind of hard to see on there what the VMS points are, but it would be interesting to look at that. If there was increased activity during those last two years, then it should show on that VMS chart right there. I think we want to get back to the alternative or what we want to do – our motion for this alternative.

(Remarks made off the record)

MS. SOLORZANO: It was showing like 194 something pings inside that area and that is where I was coming back to how do we know that those 800 and something weren't dragable, too? You have a number on it, but we just don't know where they actually are in there for '11 to '13.

MR. PUGLIESE: The one issue we may run into is you have got to be real careful about how we use it. This information for your benefit is considered classified information. We have to have secure access to be able to use it. If we get to a point where we project this, that it gets down to a vessel information, we are in trouble. For your benefit that is why we have to be really careful of the ability to how fine we can begin to project and look at some of this information.

If only a couple vessels were involved in that area; that may be a problem of trying to project that information in an open forum at this. You may be able to look at that and analyze some of those; but again it comes down to the fact that what you're talking about in that entire time series for the western alternative is for anything within the area, 180 points for actual fishing in the area; 90 points for that partial 2011 through March of 2013.

MR. MERRIFIELD: Okay, let's try to get a motion or an agreement on what we're going to do here with this alternative.

MR. WILSON: I move that we not make a proposal now, but give it a week, seven days to gather up the data, analyze it and then make a proposal from that. Then we can e-mail it out to everybody.

MS. SOLORZANO: I recommend we table this until after lunch and then make a motion when we get back.

MS. JONES: I second to go to lunch.

MR. MERRIFIELD: Is this a good time to take a lunch break? Okay.

MR. WILLIAMS: Wait a minute; we still have Steve's motion on the table. We've got to do something with it before we take a second one. Steve, do you want to withdraw your motion until after lunch?

MR. WILSON: **Yes, I withdraw my motion.**

MR. MERRIFIELD: Okay let's take a lunch break. What time do we want to be back here? We will reconvene at 1:30.

(Whereupon, a recess was taken for lunch.)

MR. MERRIFIELD: Okay, before lunch we were trying to decide what option to take here with the western expansion and we had a motion withdrawn. Did you want to re-put that motion out there or what do we want to do here? Again, the options are – one is to come up with a solution right now; two is to take five to seven days and come up with a solution.

I would say five business days or something like that and come up with a solution for this. It is not going to be a complex thing. It is just I don't have all the data right now in front of me. I would be looking for some data. The third option is to not have a preferred alternative, which I don't think is a good idea.

MR. WILSON: I'd be willing to put my motion back on the table.

MS. MARTIN: Could you state that again?

MR. WILSON: I move that we hold off for five business days to come up with a solution and present it. We could probably e-mail it out to everybody and let them look at it and approve it.

MR. MERRIFIELD: I can e-mail you the pictures like I did of the northern extension and then you can give me approval, and then I'll send those coordinates on to Roger and Anna. Is there a second to that motion?

MS. SOLORZANO: I'm not sure that I can get the information from the VMSs in five days off the boats. I know where some of the guys are working. I can try; but if you send me what you have, maybe I can work it in there and see.

MR. MERRIFIELD: I have the southern piece of it; I don't have the northern piece of it. But I think that we can kind of look at – if we've got all the VMS points in Roger's illustration there of the western expansion, that we could probably, based on historical data, come up with a recommendation for that northern area, if that is satisfactory. I am trying to think who else we have out there that is fishing that we could grab data from. Joel, is he in?

(Remark made off the record)

MR. MERRIFIELD: Are we going to commit to a five-day period here? What do you want to do; what kind of timeframe do we want to have.

MS. SOLORZANO: Did they rock shrimp last year, in '11 or '12, recent data?

MR. MERRIFIELD: What timeframe are we under? There is a June council meeting. We have to have this in as a preferred for our alternative by – and this would also be looking to Roger to do some of the VMS analysis on it, too.

MR. PUGLIESE: I would try to stick to this timeframe we were talking about if you really want to get it into our briefing material, because we need to get it into at least the second briefing book for the council for deliberation, I would hope.

MR. MERRIFIELD: I think we can do that. I think that we can come up with that alternative by that time.

MR. PUGLIESE: Again, this is going to public hearing – approval for public hearing, it is not even going to public hearing yet. It's going to public hearing in August.

MS. MARTIN: I think we've got some time. I don't think you need to feel rushed, but in order to present this appropriately to the council at the June meeting, which is when they would make this an actual alternative presumably, we need to have the adequate data to be able to represent what we're talking about here, right, Roger?

MS. MERRIFIELD: Okay, so we have the first and do we have a second?

MS. JONES: I'll second.

MR. MERRIFIELD: Nancy seconds. **Okay, is there any discussion on that item? Seeing none; let's take a vote. All those in favor say aye; any no's, any abstentions? Okay, we're good.**

MS. MARTIN: Next we're moving on to Action 2 in that summary document handout. That is the transit provision. Right now we have the AP's preferred recommendation being Alternative 3. Does everyone have that? I can read it: When transiting, vessels maintain a minimum speed of not less than 6 knots determined by a ping rate acceptable by law enforcement," which was discussed at the Joint AP meeting last fall to be five minutes with gear appropriately stowed – stowed defined as doors and nets out of water. Then we've discussed somewhat this morning that call-in specification and that may need to be removed.

MR. MERRIFIELD: We're looking at Alternative 3, correct. I think the important thing there is the stowed gear defined as doors and nets out of the water. I think that we all agree on that and that is the only alternative that has that in it. The other aspect of that alternative is the six knot speed, and there was some question about that earlier. Did someone want to make a motion to change that?

MR. WILLIAMS: Yes I would like to make a motion to keep Alternative 3 as preferred with the change from 6 knots to transit to 5 knots.

MR. REID: Second.

MR. MERRIFIELD: Seconded by Richard. Before we go any further, Otha, is there anything that we need to do to the statement about the call-in provision on that in case of a mechanical failure or an emergency?

MR. EASLEY: Let's see, it said the transit provision includes a call-in specification in case of mechanical failure or emergency. No, when I read that. that comes across to me as there is going

to be a specific protocol that should be put in place that deals with mechanical failure or emergencies only. Now the specific – I guess how I say this; but the specifics are going to be tough. Earlier I mentioned about putting this into regulation is one thing; but actually being able to pull this off with the several players that deal with enforcement and the reduction of enforcement resources and how putting in specifics will probably give us some extra duties and burdens to try to fund and put in place.

In this environment, I know earlier in the morning I mentioned sequestration being an issue. That is a real life something we have to face here in reality. The wording at the end – I know you would like to have something on the record at a minimum that says that there is a way out if there is a problem.

The language up there at the end of Alternative 2; in the event minimum speed is not sustained, a vessel must communicate to appropriate contact. That is pretty much, like I mentioned earlier, a default that exists now when it comes to accidental violations. I can go with – I probably wouldn't have a problem with putting in the record some language closer to that at the end of Alternative 2.

But let me say that if we put this in black in white, either one of these in black and white, what it says there if you don't call for any of these reasons, mechanical failure, emergency or as stated in terms of three or you fail to communicate as stated at the end of Alternative 2, then that would be an additional violation.

Putting it in black and white means it can be used against you as well as for you. What I'm getting at is by not putting it in black and white, the practice at the end of Alternative 2 is already something we've been practicing all along. I don't know if that confuses you or the issue. I'm all ears at this point.

MR. MERRIFIELD: Your recommendation would be to take the language at the end of Alternative 2 and use that in Alternative 3 as opposed to what is in Alternative 3 right now.

MR. EASLEY: Between those two options as far as the language is; what is at the end of Alternative 2 is more palatable, but like I said it still puts an obligation on you there to call us; because if say, for instance, we find out the alert goes off on Pat O'Shaughnessy's VMS screen and his staff if you went below, say, 5 knots and you didn't call, then that is two violations right there. Because, one, you went below five knots, and, two, you didn't call. But as far as the fiscal burden on OLE; we prefer the language at the end of Alternative 2 than Alternative 3.

MR. MERRIFIELD: Is there any discussion about that amongst the group here?

MR. WILLIAMS: I have a little bit of a problem with one word in the last sentence of Alternative 2; "the vessel must communicate to the appropriate contact". There are times when you can't communicate; and if you must and you don't, but you can't, you could be in violation.

MR. EASLEY: That is my point; that word "must" makes it a "you shall" and no option.

MR. MERRIFIELD: Actually this occurs today, because I know that there are guys that call in today when they have a problem or in some way have drifted to where they are not supposed to

be or something like that. There is a call-in, and I think some of them call in as we speak. It may not be – at that very instant they may not have connectivity or the ability at that point in time; but I know that within a certain period of time they do call in and let law enforcement know that there was a problem. It has not been an issue in the past. Everybody has been very up front about it and they know that there was an issue and there was no action taken.

MR. EASLEY: That's right, Mike, and that is my point. It is not written in black and white anywhere like we're proposing in these two alternatives, but it is something we routinely practice and plan on continuing.

MR. MERRIFIELD: Because today it is not even a 24-hour line. A lot of times if it is in the middle of the night, and I think one of the guys was using a cell phone access in the middle of the night and the guy finally said quit calling me in the middle of the night, wait until daytime hours and call me and let me know then.

I think that is what they've done is that they wait until – if it is not a 24-hour line, that is not a problem as long as within some 24-hour period somebody makes a call and says, hey, I had a problem. I ran into the area and I drifted but I got right back out, or whatever the situation was. I just think that we want to have something that says if there is a mechanical problem and you're drifting at a 3 knot speed or under 5 knots at any level, that there is something that says – you know, l think these guys; most of them would be happy to be able to call in and say here is my problem but I've corrected it; I'm taking care of it or somebody needs to come out and get me.

MR. WILSON: Well, if there is already a procedure in place there, we don't need to add it on.

MR. MERRIFIELD: Is the consensus kind of that we want to take that statement out altogether? Is that what you think, Otha?

MR. EASLEY: Well, I'm thinking I don't blame you all for wanting to have some language in there, but let me ask this. To this point has enforcement not been accommodating; has it been an issue? I believe it pretty much hasn't been an issue where you think there has been some – you know, one officer being stricter than another or is there a lack of fairness when these phone calls are made?

If all that exists up to this point, I can see you saying by all means let's put something in there and get some consistency across here; but as far as I know, we've been pretty fair; more than pretty, we've been fair and consistent at least with this industry, with you all on these types of things.

MR. MERRIFIELD: Absolutely. I've called Erica on occasion and before that I believe it was John, and I don't think there have been any problems at all. I think that they've been very accommodating. I don't know Woody calls when he –

(Responses of "John".)

MR. MERRIFIELD: John? But John is not there anymore so now it is Erica that I call, anyway. To my knowledge, there has not been a problem ever contacting and letting law enforcement

know, and there being any kind of issue or ramifications as a result of it. Back to do we leave it in or do we take it out?

MS. JONES**: I make a motion that we take it out;** because if it is in there, you might have a habitual person that is constantly calling, oh, I accidentally drifted in there. That is probably the other thing he was talking about. It leaves it open for somebody that is going to habitually – so just leave it out.

MR. MERRIFIELD: It really doesn't happen that often, though. It is not a common occurrence. It is very seldom.

(Remarks made off the record)

MR. MERRIFIELD: Yes, it has been very seldom. It is not something that happens on any kind of regularity at all. I bet you in the last year there hasn't been one call.

MR. WILLIAMS: Unless I hear something different, I can amend the motion to remove that.

MR. MERRIFIELD: Is there any exposure there? Go ahead; is there a second for that?

MS. JONES: I'll second.

MR. MERRIFIELD: Okay, so the motion on the table is to remove the call-in provision in the case of mechanical failure or emergency and just assume that capability is there. If you're comfortable with that; is there any discussion on that motion? Go ahead, Otha.

MR. EASLEY: I would put your desires definitely in the record, though, that you are removing that language – if you all so vote to do that; request that the council remove that language under the guise or preamble or whatever that enforcement will continue to receive those phone calls and respond accordingly or as appropriate so that your whole meaning for putting this in isn't lost in the whole document.

MR. WILLIAMS: Yes, I would like to change one thing in that motion seeing how it is mine of mechanic failure clause, I would like to take that out. That just limits it to mechanic failure, and maybe put what's in Alternative 2; minimal speed is not sustainable, in the event. **I want to remove the mechanic failure part and put in the event that minimal speed is not sustainable.**

MR. WILSON: What he is saying is it should stipulate we're removing this clause under the guise that there is not a problem with law enforcement.

MS. MARTIN: How about a suggestion; the AP revises the wording for Alternative 3, and so you are not directly stating in your motion removing a clause. You state how you would like Alternative 3 to read and then in the report that Mike and I will prepare from this meeting we will provide the rationale for that alternative for the motion.

Does that make sense, so you're not directly stating in your motion removing the clause. We'll provide the rationale that Otha has provided that you have discussed here; they are going to continue to operate like they have been with this fishery. Does that make sense?

(Remarks made off the record)

MS. MARTIN: How is that?

(Remarks made off the record)

MS. THOMPSON: I have a question about doors and nets out of the water, because we had a lot of discussion about – typically when they're running, they have the doors out of the water but the nets are not. The nets are kind of dragging.

(Remarks made off the record)

MS. THOMPSON: Okay; that is fine, then.

MS. MARTIN: This is from the motion that you made at your last meeting; that specific language.

MR. WILSON: I second it.

MR. MERRIFIELD: Do we need to vote on this?

(Remarks made off the record)

MR. MERRIFIELD: Is there anybody that has a problem with this; the way it is worded? Okay.

MS. MARTIN: In the report from the advisory panel, Mike; the rationale for this specific change would just need to reflect why that clause was removed.

MR. MERRIFIELD: Okay, so I will need to add that when the report comes out.

MS. MARTIN: Sure, and you and I can work on that together. We'll just make sure that clarification is included.

MR. MERRIFIELD: I send these reports out to everybody and I don't get feedback. If you have comment, I need to know about it before we get to the next meeting.

AP MEMBER: No comment is good.

(Remarks made off the record)

MR. MERRIFIELD: That takes us to Stetson-Miami. The alternatives for the expanded boundaries for the Stetson-Miami Terrace, there are three; no action, but the ones we're looking

at are Alternative 2 and 3, and 2 is the one that we had extensive conversation about at the last joint meeting with the Coral AP.

I know this was a compromise that we did express that we were giving up some area because of pick up times and things like that. You just have to decide if you want to continue with supporting that Alternative 2 or you want to look again at Alternative 3. I don't know what the consequences of 3 are, because 3 is the finger. Is there anybody that wants to tackle this and give their opinion about it?

MR. REID: Where did 3 come from?

MR. MERRIFIELD: Three came from – it was an alternative brought up – correct me if I'm wrong, but Roger developed this alternative. Basically what happened was that the first one came at the bottom of that finger and came straight eastward and cut that whole entire area off.

MR. REID: I remember all of that.

MR. MERRIFIELD: Then we came back and said that there was a lot of prime historical bottom in there.

AP MEMBER: Was there any in there? Was there any in that finger there?

MR. MERRIFIELD: Not in the finger, no.

AP MEMBER: It was historical bottom?

MR. MERREIFIELD: If you look at the VMS analysis, it is 0.1 percent, which I don't have anything that shows that. That 0.1 percent – I mean, it does show us some VMS dots in there, but I don't have any tracks inside of that area there.

AP MEMBER: You get that shallow right there.

(Remarks made off the record)

MR. MERRIFIELD: No, all the bottom is inside the mud bottom there in the center of that area.

AP MEMBER: Well, it is saying we are not losing any historical bottom on 3.

MR. REID: Three is better than 2 for that reason; but it moves up.

AP MEMBER: Yes, for that reason.

MS. THOMPSON: But 3 makes it – if you are even crossing the finger; are you going to have to call? I mean, if you are moving around –

MR. REID: If you're maintaining five knots.

MS. THOMPSON: Okay, I don't understand the rationale for the finger extending so far south, because it makes it hard for law enforcement; and they don't fish there anyway so what is the point of it?

MS. JONES: Why don't we cut the finger off like on Alternative 2 and just keep the angle on Alternative 3?

AP MEMBER: I thought we agreed to 2 before.

MR. MERRIFIELD: We did. There was a lot of –

MR. PUGLIESE: Three was before – three was in response to scoping. It is when we sat down at scoping meeting and looked at the data and looked at the information and came up with an alternative that tried to capture the traditional fishing grounds; so it excluded virtually – that is why the percentages are raised.

It included virtually all the points there, all the transition, looking at the mapping, looking at the area that came with the subsequent alternative that chopped off the corner, but also provided kind of that adjustment to the bottom. That is in response to that directive to Steve Ross just to get what would constitute a connection to habitat as well as reduction.

There was that compromise between cutting off the finger on the bottom, reducing the top and then readjusting a line that Habitat felt comfortable with and kind of making that cross between two actions. Those are the transitions form the even bigger one to the scoping to this, because the one I showed with the Navy mapping was even bigger. That was covering even more of the southern area.

MS. JONES: Well, like I say, go with the angle of Alternative 3 with just the verbal knowledge that the gear is not on the bottom there, anyway. That one mile; the gear is not even on the bottom. With the currents out there, it is hard to cut it off, and we're not going to go past this line. Plus it also hooks up to this shrimp fishery access area.

MS. MARTIN: I think what I hear is you're interested in revising what is stated for Alternative 3, right?

AP MEMBER: Cut the finger off.

MS. MARTIN: Cut the finger off.

(Remarks made off the record)

MR. WILSON: Can we add a stipulation that he's not dragging – as long as he is just picking up and not dragging in this area?

(Remarks made off the record)

MS. JONES: Just by doing that; it automatically – that you covered that area.

MR. PUGLIESE: The one thing is if you look at that, it goes a lot further up on Alternative 3. And if you compare the mapping to that; that actually does go into the hard-bottom areas. That is more than just taking a line across. I think if you're talking about taking a line across; that is different than – Alternative 3 comes up to about –

(Remarks made off the record)

MR. PUGLIESE: Don't worry about Alternative 3; go back to where we were, Alternative 2. You are talking about trying to do something here or there or whatever, because what you're doing – there is habitat. That is the problem is that part of this is habitat that is kind of – and that is why this kind of was the compromise to do that when they looked at this habitat.

It brought it down; it eliminated this to get rid of that to allow fishing all the way up in here; but we're trying to address the habitat that occurs kind of on a bound. If you remember the way the Navy showed that structural habitat, so it is a little different. This went all the way up to like here, and that was without any of the information on the mapping. That was just going – literally taking the points and cutting them off when we first did the scoping alternative.

MR. MERRIFIELD: Can I ask a question here? Are we discussing something down there? No. Okay; if you are pulling up but prior to hitting that line, what speed are you going at that point? What speed are we going up in these areas here, at whatever drift speed is?

MR. REID: It is slower than the current, whatever that happens to be.

(Remarks made off the record)

MR. MERRIFIELD: What's your question?

(Remarks made off the record)

MR. PUGLIESE: What she was showing was essentially a line cutting up from Alternative 2 to capture the VMS points. That is different than trying to take that Alternative 3, which went way up and then went over. This is targeted at what you're trying to accomplish by capturing that piece of the VMS occurrence. I think the reason you saw the other one is that there is some habitat that is kind of in a loop there. That needs to be taken into account, but the council can deal with it.

MS. JONES: But again the gear is not on the bottom in that area, but the boat is in that area. Somehow we're going to have the boat in the area with the gear not on the bottom, some sort of access.

MR. MERRIFIELD: Okay; we have two options here and if you are interested in creating a third, we can do that. What do we want to do here? We've got this one here that we talked about extensively in the joint meeting, and that is where we – if you look at my chart here, I've got about 10 different boxes on here because we had so many different alternatives going at one time.

Now we've got to the finger here, which actually excludes all those tracks and then you've got this green line and on my charts here, which cuts the tops off of these, which is really mostly drift. It is not bottom time; it is mostly drift.

(Remarks made off the record)

MR. MERRIFIELD: Those are the three things that we're looking at. We can either go with this one or we can also come up and say we are going to create another one, and I can go from the top point of Alternative 2 – with the little top of a nub finger there and then angle up above, and that will give you that ability to drift. Where that line is today, everybody picks up at least there, probably before, because there are obstructions, rocks and sunken ships actually in this area prior to getting to that line. Three options; we pick Alternative 3 as our preferred, Alternative 2 as our preferred or we have to develop a new alternative that allows for that drift. Are there any comments?

AP MEMBER: Could you just modify 2 and go from the point and head to the northeast?

MS. JONES: To the shrimp fishery access area, just diagonals up to the shrimp fishery access area.

(Remarks made off the record)

MR. MERRIFIELD: There is a shrimp fishery access area, but there is never any shrimping in the shrimp access area. I think that was just an extension of a shrimp fishery access area that is further down south and it just kind of goes up the western edge of the current Miami-Stetson, so that is all that is. It just extended further north than it needed to. Roger, in the naval data and the bathymetric data that you've got; what are we protecting by having that line where it is today?

MR. PUGLIESE: Well, I think the idea was to capture that almost a loop that occurs of the habitat within that area, and that is why the recommendation came the way it did. You have habitat that extends down through here and kind of loops up and around. And it is almost moot, because you are saying you are actually not fishing in here or there.

This is mainly to address this issue of haul back and drift. One recommendation you could do – now I'm not sure; I hope this isn't going to complicate anything beyond this – is to keep the boundary where it is and to put something that would be a line here to here and call it a shrimp fishery access area, which would allow that drift to occur; but then it would address all the other gears, prohibiting really any bottom fishing in that area with benthic gears, but it would not immediately put you in a compromise for that type of thing or a box that would just literally capture the shrimp fishery access.

The reason this was cut across over here was to try to address habitat on the two sides in that. That was the compromise; the only way they could capture this was to do this, eliminate this and give you the trawl area back here, eliminate that and then in order to keep the integrity of both of these sides was to have to trim off there.

Now that is the only thing I could think of as an option, because we've already got this kind of a capability, is maybe to come up with something that would deal with the compensation for haul

back. Also on that point is that area there – you've got to remember these points are all points so that is not all fishing we're looking at there.

Any of the other fishing points may have been distributed through that entire area, the 2 to 4 knots. Any of those points combine to make that, what, 90 points? This is actually the 183 points we're looking at or something in this area. I've got to go back and look at the numbers here. It is 292 or something for the entire area or something. A lot of it is both true transit and then some of it is fishing.

MS. SOLORZANO: Well, you can kind of tell that this is probably true transit. If this is the top of the fish access line, the top of the pink box is the shrimp access line and this picture right here, the one we have up now, the line comes down across below the shrimp access line. On the other picture where it goes up at an angle, aren't we getting all those dots back in, all the pings back in?

We just got further to the west, but we get all of our dragging – we get more of our pings back in and those others may be just transiting. Is that right, Brent? See, you are going to the top of the shrimp access on this one, so you're getting that area; this area right here. You have it in this one and 2.

AP MEMBER: Exactly.

MS. SOLORZANO: But if we go back to 3 and we draw the line, we're actually going to lose some of it.

AP MEMBER: Yes, you are going to lose an hour's dragging time.

MS. SOLORZANO: You've got more of a chance of running into –

MS. JONES: Yes, going with Number 2 and then do that diagonal and make that whole diagonal area shrimp access; that would be as easy as there to there and that would just be the shrimp access area instead of –

MS. SOLORZANO: But you are going to lose some of the pings like that. His idea to go straight across compensates because of the shrimp. The pink line – the two pictures you're looking at; the pink line is how far north and south. The pink is at the top. He is going to come up to the west with is purple line just a little bit, just a mile or two, and cut over versus coming down with that western line that he has and angling over. See, you're still going to lose those points.

MS. JONES: Just make a box instead of the triangle.

MS. SOLORZANO: You don't have your pings there. This left line; this west line is still in this picture right here that is cut off. It is just taking your pings in Number 2, it is just taking your pings. It looks like it is more of a finger sticking down to the south, but it is really not if you look at the shrimp line; the pink line on the side.

The pink line on the side is the shrimp access area. You're pretty much – the western edge of it is about in the same location, a tiny bit north, but you're getting more pings by doing what Roger says more draggable area, more area to get in by making the square instead of the diagonal line.

(Remarks made off the record)

MS. SOLORZANO: Yes, but he'll go all the way over to the pink line, I'm sure.

MR. PUGLIESE: Kind of the break. You see that natural break right here. The point is that is very close to kind of the intent of what the original shrimp fishery access area is to compensate where truthfully in the CHAPC fishery access area, people were not really fishing and it was to compensate for the currents, the drift to the side and different things there. It was just to ensure the same type of a situation essentially.

MR. MERRIFIELD: Okay, so it sounds like we have a motion or a recommendation for a motion here that is formulating about a fish access area as a modification to Alternative 2. Is that what I'm hearing and does somebody want to make that motion?

MS. SOLORZANO: The purple areas; that is what you all are planning to propose. We can't just move the line up without having to have it an access area and just make the whole thing different, the whole purple outline?

MR. MERRIFIELD: I think they're concerned about other fisheries.

MR. PUGLIESE: The habitat that occurs in there is still occurring. The point here is not that you are going to be fishing in that area; it is you are trying to compensate for drift and for haul back and the fact that the regulations are going to cross all these other fisheries and bottom-tending gear impacts is the real justification to try to address that. That is why it is targeted towards the shrimp fishery; it allows that but then the other gears are –

MR. MERRIFIELD: We are talking about, what, 12 to 1,800 feet; is that what we're talking about of water?

MR. WILSON: I move that we accept Number 2 with the stipulation of having the shrimp fishery access area in the square box.

MR. MERRIFIELD: Is there a second to that?

AP MEMBER: Second.

MR. MERRIFIELD: Discussion; and in discussion I think we need to talk about how are we defining that area. I know we pictorially have an idea of what that looks like. Are we satisfied with that?

AP MEMBER: We didn't accept 3 because of the other fisheries that are involved in this area.

AP MEMBER: Should this be established on coordinates?

MR. MERRIFIELD: I don't know, Roger, do you want to put coordinates with that or how do you want to do that?

MR. PUGLIESE: I think the intent is as represented by the VMS information, the top end of that concentration – what I was going to try to do is if I quickly at least find out what the latitude is. The idea is that the box follows that to the present fishery access area and monitor. Then you can clarify that you basically extend that, use that – if we get that one coordinate, that will give you the top bound.

MR. MERRIFIELD: That would be great.

MR. PUGLIESE: Let me make a quick question. I think enforcement supported some of this fine tuning before; so I think that has been a good thing so hopefully Otha can weigh in again.

MS. MARTIN: I was just going to ask, Otha, are you still on the line?

MR. EASLEY: Yes, still here.

MS. MARTIN: Okay; so did you capture the discussion of their new kind of preferred recommendation here to carve out that area of Alternative 2 under Action 3 and include a portion of that as a fishery access area?

MR. EASLEY: I'm looking at Alternative 2 and there are several VMS dots I guess in black there in the bottom of that – just above the pink line that is going across on the east/west, correct?

MS. MARTIN: That is the area, yes.

MR. EASLEY: Yes, that sounds doable. I was also going to – it is too bad I'm not there to see all the visuals and the pointing and everything; but I was also thinking that a hybrid of 2 and 3, which I think many of you were thinking of where there three turns – I mean it starts to head at a diagonal a little further north than where Alternative 2 cuts straight across at 90 degrees.

Where it heads at 45 degrees or so upward, continuing up that line just past the majority of those VMS dots, and then making it a direct east/west line turning towards the east would encompass those VMS fishing locations and without any special designations. But then, as I say that, I heard Roger say that then allows other fishing gear to get in there as well that they still want to be prohibited.

I don't know if that would mess up my approach or not, but if it does mess it up, so to speak, then carving out those particular areas where the dots are and calling it a shrimp drifting access area; you know, something about at least putting the term "drift" in there, because that is what it is all about? It is not fishing so no one gets to – no NGOs or the habitat folks, et cetera, coral folks don't get the wrong impression that this is a cut out for shrimping. It is just for drifting.

MR. PUGLIESE: Yes, the only reason I had identified it as shrimp fishery access area – and actually that terminology is a little misrepresented, because originally those areas, as you

probably do know, is that they really were trying to compensate for some of this kind of disparity on the way the fishery operated and the drift to the side, so it is very similar.

You are accurate that probably having a different terminology for it would at least clarify the intent of trying to have it as a haul back zone or something, but what we have used before was the adjacent. The only thing I saw was if there is going to be a confusion of the shrimp fishery access area versus a haul back area. But that is something that may be worthwhile doing to clarify it, as you say, especially for the public and, et cetera, so a haul back or a drift area would be appropriate. You can do that; and then if NOAA General Counsel has some recommendations, we can address it there.

MS. MARTIN: Does this verbiage capture the intent of the discussion?

MS. THOMPSON: I think it was Otha's intent to remove the words "shrimp fishery access". I don't think he wanted any reference to a fishery in there.

MR. MERRIFIELD: I think Roger mentioned that is the current terminology; and that if they want to make a change, then you would probably have to do that elsewhere, too.

MR. PUGLIESE: It is your motion so you can clarify what is going in.

MR. MERRIFIELD: We do probably need to clarify the intent of – well, you do; you have that this is a haul back access area; a drift and haul back access area. There are obstructions that are going to prevent there being any dragging in that shrimp access area. It is a dead stop across there. I think that reflects the intent of what we're trying to do. Are there any discussions on that?

MS. JONES: I think by leaving shrimp fishery in the wording; that way if they ever reopen grouper or whatever, they are not going out there and anchoring in it, because that is what they are doing is trying to keep everybody out of it. They were giving us access by saying shrimp fishery; we're in, and then have access to that area for the haul back.

MR. MERRIFIELD: I think that wording was good; I think that's good. Does everybody agree with that? No problems on the table with that. I think we got the wording down for that and it seems to me that it is pretty descriptive in its intent that this would be a drift and haul back access area as defined in the motion. So far everybody has agreed to that. I think we are done with this item, correct? Okay.

MR. PUGLIESE: What I was going to do is how about I give you that point at the top of the distribution, so it is clear that what you are going to do is create this area that hits the top of the concentration, straight through diagonally on top of the concentration and then over. Is that based on your approved motion?

(Remark made off the record)

MR. PUGLIESE: Okay, what I was going to give you is that point, because then you can connect the two; basically the 90 degree from there and the diagonal from the bottom and they

come and they get the way Otha recommended. It captures virtually almost all the VMS points in that area.

MR. MERRIFIELD: That would be great and then I can pass that around to everybody. At that point –

MR. PUGLIESE: Okay, I've got it.

MR. MERRIFIELD: You have it?

MR. PUGLIESE: Yes; 80 degrees, 5.66 minutes and 30 degrees, 6.50 minutes. You might as well be as clear as you can on what you're looking at.

MR. MERRIFIELD: 80.566 and 30.650.

MR. PUGLIESE: I'm not sure how you say the connection. Actually, let me see if I can sort this out.

MS. JONES: Instead of angling, why not go straight up and then straight over; would that be easier?

MR. MERRIFIELD: I think that is what he's doing; am I right?

MR. PUGLIESE: I was angling in response to the way Otha had talked.

MR. MERRIFIELD: Okay, so you are –

MR. PUGLIESE: I was putting a point so that you could connect to the two dots.

MR. MERRIFIELD: I got you, okay.

MR. PUGLIESE: Then it basically cuts you right across there. The rationale to some degree is again those areas probably to the west of that area are definitely transit areas, because that habitat map starts picking right around that area. It is right in through here.

(Remark made off the record)

MR. PUGLIESE: Take this point and go straight and straight from here and there and meet those two so you capture that entire concentration.

(Remark made off the record)

MR. PUGLIESE: I was just trying to respond some to Otha's comments.

(Remark made off the record)

MR. MERRIFIELD: It's whichever you prefer. That looks pretty good, though. This would be your pivot point right here. It comes from this point to that point and straight over. Okay, does that cover everything?

(Remarks made off the record)

MS. MARTIN: Are we changing this motion? Are those the correct coordinates that the AP wishes to use?

MR. MERRIFIELD: I think that looks fine to me. Does that look fine to you? It does somewhat angle over and then cuts straight across.

AP MEMBER: Is that what we're doing or going straight up and over?

MR. REID: Alternative 3 is not acceptable?

MS. MARTIN: It is still in there, Richard. It is an option under the action.

MR. MERRIFIELD: Well, you need to pick your preferred right here. We just went through an exercise of creating another point here with the shrimp fishery access.

AP MEMBER: The reason why I didn't think we were even talking about 3 is because of what he said about the other fisheries. We don't see it flying because of that reason. That is just the ultimatum. By doing it like we just talked about really save what we've got.

MS. SOLORZANO: It is a 20 mile scale; it is 5 miles north that we get for a shrimp access area so that we can move on up there in it and get turned around or whatever we need to do.

MR. MERRIFIELD: This is what we're recommending to the council; this is our preferred? This is what we would like to see? Roger brings up the point that there is area there that they want to protect from other fisheries that I'm not aware of; but what we are aware of is that if we have that as a shrimp fishery access area, it gives us the ability for haul out and drift. You don't look like you're happy with that, Brent.

MR. ZIRLOTT: I'm happy with Alternative 3. That is what I prefer over all of it; but if that is not going to fly, that is my second choice what we just come up with. I would push for Number 3, me and him; you, Marilyn?

MS. SOLORZANO: Yes, but we're trying to give them plenty of options so that we at least get our area.

MR. ZIRLOTT: I would rather see Alternative 3.

MS. SOLORZANO: Yes; but by giving them three choices, two of them at least give us our area to drag in. One does not.

AP MEMBER: That's what it was about with me.

MS. SOLORZANO: That's right; getting what we want.

MR. BURGESS: Just for clarification and as reporting to the council and what this group is going to bring forward to the council; would it be possible to write the adjustments on Alternative 2 on a piece of paper and just let me see them to make sure I am clear on what is going to be taking place in that alternative?

MR. PUGLIESE: The key was is that it is not moving the boundary. This is similar to the way we did – the habitat boundary stays the same as proposed. The idea is to recommend creating a shrimp access area to allow for this issue of haul back and drift into that area so that they can turn around, so that all the other gears can still be out of that area to make sure that you don't have habitat impact in that area.

AP MEMBER: But it would be a whole lot less confusing if we had this one.

MR. BURGESS: Yes I understand that, too. What I'm looking at, Roger, is on Alternative 2 to come straight up and then head to the east.

MR. PUGLIESE: The action stays the same as presented. There is a shrimp fishery access area.

MR. BURGESS: Yes, I understand.

MR. PUGLIESE: You get a diagonal. What you're doing is basically eliminating – the idea is you eliminate almost all of what these points, most all haul back and drifts. It provides access to be able to do that.

MR. BURGESS: You have an angle and this one is straight?

(Too much overlapping conversation at this point to transcribe)

MR. REID: I drew that from him.

MR. BURGESS: I just wanted to make sure everybody was on the same page. That is very important at this stage of the game; I want you all to know that.

MR. MERRIFIELD: Maybe how we word this is – because this is kind of what it sounds like the consensus is at least by the players in this fishery that are here at the table; that Alternative 3 is the preferred with a fallback to modified 2 with a fishery access area in the event that there is habitat that is being preserved for some other reason like you stated. Does that make sense? Is that something we can do? Is that what I'm gathering the consensus is that 3 with a fallback to a modified 2 with the fishery access area? Okay.

MR. REID: Do we need to make a motion?

MR. MERRIFIELD: I think we've kind of done that. Well, do we need a motion on that?

MS. MARTIN: Yes; in this case, yes.

MR. REID: I make a motion that Alternative 3 of the Stetson-Miami Terrace proposed extension is made the preferred proposal.

MR. MERRIFIELD: With a fallback? He's sticking with that.

MR. REID: I'm sticking with that.

MR. MERRIFIELD: He's sticking with that; does somebody want to second that?

AP MEMBER: I second that.

MR. MERRIFIELD: Discussion? We don't want to put a second preferred as a modification –

MS. JONES: I think Alternative 2 should be on there with the modification.

MR. REID: That is a different one?

MR. MERRIFIELD: It is a different one. We spent the time to develop it.

(Discussion off the record)

MR. MERRIFIELD: That is not the motion on the table; the motion on the table is that Number 3 is the preferred, period.

AP MEMBER: But we want a stipulation in there too like you're talking.

MR. WILSON: If we dig into the sand, we're going to get stuck with a lot of sand. I think we should go with the preferred Number 3, but we should stipulate have the backup that we at least have that area. Otherwise, if you don't get 3, and they don't give you 3, you are going to be where you won't have all that area.

(Remarks made off the record)

MR. MERRIFIELD: We either need to take a vote and say we're going to go with this or we need to amend that motion and put in there that we want a fallback of a modified 2 with the fishery access area.

MR. REID: I'm willing to go with the modification, but I'm not prepared to word it.

MR. MERRIFIELD: We actually have it worded already.

(Remarks made off the record)

MR. MERRIFIELD: No, we came up with that alternative. It is a modification of 2. That is an alternative we designed right here just a few minutes ago. Now what we're trying to do is say we're trying to take a motion that says what is it that we want? I thought it was that motion that we came up with, but then I'm finding out that actually the preferred is 3 with a fallback to that

new motion, so we need to say that. Someone just needs to put a motion together that says our preferred alternative is 3 but our fallback –

(Too much overlapping conversation to transcribe)

MR. WILSON: He said he would go with it, but he wasn't prepared to word it, but we said the wording is already there.

MR. MERRIFIELD: Okay, Richard, would you like to modify your motion? Is that how we go about this or do we have to kill that motion?

MS. MARTIN: That's fine; we can amend your motion.

MR. MERRIFIELD: **We're not that formal here. The motion has been modified to say that our preferred is 3 with a fallback or secondary preferred as a modified 2 with a fishery access area.**

(Remark made off the record)

MR. MERRIFIELD: Richard did though I said it.

MR. REID: I did.

AP MEMBER: I second it.

MR. MERRIFIELD: **The intent is there and I guess we're going to need to just make sure the verbiage is there for the intent to say that the preferred is Number 3; but we understand if there is issues with habitat in that area, that we could support Number 2 with a shrimp fishery access area that allows for haul back and drift. Did you get that?**

MS. MARTIN: Good luck explaining this one in June, Mike. I think this will work and the rationale that will be included in the report will help to supplement the language of the motion.

MR. WILSON: What the rationale will say about the habitat.

MS. MARTIN: The rationale will be taken from your minutes and hopefully the AP will weigh in on the draft report.

MR. MERRIFIELD: Is there anything else that we need to cover today? The only other thing I want to bring up is where are we on socio-economic impact studies on these things, or are we doing any of that?

MR. PUGLIESE: What happens now – and part of it has been already integrated into the document – is the analysis of the alternatives and then the social impacts, the economic impacts, the next progression; so some of it already is actually integrated in here, descriptions of the fishery that then feed into that.

The next stages on looking at some of the alternatives is the ability to look at some of the impacts and beginning connecting the information we know on operations as those connect to actually impacts to the fishery and catch, et cetera. The economists basically pick up from here and the sociologist to get those social impact analyses and economics integrated into this document based on the alternatives that are being brought forward to the council.

MR. MERRIFIELD: The reason I'm questioning that is because it is a very difficult thing to do; because as we've kind of pointed out here, and I think that it is hard to express that to you guys is that while VMS points look like insignificant impacts, you almost have to talk and find out what the value of some of those VMS points are. I don't know how you capture that information. How does an economist capture that information? How do they know that 0.9 percent of the fishery being eliminated; what kind of impact that is to the fishery in a given year?

MR. PUGLIESE: Truthfully, this is going to go beyond my expertise in terms of the analysis. This is not the first time the economists at the region and the council kind of dealt with the rock shrimp fishery in subsequent amendments with what we did in the deepwater shrimp fishery before. I think there is expertise and there are other things that they are going to tap in. VMS is not the only information source to be able to draw on.

It just adds another piece of information that they will come up with; because it will be across fisheries, it will be across a lot of different aspects. I think your clarification about the complexity of it is something that can be relayed to the individuals doing the assessment. The plan team has representatives, economists and sociologists that are involved in directly writing this and doing the analysis. The Southeast Regional Office has people doing these.

I think that message is going to be there, but also I think you do have some expertise in terms of understanding some of the operations traditionally of what the fishery was like. They've had iterations of this in other activities that we've been working on over the years. I think your point of the complexity is well taken; and again it gets past some of my expertise in doing the economic or social. That is in a different ballpark. Now once upon a time biologists used to do that before we actually got them on staff.

MR. BURGESS: Just for clarification so I understand when the discussion comes around the table when Alternative 3 is discussed; now if I go back to Alternative 2 and the lines that are drawn there, there is no trawling or dragging on the bottom north of the lines established in Alternative 2; is that correct?

AP MEMBER: Other than a stipulation of a drift.

MR. BURGESS: Yes, I understand that but I mean there will be no bottom-tending gear north of that.

AP MEMBER: No.

MR. BURGESS: So Alternative 3 is basically just an extension of the access area to allow for drift or to haul back; is that correct? Do you get what I'm saying?

MR. MERRIFIELD: Three was just developed to allow for all the VMS points; not knowing what those VMS points were, but just allowing that all those VMS points would be excluded from the closed area, so that this line here would allow all those VMS points.

MR. BURGESS: There is not going to be any dragging above that line, is there, on the bottom.

MR. REID: If 3 is accepted, there will be.

MR. BURGESS: Oh, there will be. Okay.

AP MEMBER: Well, pretty much.

MR. BURGESS: Do you get my drift of what I'm asking?

AP MEMBER: Yes, I do, I do understand it. In reality it is going to be the same.

MR. BURGESS: That's what I'm getting at.

(Too much overlapping conversation to transcribe)

MR. PUGLIESE: For the shrimp fishery operation.

MR. MERRIFIELD: As you can see, there are obstructions that are cut off here that stop that trawling. Any trawl line that is above this – you could take the top of any of these trawl lines and you can drop back about where you actually stop dragging, drop back about how far; about a couple miles, a mile, two miles and that is where the actual trawl is.

MR. BURGESS: Okay, I just wanted to be clear on that because there will be discussion.

MR. MERRIFIELD: At that point, the gear is coming up off the bottom.

MR. REID: But to leave it like this would be a whole lot simpler, and you're still doing the same thing.

MR. BURGESS: Right.

MR. MERRIFIELD: It's just it doesn't take into the other habitat components that we're not aware of.

AP MEMBER: They claim that other fisheries will be accessible to this, too, and then it won't go.

MR. BURGESS: I understand; but as you can understand my position when I'm at the table and people are speaking about this, too, they're going to ask questions, so I wanted to make sure everybody –

AP MEMBER: We prefer 3.

MR. BURGESS: Yes.

MS. THOMPSON: I think I know where Tom is coming, because I think we may be setting ourselves up for failure even by saying that Option 3 is our preferred alternative, because it was made very clear to us that there were concerns about somebody putting an oil rig right there or some big ship can throw out an anchor there.

Those are the impacts that they are concerned about. They understand that you guys have your gears up out of the water and you are hauling back, and you guys are not affecting what is on the bottom there. The reason that they want that to be in the protected area is so that other entities can't do that.

I think that if you can accomplish by making a change to Alternative 2, which is I think their preferred alternative, I think you're going to have more success with that then just by digging in and putting your heels in the sand and saying, no, we want Alternative 3; because with Alternative 3, you do not exclude other bottom impacts in that area that they are trying to protect there. That is just my opinion.

The other thing I wanted to address is in the summary of effects – it is on Page 24 of 161 in Coral Amendment 8; and it is the economic statements. It says that if we do no action, there could be long-term effects to the commercial fisheries because of negative impacts from potential loss of habitat. I definitely agree with that, but I disagree with the next sentence, which says the various subalternatives under Alternative 2 and Alternative 3 would have negative short-term impacts on the rock shrimp and snapper grouper fisheries. When you take away bottom that people have been fishing on, I don't see that as a short-term impact; because the bottom is gone and nobody can fish there anymore. I don't agree with that statement and want to go on record as saying that. Thank you.

MR. MERRIFIELD: This is why I bring up that you need to read these economic impact statements, because you understand better what the impacts are than anybody else, than some economist that has never been out there fishing. You need to read those and make sure that you comment on those so that you can get your opinions across about the economic impact. That is important stuff.

The other thing as far as economic impact is the VMS. There is going to be economic impact from the VMS. We are going to probably have to bear that cost as far as new equipment. Well, we're not sure yet, Pat is going to look into that, but there is the potential we would have to look into purchasing new equipment and increase in – some people may have some increase in their recurring costs. Those are the kind of things we need to look at when you are reviewing these documents when these come back around for review and comment period in August or whenever that is going to be.

MS. SOLORZANO: By them taking any of that additional rock shrimp bottom, it is not going to help habitat for rock shrimp. It is going to hurt us economically. By closing that, it is not going to help us in any way whatsoever to take that rock shrimp. There is no anything good going to come economically to any rock shrimp fishery by closing anymore of that area.

I can understand they are saying to other fisheries. Maybe I misunderstood, Laurilee, when you were reading it; that you agreed with them closing that – that the rock shrimpers would have more – you agreed with the economic impact that it would help fishermen by closing it. I don't agree with that. I don't think it is going to help rock shrimping any by taking any of the bottom. No economic boost to rock shrimping in any way is going to come by closing any of the extra areas.

MR. THOMPSON: Let me clarify myself, and I apologize. I think that the coral needs to be protected because it is the nursery ground. We think it is the nursery ground for rock shrimp. Nobody really knows. There is no research that has been done on rock shrimp that verifies. We have no idea where they even spawn. But the coral needs to be protected and that is where I made my mistake. I meant the coral needs to be protected. There could be long-term impacts due to loss of the coral habitat, so let me clarify.

MR. WILSON: I have this question – and I'm not trying to reopen debate, okay, but when you mentioned about on that little chunk down there where the mapping was; you didn't say Oculina Coral you said the other coral.

AP MEMBER: Lophelia.

MR. WILSON: Lophelia coral.

MR. PUGLIESE: Yes, that is lophelia. That is the furthest inshore distribution. That is why this was a really significant issue to come up here. That is the furthest inshore distribution of lophelia that has been found.

MR. WILSON: Is that so really, really rare?

MR. PUGLIESE: It has got to do with – and it is through some of that area. We don't know the full distribution, but that is the inside of that whole area. I think what you've got – and as we know, this is not static area. You have some very unique circulation patterns going on that are probably carrying and allowing that settlement in that one zone that extends further inshore and upwelling combinations.

There are all those oceanographic characteristics that have created this type of more unique habitat. That is why it has been on the table. That is why – and, yes, lophelia and not oculina exists in that inshore, relative nearshore habitat.

MR. MERRIFIELD: Okay; any other topics or comments?

MS. MARTIN: Did you all approve this motion? I know Laurilee raised the point of the issue she had with this motion. Was this approved by the AP? I just want to make certain. I didn't type it.

MR. MERRIFIELD: **Alternative 3 is preferred with the fallback of the modified 2. Is that where everybody wants to be? All in favor say aye; any abstentions. Laurilee objects; she wants to go to Alternative 2 modification as the preferred**.

MS. SOLORZANO: Can I ask a question. I agree with all this; but if we have 3 as a preferred, isn't 2 still presented to them or do we only get that one? Then they are getting both options.

MR. MERRIFIELD: Is that correct, Anna, that both – the requested modification to Number 2 will be presented, correct?

MS. SOLORZANO: Laurilee; then why wouldn't you agree with 3?

MS. THOMPSON: Because, as I said, I know that we want to keep as much bottom as we can, but I don't want us to be viewed as being just against everything and adversarial, and I think you have got to compromise in some places. I think this is an area where we can compromise. I don't understand why – if you're getting your VMS points for your haul back; I don't understand the rationale of insisting that Alternative 3 be the preferred alternative. If we have a chance to make some points with the council by giving up really an area where there isn't even hardly – there are like three dots in it, anyway. I don't understand the rationale. I am baffled; I'm sorry.

MS. SOLORZANO: Can I say one thing? Because later they'll come back and take some more. We're going to have to fight them again and we can give them that on the next round. I'm sorry, but that is how I feel. We're going to be back. We're always battling.

MS. THOMPSON: You're giving them an area we don't fish anyway?

MS. SOLORZANO: They are going to come and want something else later, though.

MR. MERRIFIELD: Okay, I think we're sticking with the preferred as it is stated. Is there anything else that needs to be covered? I think we're good.

AP MEMBER: I make a motion that we adjourn.

MR. WILSON: I second it.

MR. MERRIFIELD: Is there anything else that we need to cover, Anna, that you know of? We're good. Okay, meeting is adjourned.

(Whereupon, the Deepwater Shrimp AP meeting adjourned on May 9, 2013)

Certified By: _____ Date:_____

Transcribed By:
Graham Transcriptions, Inc
May 2013

South Atlantic Fishery Management Council
Deepwater Shrimp Advisory Panel

Michael Merrifield, Chairman
Cape Canaveral Shrimp Company
688 South Park Avenue
Titusville, FL 32796
321/383-8885 (ph); 321/383-8886 (f)
mikem@wildoceanmarket.com
12/08, 9/12*

Steven Wilson, Vice Chairman
International Oceanic Enterprises, Inc.
P.O. Box 767
(9225 Seafood House Rd.)
Bayou La Batre, AL 36509
251/824-4193 (ph); 334/824-7687 (f)
swilson@ioealabama.net
(Comm.) 6/98, 12/01, 6/08, 9/12*

Fred Dennis
199 Georgia Hwy. 147
Lyons, GA 30436
912/565-7631 (ph); 912/293-3566 (f)
dFredJr@bellsouth.net
3/00, 3/03, 6/08, 9/12*

Warren Gautier
1202 Shepard Ave.
Pascagoula, MS 39567
228/623-2543 (ph)
GautierL@bellsouth.net
(Comm.) 11/98, 12/01, 6/08, 9/12*

Nancy Jones
12656 Meadowsweet Lane
Jacksonville, FL 32225
904/219-1028 (ph).
diveindude@comcast.net
9/12*

Richard Reid
3165 South Street, #203
Titusville, FL 32780
321/960-3257 (ph)
seamar82000@gmail.com
9/12*

Marilyn Solorzano
4061 Starratt Road
Jacksonville, FL 32226
904/757-0666 (ph); 904/757-1155 (f)
solorzanom@aol.com
(Comm.) 12/01, 6/08, 9/12*

Laurilee Thompson
Dixie Crossroads Seafood Restaurant
1475 Garden St.
Titusville, FL 32796
321/268-5000 (ph)
321/268-3933 (f)
laurileethompson@aol.com
6/08, 9/12*

John A. Williams
6631 Ridge Top Drive
New Port Richey, FL 34655
727/375-5083(ph); 727/934-5362 (f)
john@shrimpalliance.com
(Comm.) 3/01, 6/04,6/08, 9/12*

Brent Zirlott
PO Box 366
Irvington, AL 36544
251/709-0001 (ph)
251/824-2000 (f)
brentrosa@aol.com
6/12*

RUSTY HUDSON
PAT O'SHAUGHNESSY
OTHA EASLEY

* Denotes year of appointment

South Atlantic Fishery Management Council
2012 - 2013 Council Membership

COUNCIL CHAIRMAN:

David M. Cupka
P.O. Box 12753
Charleston, SC 29422
843/795-8591 (hm)
843/870-5495 (cell)
palmettobooks@bellsouth.net

VICE-CHAIRMAN

Ben Hartig
9277 Sharon Street
Hobe Sound, FL 33455
772/546-1541 (ph)
mackattackben@att.net

Steve Amick
6902 Sandnettles Drive
Savannah, GA 31410
912/429-3537 (ph)
912/898-0361 (f)
SteveAmicks@aol.com

Mel Bell
S.C. Dept. of Natural Resources
Marine Resources Division
P.O. Box 12559
(217 Ft. Johnson Road)
Charleston, SC 29422-2559
843/953-9007 (ph)
843/953-9159 (fax)
bellm@dnr.sc.gov

Anna Beckwith
1907 Paulette Road
Morehead City, NC 28557
252/671-3474 (ph)
AnnaBarriosBeckwith@gmail.com

Tom Burgess
P.O. Box 33
Sneads Ferry, NC 28460
910/327-3528
tbburgess@embarqmail.com

Dr. Roy Crabtree
Regional Administrator
NOAA Fisheries, Southeast Region
263 13th Avenue South
St. Petersburg, FL 33701
727/824-5301 (ph); 727/824-5320 (f)
roy.crabtree@noaa.gov

Dr. Michelle Duval
NC Division of Marine Fisheries
3441 Arendell St.
PO Box 769
Morehead City, NC 28557
252/726-7021 (ph); 252/726-0254 (f)
michelle.duval@ncdenr.gov

LCDR Scot Gibson
U.S. Coast Guard
Brickell Plaza Federal Building
909 S.E. First Avenue
Room 876/ DRE
Miami, FL 33131-3050
305/415-6768 (ph)
305/415-6791 (f)
Mario.g.gil@uscg.mil

Doug Haymans
Coastal Resources Division
GA Dept. of Natural Resources
One Conservation Way, Suite 300
Brunswick, GA 31520-8687
912/264-7218 (ph); 912/262-2318 (f)
doughaymans@gmail.com

John W. Jolley
4925 Pine Tree Drive
Boynton Beach, FL 33436
561/732-4530 (ph)
jolleyjw@yahoo.com

Deirdre Warner-Kramer
Office of Marine Conservation
OES/OMC
2201 C Street, N.W.
Department of State, Room 5806
Washington, DC 20520
202/647-3228 (ph); 202/736-7350 (f)
Warner-KramerDM@state.gov

Dr. Wilson Laney
U.S. Fish and Wildlife Service
South Atlantic Fisheries Coordinator
P.O. Box 33683
Raleigh, NC 27695-7617
(110 Brooks Ave
237 David Clark Laboratories,
NCSU Campus
Raleigh, NC 27695-7617)
919/515-5019 (ph)
919/515-4415 (f)
Wilson_Laney@fws.gov

Jessica McCawley
Director,
Florida Fish and Wildlife
Conservation Commission
2590 Executive Center Circle E.,
Suite 201
Tallahassee, FL 32301
850/487-0554 (ph); 850/487-4847(f)
jessica.mccawley@myfwc.com

Robert E. Beal
Executive Director
Atlantic States Marine Fisheries
Commission
1050 N. Highland St., Suite 200 A-N
Arlington, VA 20001
703/842-0740 (ph); 703/842-0741 (f)
rbeal@asmfc.org

Charles Phillips
Phillips Seafood / Sapelo Sea Farms
1418 Sapelo Avenue, N.E.
Townsend, GA 31331
912/832-4423 (ph); 912/832-6228 (f)
Ga_capt@yahoo.com

Tom Swatzel
P.O. Box 1311
Murrells Inlet, SC 29576
843/222-7456 (ph)
tom@swatzel.com

South Atlantic Fishery Management Council
Staff

Executive Director
Robert K. Mahood
robert.mahood@safmc.net

Deputy Executive Director
Gregg T. Waugh
gregg.waugh@safmc.net

Public Information Officer
Kim Iverson
kim.iverson@safmc.net

Fishery Outreach Specialist
Amber Von Harten
amber.vonharten@safmc.net

Senior Fishery Biologist
Roger Pugliese
roger.pugliese@safmc.net

Fishery Scientist
Myra Brouwer
myra.brouwer@safmc.net

Coral Reef Scientist
Anna Martin
anna.martin@safmc.net

Fishery Biologist
Dr. Mike Errigo
mike.errigo@safmc.net

Fisheries Social Scientist
Dr. Kari MacLauchlin
kari.maclauchlin@safmc.net

Staff Economist
Dr. Brian Cheuvront
brian.cheuvront@safmc.net

Science and Statistics Program Manager
John Carmichael
john.carmichael@safmc.net

SEDAR Coordinators
Dr. Julie Neer - julie.neer@safmc.net
Julia Byrd – julia.byrd@safmc.net

SEDAR Admin/Outreach
Andrea Grabman
andrea.grabman@safmc.net

Administrative Officer
Mike Collins
mike.collins@safmc.net

Financial Secretary
Debra Buscher
deb.buscher@safmc.net

Admin. Secretary /Travel Coordinator
Cindy Chaya
cindy.chaya@safmc.net

Purchasing & Grants
Julie O'Dell
julie.odell@safmc.net