

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

DEEPWATER SHRIMP ADVISORY PANEL MEETING

**Radisson Resort at the Port
Cape Canaveral, FL**

January 29, 2008

SUMMARY MINUTES

Deepwater Shrimp AP:

Fred Dennis
Tony Herring
Marilyn Solorzano
John Williams

Warren Gautier
Woody Moore
Rodney Thompson

Council Members:

George Geiger, Chairman
David Cupka

Duane Harris, Vice Chair
John Wallace

Council Staff:

Gregg Waugh
Julie O'Dell

Myra Brouwer

Observers/Participants:

Buffy Baumann
Laurilee Thompson
Bob Jones
Mike Merrifield
Carlos Rivero

Margot Stiles
Maynor Solorzano
Glenn Delaney
Richard Vendetti

The Deepwater Shrimp Advisory Panel of the South Atlantic Fishery Management Council convened in Salon 3 of the Radisson Resort at the Port, Cape Canaveral, Florida, Tuesday morning, January 29, 2008, and was called to order at 8:30 o'clock a.m. by Mr. Gregg Waugh.

Mr. Waugh: We all drew straws last night and Tony got the short straw. He's going to help guide this meeting along a little bit. The one sort of administrative business we have to do is just approve the minutes and then what I would like to do is provide some more detail on the question Tony asked yesterday about what's in this comprehensive amendment and what's coming up down the line. After that, we'll get right into you all's recommendations.

Mr. Herring: Without objection, we'll approve the previous meetings. Are there any comments or objections?

Mr. Waugh: That's the minutes. Everybody has had the minutes and we're just asking if there's any changes to the minutes.

Mr. Herring: If not, they're so approved.

Mr. Waugh: Super. What I want to do is just take a couple of minutes -- This is the council's activity schedule and I know it's a little small and if you all need to stand up and come a little closer, feel free to do that. What I wanted to focus in on is the Fishery Ecosystem Plan and the Comprehensive Amendment.

The council is scheduled to approve those for public hearing at the March meeting and then we would hold public hearings in May. The council would review those in June and give approval at the September council meeting and then we would send it to the Secretary of Commerce in October.

In a moment, I'll come in and talk about the next cycle, but I wanted to talk about what was -- At the last council meeting, the council gave us guidance to move the consideration of a golden crab allowable fishing area, a rock shrimp allowable trawl area, and golden crab VMS into the Comprehensive Amendment Number 2, which we would work on next year.

You all were here for some of the golden crab discussions and they very well may come back with a recommendation to the council that they consider some allowable areas and consider VMS for golden crab and the council will decide in March whether to include that or not. Right now, what is being included in this first comprehensive amendment is just the coral HAPCs.

I would suspect that if the golden crab industry came back and recommended some allowable golden crab areas and a VMS requirement to be able to do that, I would imagine the council would consider that and take it out to public hearing. Are there any questions on what's in this current comprehensive amendment that we're working on this year?

Ms. Solorzano: What is allowable trawl areas in the rock shrimp fishery, what you just said that you were going to be working on next year? What does that mean?

Mr. Waugh: Let's look at what's going to happen next year. We're going to approve issues to take out to scoping for the FEP Comprehensive Amendment 2 and we're having a round of scoping this year on a number of issues in February and our hope is to establish a cycle where the first week in February, or some time in February, we do scoping and do one amendment each year, so people know what's coming up and when the hearings are going to be.

It's anticipated that items that we would be taking out to scoping in February of 2009 and then approving for public hearings in June of 2009, holding those public hearings in August and the council reviewing it in September and submitting it in October, so that then those regulations could become effective in January of 2010.

Items that we have right now that would go into that would be the consideration of an allowable trawl area. We talked about this some at the last Rock Shrimp AP meeting up in Charleston. The idea here would be that there's a lot of concern about trawl gear and its impacts, potential impacts, on habitat.

Rather than constantly facing issues of people raising concern about trawl gear, how about flipping it around and working with you all and designing an area that encompasses the area of the rock shrimp fishery? We would have the same considerations for royal red and then, that would be an area that you all would be allowed to trawl in.

It's sort of flipping it around and creating an area that the industry could say we're trawling in this area and we're protecting the rest of the area. Certainly that would depend, I think from you all's perspective, on how much of your existing area was encompassed in that allowable area. Also, we would build in a provision that as we got better information on other areas and if we could identify areas that were suitable for trawling, then those could be added to that allowable trawl area. The council hasn't discussed this in any detail yet and that would be one of the items that would be considered during 2009 in the second comprehensive amendment.

Mr. Williams: I guess what you're saying though is they're looking at turning the entire South Atlantic EEZ into an HAPC and give us certain areas to trawl. That's pretty much the gist of it and is that right?

Mr. Waugh: That's certainly one way to look at it. I think, if you flip it around, the industry can -- For lack of a better term, and industry is doing this all over, paint yourself green. Find the area that you all need now to fish in and that's the area that you will continue to fish in. It's my personal view that that would give you a better way of protecting your fishery over the long term.

I know it hinges on having a provision in there that as you identify future areas, because that's one major objection, well, you're limiting me to an area we can't explore anymore. If we identify areas that are suitable for trawling, then those areas could be added to the allowable trawl area, but certainly it depends on how you view it.

Mr. Herring: I have two questions. If the areas are closed, how would they ever be identified as

trawl areas to be able to be used in the future? Who would be doing that if we can't do it? No one else is going to do it and so I don't see that being realistic, what you're talking about.

Number two, if there are areas -- You also said that the council could look at areas other than the fishing areas that we're working in now if there were some other areas that would be suitable for fishing to be added to that, from the testimony that was given yesterday, in particular John and speaking about the offshore bottom outside of the Oculina box, the original experimental box area.

How could we as a group put that on? I know I'm getting ahead of the game, because this is next year's agenda, but somehow, that's something that we need to put on there as a group that we need to get back, because the scientists are sitting here saying it's soft bottom and there's nothing there that we're going to hurt.

At the time we gave it up, we were told things different and we as a group went with the council and said we're going to close the area. Now we've been given additional information that there are areas that in fact probably need to be opened back up. There will be a process along with that, to where maybe we can look at some of those areas as well.

Mr. Waugh: To me, the question about research, we know research funding is very limited and that's one way, is to have researchers better map this area. The other way is to establish a procedure. We've got cooperative research monies where the scientists could work with industry and map that area and there's experimental fishing projects that could be set up to go in and look in areas, but I think the key is going to be somehow mapping those areas first.

In terms of areas that you've given up before, how you get them back, just like you all have developed a recommendation on modifications to this HAPC area, I think the first thing would be for you all to develop a recommendation on what you think an allowable trawl area should be and what areas should be encompassed.

It gives you all a first shot to include areas that you've been excluded from, based on information that those areas are more soft bottom. As you indicated, this is an item for next year, but it gives you all, I think, a heads-up that you all can work on it in preparation for when we do go out to scoping a year from now.

Ms. Solorzano: Gregg, you're saying that you all will look at what we're using, what we've been working on historically, as we've done with this red shrimp, and you're not going to close any areas that we've been historically working in, because that's where the rock shrimp are and that's where we work and we know it's good bottom and so you're just protecting the areas that we don't work in, just to keep the other side happy, so to say.

Mr. Waugh: It's to balance the habitat that is remaining, but the intent would be to encompass the rock shrimp grounds that are currently being fished, so that the industry can continue, but then to limit the potential for any habitat damage outside of that area. We would look to you all to develop your recommendations on what that area should be.

Ms. Solorzano: You already have a lot of that from the VMS tracking and so we have something to go on already, but then we will bring in what we have. That's next year, but I was just making sure that you all aren't going to come in and close what we've already been working on.

Mr. Waugh: No, that's not the intent and really, it's to give the industry protection -- In my mind, and these are my personal views, that it would give -- Were I in that industry, I would want to encompass as large of an area that we're fishing now and if I could get that designated as an allowable trawl area, I think that gives me a better position to defend that industry continuing.

What we're doing, to look at it from the other side, of people who want to protect habitat, whatever habitat was in that area has already been damaged. We want a rock shrimp fishery and we want a royal red fishery and so we're, quote, unquote, writing off the habitat that used to be in that area and we're protecting the rest of the area and we've got areas that you can study the differences in those two types of situations. The intent, as we've discussed it thus far, is not to limit the current fishing, but it's to protect additional habitat.

Let me mention one other item for the FEP Comprehensive Amendment 2 that we would be working on next year. Dr. Reed presented the information from the cruise and you saw where they identified new oculina peaks between the two satellite HAPCs.

The Habitat and Coral APs haven't discussed that. When they do, I would suspect they would have a recommendation to protect that area and so that's something that they haven't even brought forward, but I think to make you all fully aware of potential items coming, I would expect to hear from them that we need to protect those peaks in between those two satellite areas.

Ms. Solorzano: Where is this area at?

Mr. Waugh: The two satellite --

Ms. Solorzano: Can we get coordinates or something on that, where we can view it?

Mr. Waugh: You all should -- Those two satellite HAPCs are areas that are currently closed and I think we've got information out on the table with those areas. As I understand it, it's the area in between those two satellites and so it would run north and south between those two. That's all the items that we know of right now. Again, what we're trying to get to is a cycle where the council will approve items to go out to scoping at our December meeting and then we do scoping in February and start that process.

Ms. Solorzano: If between these two areas they say there's coral or habitat or whatever it may be, but it's an area that we've been trawling historically quite often, that's going to cause a lot of conflict, if they're saying it's there and we know it isn't. If it were there, it would obviously be no longer there, because we're trawling it. We'll get into that, I'm sure, in the future and so we'll move on here, but that's a concern.

Mr. Waugh: Any other questions about what will be considered in our upcoming comprehensive amendments?

Mr. Delaney: Glen Delaney, Southern Shrimp Alliance. I just want everybody to look at the chart that I'm going to be pointing to, which is most of the EEZ area off of the South Atlantic Council's jurisdiction, and what the implications are of this allowable trawl area concept, which, as Gregg correctly pointed out, is sort of a flip of responsibility.

Basically what they're saying is that we're going to adopt a presumption that the use of trawl gear damages habitat unacceptably and we can only allow the use of that gear in areas that you've already damaged. What that translates to is basically everything inside this red line, the council would come to the conclusion that it's unacceptable to use trawl gear, per se, that trawl gear is a bad thing, per se, but we'll allow you to fish inside a box, because you've already damaged that.

It takes the entire impetus off the scientific community to go out and do any research to document habitat. We've already closed it all. The impetus then becomes on your shoulders to prove otherwise and you have absolutely no means to do that, because it would be illegal for you to go out and explore that area and chances are you're not going to be able to hire a scientist to go out under an exempted fishing permit to go identify trawlable areas. It's not going to happen.

There is no scientific input to discover trawling areas. There is scientific input to discover habitat worth protecting and so they flip the entire responsibility onto you as a fishery to decide where trawling can and can't happen.

From a national policy perspective, this is a huge deal. This is saying we're going to take one gear and say it's unacceptable to use this gear, period, but we'll find some little boxes where we'll allow you to play in your sandbox, because you've already messed up that sandbox. That's just saying a gear that is used all over the world is now an unacceptable gear in the entire jurisdiction of the South Atlantic Council and this is profound.

From a legal standpoint, the burden will be on the agency and the council to show a judge, because that's where it's going to head, because this has such national implications, how is it they know that the use of trawl gear all over this area is documented to be unacceptable, that that's habitat that needs to be protected from trawl gear.

This is a profound shift. This isn't just a subtle shift. It's a flip and this is a profound shift in policy and it's going to end up in court. It has to, because all the groups around the country are going to be faced with this challenge to the use of mobile bottom gear, trawl gear, and this is -- You're kind of on the forefront of this, I guess, where an entire council is trying to say our entire jurisdiction is going to prohibit the use of this gear. That's unprecedented and so get ready. Strap on the --

Mr. Waugh: Glen is absolutely correct that it is a big change in how we look at this. I would differ some on how he characterized it. I think there is a mechanism to get out and do research in those areas. There's cooperative research projects that can be written between industry and researchers, but there's no doubt that -- I think we all know nationally the budget situation is going to make research in these areas more difficult.

The only impact is not just trawling. We've got gas and oil exploration and mining. These are other impacts that we're concerned about and the other is -- It's one thing to think if we're designing a small box to keep you in, but the intent would be to, and this is just showing Florida, but to describe the rock shrimp grounds, where does the fishery take place.

We know there's other areas up north and up off of South Carolina and Georgia that we need to define as allowable as well, where that industry has taken place. Just in terms of how you think about this between now and next year and get ready, think about describing your entire fishing grounds, where you fish, and having that as your recommendation for allowable gear, but Glen is exactly correct that this has huge implications and it will be hotly debated and no doubt in court.

The intent is not to put you in a small box to put you out of business. The intent is to describe your current fishery so that your fisheries can continue and to me, the more difficult part is that trust in the process that you set up, so that if you identify new areas that can be fished that there's a mechanism to allow that.

Mr. Wallace: Another thing that you're going to need to consider, and I don't know what the implications are going to be going down into the soft water shrimp, but it means you're going to have to transit directly from your rock shrimp grounds to the port and unload, because you would not be allowed to have rock shrimp onboard your vessel while you were inshore soft shrimping and possibly even offshore red shrimping, because you're going to be going outside of that allowable trawl area.

There's a lot of implications that's going to go into this and so just any scenario that you can think of that's going to happen, you had better think about them, because it's going to -- There's a lot of implications. I do not see any way to have an allowable trawl area in rock shrimp without having an allowable trawl area in soft shrimp and royal reds.

You can't just have one, because if you're going to do that, you're going to be -- Like I said, any time that you leave -- I know all these guys, every one of them, has got every variety of shrimp on their boats, because most of these boats in these offshore fisheries are freezer boats and they've got every variety of shrimp, at some time, on their vessel, pink, white, rock, red. They're all there at one time. That means every time that you switch from one fishery to the other, you've got to go unload before you do it.

Ms. Solorzano: We're already doing that with royal reds today, aren't we? We're already making this allowable trawl area for the royal red fishery and so they've pretty much got one done now and two more to go, I guess.

Mr. Waugh: What we're doing is creating an area where the royal red fishery can't fish and so we're creating a closed area. It's not so much describing where they can fish.

Mr. Wallace: Maybe that's not the implication I've got at the council level, unless you all have come up with another recommendation that the council will accept, but you're going to allow -- You're going to put an allowable trawl area within the HAPC is what I have understood at the

council level. Unless we change the boundaries of the -- Unless the council approves changing the boundaries of the HAPC, then we're going to be having an allowable trawl area within the HAPC.

Mr. Waugh: There's talk of a potential allowable golden crab area within these proposed HAPCs. I don't know of any discussions to create an allowable trawl area right now within these coral HAPCs.

Mr. Wallace: Okay, then we have definite overlap, because we saw that yesterday, and so what are we going to do? You're making an assumption that the council is going to move the line, because right now we have definite overlap. Either you're going to take us out of the HAPC, to where we cannot fish in there at all, or we've got to put an allowable trawl area in.

Mr. Waugh: No, I think I was pretty clear yesterday, when I recommended an alternative that this group could develop, is that the council has already received or has gotten the recommendation from the Coral and Habitat APs and that's how we came up with that boundary of the coral HAPC.

Now, we've been instructed to come and meet with the affected industries and what this group is recommending is that the western boundary of that HAPC be modified. I hope I didn't tell anyone yesterday that the council would adopt that. I think what I said was we would have to evaluate what, if any, habitat would be affected by moving that line and then your recommendation would be presented to the council at the March meeting and then the council would decide what to approve to take out to public hearing.

We have a long history of taking alternatives suggested by advisory panels out to public hearing, even if that's not the council's preferred. I hope I only suggested that your recommendation would be presented to the council and taken out to public hearing. I hope I didn't give anybody the expectation that the council would automatically adopt that.

Mr. Wallace: What you just said and what Marilyn just asked was we are either going to assume that the council is going to move that or create an allowable trawl area within the boundaries of the Coral AP's recommendation. If the council adopts the Coral AP's recommendation and not the Deepwater AP's recommendation, then we've either got to create an allowable trawl area within the HAPC or the fishery will essentially be cut down to half of their fishing grounds, because their fishing ground is going right down the Coral AP's proposed boundary line.

Mr. Waugh: Right and I don't see that involving an allowable trawl area. I think the council will be getting a recommendation from the Habitat and Coral AP of here's where the western bound should be. What the industry is saying is a lot of our fishing is along that boundary and we recommend shifting the boundary.

If the council sticks with the Habitat AP, then they're saying that they want to protect that area and they are acknowledging the impacts on the industry. I don't think then it means that we create an allowable trawl area within that area. If the council chooses to allow fishing in that area, then they just shift the boundary and adopt either the boundary recommended by this group

or some modification of that, to allow fishing. To me, the consideration of an allowable trawl area is totally separate from this discussion of establishing the HAPCs.

Ms. Solorzano: Basically, what you're saying is we go back to rock shrimp and we can hand you our bottom and show that we drag on it, but that doesn't mean you're not going to take it, because we've given you and shown you where we're dragging on the red shrimp bottom, but it looks like you're attempting to take it.

Mr. Waugh: You've got to give the council a chance to respond to your recommendation. We don't even know what your recommendation is. I wouldn't prejudge what the council is going to do and not to put our council members on the hot spot here, but we've got three of them here. They told us to go out and meet with you all and with the Golden Crab and to bring those recommendations back.

We have a long history of giving serious consideration to our advisory panel recommendations. If you just step back a little and think if the intent is to protect habitat in these areas and you all have been trawling along those areas, then there can't be huge structure in that area that's constantly being trawled to protect and so why wouldn't you move that line?

Mr. Harris: I would quit assuming anything and just make your recommendations. As Gregg said, we have a history of listening very carefully to the recommendations of our advisory panels and acting on those recommendations. If we don't get a recommendation out of this group, then we have nothing to act on, other than what we've gotten from the Coral and Habitat APs. Just quit assuming and make your recommendations and we'll get through this meeting a lot faster.

Mr. Rivero: We came up with a variety of options and one of the primary options was to go seaward six nautical miles from the original HAPC, which is this one right here. I'll zoom in on that area, to show how it tracks with the VMS points. The red line is the original HAPC and the blue line is the six-nautical-mile cut seaward. Do you guys have any comments on that?

Mr. Williams: Carlos, could you zoom in a little bit more, so that you can show that that six nautical miles allows for all the VMS data points?

Mr. Rivero: Sure. What I'll do is I'll start from the northern end and work my way down. I'll try to show the shoreline as well.

Mr. Waugh: Carlos, could you show where we're talking about starting this deviation from the existing recommendation, the north point and the south point?

Mr. Rivero: As far as the northernmost point, the deviation starts at about, in terms of latitude -- I've got to convert this over, so that we can talk in lat/long instead of meters. The northernmost deviation starts at about 30 degrees, 16 minutes, 35.354 seconds north. Do you want the longitude as well? Then the southernmost, where it comes back to the original line, is approximately 26 degrees, 12 minutes, 56.273 seconds north. Let me add in the state boundary, so you can see the shoreline.

Mr. Harris: I have a question for Carlos. Carlos, when you put your cursor on one of those points, what is the degree of accuracy?

Mr. Rivero: It depends on the scale that I'm looking at. If I zoom in, I can select the point itself and identify the location of that point, but because we're just zooming in at this particular scale, it depends on the scale. If I were to zoom in right there, then it gets more accurate to that point. The problem is that the best solution here would just be to take the vertex of that line and move it over.

As you can see, I digitized this by hand this morning and it's not completely accurate at the point where I did it. To get it 100 percent accurate, I would have to take the vertices of the original line and then shift those over individually, but at this point, it was pretty much just to try to get this done as quickly as possible and to give you guys something to work from.

Mr. Waugh: What we've asked Carlos to do is provide us, after this, the shape files and JPG figures of this. We'll have this and be able to go in and resolve those specific points and have that ready to present at the March meeting.

Mr. Rivero: The individual points can be extracted and so we'll start again from the northernmost boundary and this time, I've actually got the counties here, so you can see it county by county, to give us a little bit better geographical reference.

At this point, the northernmost boundary is pretty much consistent almost with the northern boundary of this particular county, which happens to be -- It looks like St. Johns County and is that correct? Then the next one down would be Flagler County. We're starting off with St. Johns County and going down to Flagler, Volusia, Brevard, Indian River County, St. Lucie, Martin, Palm Beach, and then Broward, where it comes back.

Mr. Wallace: We pretty much got an indication yesterday that the fishermen are fishing right there where the heavy concentration is, but I see some activity right on the six-mile proposed line that you've got there and some even east of that. Is there any indication of what that is? Is that some other sites? According to what I was hearing from Marilyn and Woody yesterday, that should be far deeper than what anyone is fishing, but it's -- Do we know that?

Mr. Rivero: These points on here, you mean?

Mr. Wallace: Yes. Like I said, there's some right close to the line down on the southern end and then I saw some east of the line, toward the northern.

Ms. Solorzano: Some of those points could be someone picked up and had a problem and was drifting to, laying to, the wind blew them, maybe they had some mechanical error or maybe they were patching a net and maybe they were whatever and just drifted to and were blown into that area. That could be what that is, just so that you realize what some of those dots could be.

Mr. Rivero: What's interesting about these dots is there aren't any dots leading to them.

Ms. Solorzano: Right, but they don't hit us sometimes. I know there's the conflict that we're getting hit every hour or whatever and sometimes we really don't get hit that often out there and so it could be that the boat was in one place and two hours later, it got hit and it was hit there. It doesn't have to necessarily connect.

Mr. Williams: We tried to build in like a six-mile buffer, just for that reason. Agreeably, the larger concentration is where most of the royal red shrimp dragging occurs, but in the event of mishaps or tangled rigs or anything, you will see these other points within that six miles, most of them anyway.

We all know we have very bad luck in history with dealing with law enforcement in the Oculina Bank, as far as drifting in. We're automatically assumed guilty and so if we build in a six-mile buffer, even though we may not drag there, we still have a buffer where we won't get fined \$30,000 or \$40,000 for drifting into a HAPC.

Mr. Wallace: I guess my question is I guess the industry is comfortable with the six miles and that it's going to -- According to this, they have been beyond six miles, on the rare occasion, but I guess they feel they can somehow stay out of it or maybe get in touch with someone and hope that you don't get a fine. That's why I was asking about those lines to the east. It's very rare indications, but it can happen, evidently.

Mr. Harris: I'm just curious. I know we've had reports from law enforcement at the council meetings in the past about this, but I don't recall how many cases have actually been made based solely on VMS information. Does anybody know that? Has anybody here been cased based on a VMS situation? How often does it happen, because I guess I'm just not aware of it. Do you recall, Gregg? That would be good information for us to have at the council meeting.

Mr. Waugh: We can get that for the March meeting, but I don't know offhand. We had planned on having someone from law enforcement here, but they got ill. We can get that information for the March meeting.

Mr. Moore: I would like to say something. There's no way to contact nobody when you're out there if you've got a problem. Your cell phones don't work and you're too far off to pick up the Coast Guard and so you're not going to notify nobody. You need as much margin as you can to help yourself.

Mr. Wallace: To that, Marilyn made an indication of email and evidently that doesn't work all the time either?

Mr. Moore: It takes a day-and-a-half sometimes to get a message.

Ms. Solorzano: Sometimes too -- For instance, the weather the other day was bad and my husband stopped for six hours and just drifted. He couldn't put his anchor out or anything. It was too rough to set back out, but he was waiting for it to calm down a bit. He knew it wasn't going to blow long and just taking a break and so he just sort of drifted.

If you're taking a break like that and you don't want to run all the way inshore to anchor, you're just going to be drifting. If the wind is blowing from the west or the northwest, it's going to blow you offshore, into that closed area now. A couple of miles isn't a whole lot of room. They're not dragging in it, but they don't want to be arrested and losing permits and licenses and stuff over doing nothing wrong.

Mr. Williams: As far as getting the information from law enforcement for the council meeting, I would like to ask staff if they could also have law enforcement determine how many were actually found innocent that had drifted in or crossed the boundary, more or less, as opposed to how many were guilty.

Mr. Wallace: This is a little off of this subject, but I had asked earlier about the area that was mentioned around Key West and whether or not it was close to an HAPC or not, but have you been able to get that information, Carlos?

Mr. Rivero: Yes, it's here. I'll bring it up now. This is the existing HAPC as it is and these are your points along the Keys, where you're traveling between two and four knots.

Mr. Wallace: It doesn't appear there's any even close to any HAPC and so we shouldn't have that to contend with, only the area from maybe Fort Pierce north. That's good.

Mr. Rivero: Is this consistent with what we discussed yesterday?

Mr. Williams: Yes, it is. If it's all right with the panel, I would like to see our next recommendation.

Mr. Rivero: Sure. I'll go back to this one over here. Which one did you guys want to show next? We have the -- We also did additional analysis here, where we looked at the minimum bounding polygon, which is a polygon that surrounds all of the points in that area. Given the entire universe of the points in that area, we drew a polygon around that.

It's fairly consistent with the six nautical miles in from the HAPC boundary up until you get into this northern portion here. I did that as well and removed that. The blue line is just simply -- I'll zoom out a little bit, so it's clearer.

The blue line is still just the six nautical miles in from the original HAPC and then this purple looking one -- It's pretty consistent from the southern edge, all the way up until you get about -- It looks like Volusia County and then up towards the northern end, where these points kind of bring it out east, bring that boundary rectangle out east a little bit. It gives you a little more wiggle room, if you will, in this part right here up in the northern edge.

Mr. Wallace: This encompasses all known hits?

Mr. Rivero: Yes, all known hits.

Mr. Wallace: With no buffer beyond the known hits?

Mr. Rivero: Exactly, no buffer beyond the known hits. Where the blue line is the six nautical miles in, the rose polygon here shows the extraction of the minimum bounding polygon, or the area that's completely enclosing all of the points, all of the known hits, VMS hits, and as I mentioned earlier, it was pretty consistent up until you get to this area right here.

You'll see where these points are right on that boundary, practically, and you have some deviation here in terms of where it fits and doesn't fit and so at this point right here, I'll just give you an idea of how far this is. It's about 8.7 kilometers from here to here, this distance. This one is a little more, 10.2 kilometers in difference, in terms of one from the other.

In addition to that, we also looked at taking a five-nautical-mile buffer from this particular bounding box, or bounding polygon, and that gives you this, which is this green color now. A problem arises in this area here, where it becomes really narrow and very distant from the original line of points.

Mr. Waugh: That's five nautical miles from the six-nautical-mile buffer?

Mr. Rivero: This is a five-nautical-mile buffer around the minimum bounding rectangle, minimum bounding polygon. We're going to take this bounding polygon and now I'll draw an extenuated outline around it, so that it becomes a little clearer. Hopefully this will make it a little clearer.

If you see this edge right here, that is the minimum bounding polygon surrounding all of their points, totally encompassing all the points, all the VMS hits, and then we took five nautical miles from that, in this particular location, and this is what you have, this green. Then the last one we did was a six-nautical-mile buffer, but in that case, it's this bluish color here, this bluish polygon. Because of the distance from it and the amount of area, it cuts the HAPC into two distinct sections.

Mr. Cupka: One of the problems I see that we're going to have with this, and it's not insurmountable and all, but the original western boundary was based on a bathymetry and then you're putting in a buffer east of that and moving that line and so what you're going to have now, and it's going to have to be described in the regulations, is you're going to have a boundary that doesn't follow a depth contour anymore.

It's going to be in terms of lat and long and that line is changing all the time and so I think what you're going to have to do is straighten that line out, where in some areas it may be a little more than five miles. Some areas it may be a little less, but you can't describe a constantly curving line in the regulations in terms of lat and long. You're getting away from following the depth contour and so you've got to describe where that boundary is.

Instead of having a continuous curving line that's five miles to the east, you may have to pick some points, so you'll end up with a boundary that's a series of straight lines. The more of those you have, the harder it's going to be to define in the regulations and so you may have to have some fairly long straight lines establishing that boundary, which may be a little, like I say, a little

more than five and in some areas a little less, because of the depth contour in that area, if you follow what I'm saying.

Mr. Harris: Woody, can't you plot that line on your plotter and then you would know exactly where that line is? Could you do that in such a way that you won't cross that line when you're actually working?

Mr. Moore: Yes, as long as we had the readings.

Mr. Waugh: One thing here too is when we hear from our Law Enforcement AP, I'm sure they're going to reiterate the push they made when they were meeting with the Habitat and Coral AP, that they would prefer latitude and longitude lines. It may be that we look even for the alternative that came from the Habitat and Coral AP, is that we come up with as close as we can to following that, but a series of latitude and longitude lines to best approximate that. That may be how all of these alternatives end up getting specified.

Mr. Rivero: In this particular case, the original, or the current, HAPC, from this point south to this point, does not follow the 400-meter contour at all. I don't know why. This is the data file that I was sent and it's pretty much consistent on all the graphics that I've seen thus far and even on some of the charts that you guys have here, it's clearly off the 400-meter contour.

Generalizing the lines, the straight lines, is not a problem. We can do that right now if you like. I just want to make sure it's something that's consistent and that folks are content with and that we can work around it.

As far as law enforcement is concerned, I'm not sure how they actually use this information. This thing will have to get published as lat/long coordinates in a series anyway, because when you describe a bathymetric contour, depending on the source of the data that you have, that's going to change and that's -- At the end of the day, what you can enforce is simply lat/long. Based on that, I definitely can export this as a series of lat/long that describe any shape you guys want and so it's up to you to tell me what you guys want to see and I can make it happen.

Mr. Waugh: We talked last night with John Reed and, again, as you all remember, he was pointing out there was a problem with tracking that 400-meter contour and Myra and I talked and we will go back and see how that was translated to be plotted and figure out where, because it definitely looks like something is not correct in how that line was plotted. We've got four recommendations and I assume that's all of them now?

Mr. Rivero: Yes, that is all of them, with the exception of generalizing any one of these to be more straight line oriented, although, to be honest with you, I don't see -- It's definitely doable and it's not an issue and it's something that I can do within ten or fifteen minutes, if you like. With your input right now, we can hammer it out, but it depends on what you guys want to do at this point.

Mr. Waugh: I have one question for the group. In terms of looking at this, the closest alternative that you have coming to the current boundary is six nautical miles off of it. Is that the minimum

that you all feel that you all want to recommend?

Mr. Solorzano: Yes.

Mr. Williams: Yes.

Mr. Moore: Yes.

Mr. Herring: Gregg, I think to be considered with that is on the southern half of that, in what you just said, we know there's problems with that western boundary to begin with. In effect, it's not six nautical miles on that southern end. I think we're all aware that it's considerably less than six nautical miles as to where really that contour is and where the 400-meter contour is in relationship to the lines that the Coral and Habitat came up with with that western boundary, which is not correct.

Mr. Waugh: That's a good point, Tony. We'll make sure that gets reflected as well.

Mr. Williams: Carlos, you have a five-nautical-mile buffer point on your scale there. Do you have that readily available?

Mr. Rivero: Yes, it's the five-nautical-mile buffer off of the bounding rectangle that I showed you guys earlier?

Mr. Williams: Yes.

Mr. Rivero: It's this one right here.

Mr. Williams: I'm sorry, but I thought you had one off of the western HAPC, western boundary.

Mr. Rivero: What I have is a six-nautical-mile line, which is this one right here off of the western boundary.

Ms. Solorzano: Then the other one is the one that encompasses all of the coordinates, correct?

Mr. Rivero: Yes. This line right here is the line that encompasses all of the coordinates. It's the eastern edge of all of the coordinates, of all the VMS hits. From here out is one proposal and then five nautical miles off of that is this other line right here and then the six nautical miles off of that is the line adjacent to that.

Ms. Solorzano: The minimum amount we would be asking for is the six?

Mr. Rivero: Yes, that's a buffer of --

Mr. Solorzano: Even by encompassing all of the dots or points, it would be more than the six and so the six would be --

Mr. Waugh: Let me just restate what the alternatives are, so we've got them in a neat place in the minutes and then just to make sure we're in agreement here. The first alternative is to move that western boundary six nautical miles seaward. The second one would be to move that boundary seaward to the polygon that encompasses all the VMS points. The third would be a five-nautical-mile buffer from that polygon line and the fourth would be a six-nautical-mile buffer from that polygon line. Those are the four alternatives you all are recommending.

Ms. Solorzano: Of course, there would be no action.

Mr. Waugh: There's always no action, yes. That's exactly the type of recommendation we were looking for and so I don't know if you all want to discuss this issue some more. We will certainly work with Carlos and get this information and package it for the council to look at in March.

Mr. Williams: Personally, I feel like of all the -- I guess it's, what, 28,000 square miles on all these proposed HAPCs, that taking a six-mile buffer from the western boundary is certainly not a whole lot to ask for. It preserves our industry and it gives us a little buffer for law enforcement issues, but it's a very, very small amount, as opposed to the overall HAPCs.

Mr. Waugh: Just so everybody is perfectly clear on what we will do between now and the March meeting is we will figure out a way to show this with latitude and longitude lines and what we will also show is the VMS tracks and then also what we have from the habitat information that is in this area, so what when the council is looking at this, they'll have the Coral and Habitat APs recommendation, you all's recommendation, and they can look at those lines with respect to the VMS data and with respect to whatever habitat might be in that area. I just don't want anybody to be surprised when they see these plots at the March meeting.

What we will do is make sure and distribute what materials go to the council that we will send to this AP at the same time. The council doesn't have plans on bringing you all to the March meeting.

Certainly you all are welcome to travel there on your own expense, but we will make sure you all get the briefing book materials the same time they're sent out to the council, so that you all know well in advance. That happens two weeks before the meeting. You all will have that material well before the meeting and so nobody will be surprised as to what we are showing.

That certainly gives you all some time, if you have concerns about how something is presented, to surface those with us and we can correct any errors, as well as present any additional views that you all want us to present to the council, for those of you who would not be coming to that meeting.

Mr. Herring: Is there any possibility of the council addressing or going back to the Coral and Habitat AP as far as the discrepancies on the south end with that 400-meter contour line and from your own staff testimony that there are discrepancies there and it's not correct, is there any way to address that before March?

Mr. Waugh: Yes, we will address that. What we've done is we will go back to the original recommendation from the Habitat and Coral APs, which as I understand it, Myra was tracking that 400-meter line down to a certain point and then it shifted in a little more shallow, towards the southernmost part. We think there was an error made when in some of the assumptions going into how you plot that area. We had something go on in there and we will definitely get that resolved prior to the March meeting.

Ms. Solorzano: Just to bring up something I think we've already discussed this morning, but I wanted to make sure it was understood on that. If we have problems on the boats, we can't call in. We can try to email, but that is not going to be immediate. If something goes wrong and we go into that closed area, what protection do we have legally? None. Is that correct?

In other words, we want to make sure that if we can prove what happened happened that we're not fighting Karen Raine and the whole legal system and losing it, because that's what's going to happen, because it's happened in the rock shrimp fishery, because there wasn't enough information brought through for accidents, engine failure, nets in the wheel.

The current is running very strong out there and in a matter of a short period of time, if you're drifting with a boat -- Rigs don't -- That will slow your drifting process down. If your nets are down, you won't move as fast, but if your nets are up, in no time at all -- In an hour, less than an hour, you're in that area. How are we going to come up legally and represent ourselves?

There needs to be something in there. We missed that with the rock shrimp. We didn't get it in there and people suffered consequences that they probably shouldn't have and we need to make sure that this is -- It may seem like we're asking for more than we need, but we're not. We actually need more for this room for error, because it's going to happen.

Mr. Waugh: I would suggest any examples of problem areas that you all can surface that the council would consider and insert into the regulations would be my best suggestion to give you the best protection.

The intent is to not have trawling in those areas. We can write into the regulations -- There's always going to be a desire for some method of notification when you have a problem, but we can write into the regulations examples of legitimate issues that should not be prosecuted. We can develop that in the regulations and try and get that through the process.

I think if you all describe as best you can examples of the issues that should not be prosecuted, we can discuss those with the council and try to get that into the regulations. We'll also work with our Law Enforcement AP to craft this to best meet the intent of not allowing trawling in those areas.

Mr. Moore: I would like to tell Marilyn that if you do have a problem and you shut your engine off or you lose all power, you've got less than a minute before you've got to turn your rigs loose and so you wouldn't have no rigs on the bottom, because you're going to turn sideways or turn over or something. You wouldn't be dragging or pulling your rigs.

Mr. Wallace: Woody, when they're looking at that VMS, they don't know if you've got rigs out or not is the problem. They're looking only at speed. That's the only real thing they've got to look at, is that you are in the area and doing this speed. That's the only thing they can look at from there. They don't know that you've lost your rigs and so by looking at speed, they will assume that you could possibly be fishing.

Mr. Moore: That's right.

Ms. Thompson: My name is Laurilee Thompson and you can look at the map that Carlos just had up there and you can see where the problem starts and it starts right about at the Volusia County line. What you've got is you've got a four-knot tide that's running almost due north along the south part of the state and so if a vessel becomes disabled south of the Volusia County line, it's okay, because it's drifting due north.

Because the fishery follows the bottom contour, which goes to the northwest at about the Volusia County line, if a vessel becomes disabled north of the Volusia County line, it's going to still be drifting straight north in the tide and so it's going to go -- It's not going to follow the bottom contour. They can't help it. They can't anchor and they're drifting north in a ferocious tide that is going fast enough that it shows up as a trawling speed on the chart.

It's real obvious, when you look at that, that most of the problems that are occurring are where the vessels are outside of that line. You can see they're just going due north in the tide and the contour lines have gone to the west.

Mr. Rivero: I apologize, but I'm going to have to get going. I've emailed an image of this map to Myra, as well as the original shape files as well. You have everything now. You should have it. You guys all have my contact information. It's carlos.rivero@noaa.gov. If you have any questions or need anything, feel free to contact myself or Tom Jamir and let him know what you guys need and we'll help you out, do anything you guys ask for.

Mr. Waugh: Carlos, thank you very much for all your help and you and Tom and whoever else down at the Center was involved in working up the VMS data. I know it was a lot to do in a short period of time and I think you can take back the message of how useful it was here and we certainly appreciate you all's efforts.

Mr. Rivero: I appreciate it and I was happy to come up here and help you guys out. This has been my real first foray into this whole process and it's been very interesting and I look forward to working with you guys.

Mr. Waugh: On this question of enforcement, I'm not a VMS expert, but I think I've heard in other countries where they have the trawl winch tied into the VMS system, so that when you engage your trawl winch, it sends a signal. I don't know if that's something that requires a more expensive system than we have or what, but that would seem, to me, to be a more desirable outcome as to what we're looking for.

We don't want trawling in those closed areas. I think in terms of protecting the habitat that we

don't want to bust somebody for drifting into the area. Is that something you all would like us to pursue, is trying to find out what that would require in order to have that capability that when your trawl winch is engaged then that notifies the system?

Mr. Moore: I've heard of that also, but it only works with hydraulics. I'm the only one with a manual winch, chain and sprocket. I would be out there.

Mr. Gautier: I have a question. Is there anyway that our emergency system can be tied in with VMS, if you have a -- You're talking about you have no way of communicating on the water, but if you had a real emergency, you could hit something and it would send out a signal that would say it's red lighting and somebody needs to look at this one. Is that possible? I don't know.

Mr. Herring: The VMS systems have, like they said, email capabilities, but like they said, it's not a rapid response, a lot of times. I don't know the answer to your question as far as if something else could be incorporated into it. That would have to be with a couple of servers that are the guys that are doing those systems, but I don't know.

Mr. Gautier: I was thinking something like an EPIRB. You could set it off and it would notify someone that you had an emergency.

Mr. Waugh: We can certainly look into that and will.

Mr. Wallace: Gregg, the golden crab guys had said they had heard something about it may be tied into RPMs that could be tied into a VMS system, too. Maybe you could look at that. I don't know that that would work in the red shrimp fishery, because you're going to slow down a lot, either taking up or if you're dragging with the tide. You're going to slow down in order to keep your speed appropriate, but the golden crab guys had brought that up with some of their pot pulling.

Mr. Waugh: If there's nothing else on this issue of the impacts from the coral HAPCs, what I might suggest is we take a short break. The two items we have left are to talk about the description of the fishing practices. Myra just wants to see if there's any updated information we can include there and then I want to talk about the timing on Shrimp Amendment 7, which has that use-it-or-lose-it issue in there.

Those are the two remaining items from our perspective. Certainly if there's anything else you all want to discuss, we would be more than happy to discuss that, but I think we can probably finish with that before lunch and be done. Let's take a fifteen-minute break and be back at ten o'clock, please.

(Whereupon, a brief recess was taken.)

Mr. Waugh: We'll get started and Myra is going to run you quickly through the description of fishing practices and see if there's any new information, just to make you aware of the stuff that we have added, and then I'll briefly describe the timing on Shrimp Amendment 7, which is the use-it-or-lose-it amendment.

Ms. Brouwer: This is a section of the Fishery Ecosystem Plan that describes the deepwater shrimp fishery. This information was extracted from existing council documents. A lot of it came from Amendment 5 to the shrimp plan and so it contains economic information, social information, a description of how the fishery is prosecuted, a description of the gear that's used, the vessels, their size, all that sort of information.

It has been circulated around a couple of times to folks who have experience, they're resource agency personnel. They provided comments which have been incorporated, but I wanted to bring it to your attention and make sure that you had a chance to provide any comments or edits that need to be made to this description.

It's probably different than what you saw back in May, May of last year when the AP met last time, and I also provided the draft section at that time. In addition, I did include a couple of statements extracted from the recent Oceana report. I wanted you to be aware of that as well and so if you could take a look at this information and get back to me.

The Fishery Ecosystem Plan is going to be presented to the council at the March meeting for their approval for public hearings and so I'm trying to quickly fill in any gaps in information, as much as I can, before March. If you have any comments for me today, that would be great. If not, please make sure you contact me. Email me would be the best, if you think there should be anything added to this description or anything changed.

Mr. Wallace: This is all related to rock shrimp and I guess it's kind of a question more to other council members. Since there is not a management plan for royal reds, are we going to adopt one in the ecosystem management plan? Is that the future goal or should we just put some definitions for royal red in these deepwater definitions that are here?

Mr. Harris: I would prefer staff respond to that. I haven't really given that any thought. I'll see what --

Mr. Waugh: In terms of updating the Fishery Ecosystem Plan, we should have all the descriptions of all the fisheries in there. For us to regulate royal red, we need to add them to the fishery management unit and come up with MSY and all of that. That's something that would have to be done down the road.

Certainly if we're going to create an allowable trawl area for royal reds, we would have to add them to the management unit and come up with an MSY and so forth, but in terms of what descriptions go into the Fishery Ecosystem Plan, any fisheries that we have -- We don't have a calico scallop FMP, but we have descriptions in there.

Myra was going to get with Woody and talk about when we could get with him and get his information incorporated, because he has been in that fishery for so long. We want to include a description in the FEP of the royal red shrimp fishery.

Mr. Wallace: That answers my question. I didn't know you had talked with Woody and so

that's good.

Mr. Waugh: Just get any comments you have and any additional information to Myra. In terms of Shrimp Amendment 7, we had the last scoping meeting and so our schedule right now is to at the March meeting to present the scoping comments and the options paper to the committee and council and then they will give direction to staff on how we deal with the alternatives that are in there.

Let me just run through the timing and then I'll go over the alternatives that are in here. In terms of timing, again, we review the scoping comments and options paper at the March meeting. We look at it again in June to approve for public hearings and then the public hearings would be held in August and the council would review public hearing input and approve in September, with final approval in December and sending it to the Secretary of Commerce in December of this year.

What we have in there right now is the issue is the 15,000-pound landing requirement and we have the no action alternative. The Rock Shrimp AP supports Alternative 2, which is to remove that 15,000-pound requirement. We've got another alternative to extend the time allowed to meet that requirement, for two more years, and then Alternative 4 is allow renewal as an inactive permit holder.

We'll see through the comments if any additional alternatives have surfaced. For Issue 2, what do we do with permits lost due to not meeting the 15,000-pound requirement as of December 31, 2007, there's no action and then the one that the Rock Shrimp AP supports is to reinstate permits lost due to not meeting that 15,000-pound requirement.

These are right out of the scoping document and so this should be familiar to all of you. Third is permits through failure to renew the limited entry rock shrimp permit. This is where the amendment itself talked about establishing a limited entry rock shrimp permit. What was implemented in the regulations is an endorsement on the rock shrimp permit and that caused some confusion and so no action and the Rock Shrimp AP supports Alternative 2, which is to reinstate permits lost through failure to renew the limited entry rock shrimp endorsement.

The only other item we're considering there is to require all shrimp permit holders to provide economic data if selected. The Reauthorized Magnuson Act removes some of the barriers to collecting economic data and we need this data to do the analyses that the laws require us to do. Those are the four issues that we're looking at right now and again, the council will be looking at all scoping comments and then determine which of these issues are included and which alternatives are included and whether they can pick some preferreds at this stage. I would be glad to answer any questions on that.

Mr. Moore: I have two rock shrimp permits, but I lost one of them this year because I failed to renew it. I sold the boat and so I didn't renew the permit. I called Tallahassee and I was talking with them and it doesn't even show up in the computer like this boat or official number ever had a permit. They could find nothing on it, because I wanted to do something with the permit, but I could not find anything out, like it never existed, because I failed to renew it.

Mr. Harris: Woody, did you call Tallahassee or St. Petersburg? Is that a state issue or a federal issue?

Mr. Moore: It's federal, National Marine Fisheries.

Mr. Harris: Then you would have called St. Petersburg and not Tallahassee. I wanted to make sure we got that corrected, because I can see the state not having any record of it.

Mr. Moore: St. Petersburg, then.

Mr. Waugh: We can follow up on that. Certainly one of the provisions in here is to reinstate permits that were lost due to not renewing and that would fall under this issue, Number 3, permits lost through failure to renew the limited entry rock shrimp endorsement. Was it the endorsement you didn't renew or the permit itself?

Mr. Moore: None of them, the endorsement or nothing. I didn't do anything about it. Once I sold the boat, I forgot about it, because the permit came with the boat I bought.

Mr. Herring: Gregg, would any public comments that you all have gotten or from scoping or anything, is that stuff that would be privy to us or is that not until it goes forward?

Mr. Waugh: That will be included in the material. We will send you all the -- Can everybody deal with CDs or do we need to send some hard copy? Maybe if you all prefer hard copy, let us know, but our intent would be to include you all on the briefing book distribution list and so you would have all of that in the materials for the March council meeting. If anybody needs to get hard copy, let us know.

Mr. Herring: That's something that we should receive sometime within the next thirty to forty-five days?

Mr. Waugh: You'll get it two weeks before the March council meeting. We send the briefing book out two weeks before. That will have all the materials that the council will be considering at the March meeting.

Ms. Solorzano: That will include what Myra was showing earlier on that description of the shrimp fisheries? We don't have that and that will be what you're sending to us in two weeks?

Ms. Brouwer: I can certainly send it again, but it should have been sent to you already, in preparation of this meeting.

Ms. Solorzano: It might have been in my stuff that was sent, but I didn't have it in here.

Mr. Waugh: The materials for the briefing book will include the latest version of the Fishery Ecosystem Plan, which will have all this material in it.

Mr. Herring: Has there been any conversations back from NMFS as far as the recommendations we made and anything from them as far as what they prefer in this stuff?

Mr. Waugh: As far as how we deal with these alternatives that we're considering? No. We had some discussions with them at a meeting, but any potential alterations of these alternatives would be discussed at the March meeting. We've had some input from them. Karen Raine attended a meeting and responded to some of you all's comments, but they have not provided recommendations that would directly change these alternatives for the council to consider. That will all be done at March.

Ms. Solorzano: Is Karen scheduled to be at the meeting in March or do you know? You don't know, probably.

Mr. Waugh: I don't know. We invite them to come to the meeting and given the controversy associated with this, I would expect her to be there.

Mr. Herring: Any other --

Mr. Delaney: Just a quick comment that the last time I spoke to NMFS about this, particularly Roy Crabtree, just FYI, he was very unsympathetic to addressing this option the way we want to. He is very hard over on this and he indicated that there was implications for other fisheries, where if he doesn't provide some relief or accommodation for people under this fishery that it would open up a can of worms and be a flood of requests from every other fishery, where people would come in and say hardship cases where I didn't realize or I didn't know or my dog ate my homework type of things.

There's a big range and some of those are very real and valid problems that people have had and some where people just didn't do what they should have done. I think in our case that we have had some real confusion about what needed to be done in terms of renewing your endorsements and actual permits.

I just want everybody to know that there was a complete lack of sympathy or flexibility in my conversations with him to date. I don't know if there's any other way around it. This would be a time to think about that and talk about another recommendation, but I just don't want everybody to think that this is going to happen with NMFS's endorsement. It's not and so think about it.

Mr. Herring: That's why I asked those questions. I heard the same things and do you know if it's all of the issues within Amendment 7 or the particular issue, as I understand it to be, is he has considerable reservations about anything to do with the endorsements that had been lost, whether it be by confusion or whatever, that particular part, that issue within Amendment 7. Do you know if it's all of the issues or it's particular issues out of those four that are up there that he --

Mr. Delaney: I believe that it was Number 3. I'm referring to Number 3 and I'll double check my notes. I think he was very supportive of the others.

Mr. Herring: That's my understanding as well.

Mr. Waugh: Number 3 was permits lost through failure to renew the limited entry rock shrimp endorsement.

Ms. Solorzano: He was okay with the one that didn't meet the 15,000-pound requirement?

Mr. Herring: From what I understand -- I'm not saying that he said that he's okay with it, but he did voice serious reservations about Issue Number 3, that it would cause repercussions in other fisheries and that it was not something that NMFS wanted to get into and that there's probably not much chance of Issue Number 3 from their -- Regardless of what the council came out with, I don't think they would look favorable toward Issue Number 3.

I don't know about the other issues for sure. I think we have a lot better chance, especially about the use-it-or-lose-it, with the 15,000-pound requirement. Just from my personal point of view, if all of these issues, either at a council or further with NMFS, if they want to shoot them all down, I think the next thing we should do as an AP is request another meeting and say we don't want limited entry, period. We don't want it anymore and we don't need it.

Economics has actually made limited entry more than us limiting the number of boats. The economics of it has pretty much taken care of it. If we can't at least get some of the things that we recommended out of that, which I think are legitimate things that we're asking for, and if we can't get any of them, then we need to address the whole thing, period.

Are there any more comments? Is there any other business, any other issues, while we're here that want to be brought up? If there's no further comments and no other discussions, then we're adjourned.

(Whereupon, the meeting adjourned at 10:30 o'clock a.m., January 29, 2008.)

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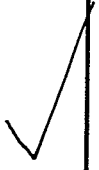
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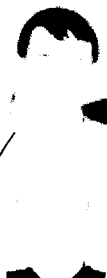


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PLEASE SIGN IN

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

Deepwater Shrimp Advisory Panel Meeting Cape Canaveral, FL Tuesday, January 29, 2008

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