

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
ECOSYSTEM-BASED MANAGEMENT COMMITTEE OF THE WHOLE

Renaissance Orlando Airport Hotel
Orlando, Florida

JUNE 10, 2010

SUMMARY MINUTES

Ecosystem-Based Management Committee:

Dr. Brian Chevront, Chairman
Dr. Roy Crabtree
George Geiger
Dr. Wilson Laney
Charlie Phillips

Doug Haymans
David Cupka
Ben Hartig
Rita Merritt
Marl Robson

Council Members:

Robert Boyles
Tom Swatzel

Lt. Brian Sullivan

Council Staff:

Bob Mahood
Kim Iverson
Kate Quigley
John Carmichael
Kari Fenske
Myra Brouwer

Gregg Waugh
Roger Pugliese
Rick DeVactor
Anna Martin
Dr. Julie Neer
Mike Collins

Observers/Participants:

Dr. Tom Shearer
Karla Gore
Dr. Bonnie Ponwith
Bill Teehan

Monica Smit-Brunello
Dr. Jack McGovern
Paul Raymond

Ecosystem-Based Management Committee Minutes
Orlando, Florida
June 10, 2010

The Ecosystem-Based Management Committee of the Whole of the South Atlantic Fishery Management Council convened in the Ballroom of the Renaissance Orlando Airport Hotel, Orlando, Florida, June 10, 2010, and was called to order at 4:30 o'clock p.m. by Chairman Dr. Brian Cheuvront.

DR. CHEUVRONT: We're moving right along to the Ecosystem-Based Management Council Session. The first order of business is the approval of the agenda. You all have that in front of you. Any changes or additions to the agenda? Seeing none, the agenda will be approved. We need approval of the March 2010 Ecosystem-Based Management Committee Minutes. Are there any changes to the minutes? Seeing none, the minutes will stand approved.

We have several items on our agenda. We have the CE-BA 2 Amendment to talk about, Comprehensive ACL. We have invasive species, and we have a presentation under invasive species. We have some updates on activities that are going to happen, and there are maybe one or two other issues that need to be discussed. The first item that we're going to deal with right now is CE-BA 2. We had SSC recommendations for octocorals. George.

MR. GEIGER: Dr. Cheuvront, if I might, we received numerous and cogent input in our public hearing the other night concerning the octocoral issue. We received a very well-put-together letter from Dr. Feddern concerning octocorals. I think it would be prudent **to remove octocorals from this plan and transfer responsibility for octocorals to the state of Florida, and I make that as a motion.**

MR. ROBSON: Second.

DR. CHEUVRONT: Seconded by Mark Robson. Any discussion on the motion?

MR. HARRIS: Yes, I think we need some discussion to kind of build the record. We've heard a lot of really good presentations and public comments on this issue. It seems to me, based on what I've heard, the state of Florida is perfectly capable of managing this fishery and has been essentially doing so for a long time. I support the motion. I think it helps the council. It takes one thing off of our plate. Florida is already doing it and has been doing it for a long time, so I'm in favor of that motion.

MR. GEIGER: Mr. Chairman, assuming that Mark seconded the motion, Florida is prepared to take responsibility for it willingly, so I think it is prudent that we do it.

MR. ROBSON: Yes, that is correct.

DR. LANEY: Well, Brian, the only question I guess I would have is what happens – do we have octocorals north of Cape Canaveral, and so what happens to those in the present regulations, which I think covers those as well.

DR. CHEUVRONT: That is a very good point. Roger.

MR. PUGLIESE: That was one of the points that I was going to raise. Right now the present regulations limit – the fishery actually operates and is allowed to operate south of Cape Canaveral. There is a prohibition north. Then we have prohibitions of octocorals within in, say, like the Deep-Water Coral HAPCs. Two of the species are still prohibited, basically the sea fans.

If those provisions can all be factored into that, then it would retain the existing coral conservation under the Coral Plan of octocorals north of Cape Canaveral and in other regulated areas. That is a question really kind of for Monica if that type of transfer can have a bounded area.

DR. CHEUVRONT: Okay, Mark, is your comment related to what Roger was saying?

MR. ROBSON: A question for Roger; are you referring to federal rules regarding take of coral; could you clarify?

MR. PUGLIESE: Present federal rules limit harvest to the area south of Cape Canaveral in federal waters. There is no harvest north of Cape Canaveral of octocorals, so the entire fishery exists in Florida from federal waters into state waters. That is the existing, and then we have some specific prohibitions in the areas like the Deep-Water HAPCs. We specifically prohibited any octocoral take in those areas, also. That's where we are with the present regulations. We do have those two prohibited sea fan under federal regulations, too.

MR. HARRIS: So, Brian, the question then becomes if we do what this action proposes to do, do those regulations north of Cape Canaveral go away or do they remain in place. We haven't done away with the Coral Plan; have we?

MS. SMIT-BRUNELLO: The question is if you remove octocorals from the Coral FMP what happens to the regulations?

MR. HARRIS: North of Cape Canaveral.

MS. SMIT-BRUNELLO: Well, if you don't manage octocoral, then I would think that we would dispose of those regulations because how can you regulate something you don't manage indirectly, in that fashion. There could be some way perhaps for some gear regulation or something like that on species you don't manage, but that is kind of a little far flung, but maybe.

MR. ROBSON: Well, Jessica McCawley from our staff is most familiar with our state program. If there was no federal plan and if there was – 95 percent of the harvest of octocorals is in state waters, anyway. I don't know how much of that is north of Cape Canaveral or where it is currently closed, but I would say zero. If there was no federal plan and it was important to provide some consistency in the previous federal management, we could create a state rule that would prohibit harvest north of that line also, and it would apply to federal waters if there is not a federal management plan off of Florida.

DR. CHEUVRONT: And that would be fine for Florida, but what about Georgia, South Carolina and North Carolina? Okay, Charlie.

MR. PHILLIPS: That was my point. I'm assuming it is doable, give Florida jurisdiction south of the Cape, keep the Coral Plan and just have no harvest of coral under a Coral Plan.

DR. CHEUVRONT: That's certainly an option. Bob.

MR. MAHOOD: Well, I was just going to comment on the motion. I wonder if you could remove octocorals occurring in Florida from the Coral FMP and allow the state of Florida to manage octocorals in Florida, and then that shouldn't change anything north of Florida.

MS. SMIT-BRUNELLO: So maybe what we ought to do, if you want to do this, is look at the various alternatives and come up with what happens if so we can give you some analysis behind this kind of proposal.

DR. CHEUVRONT: I think that is a good idea, Monica. I've got Wilson next, and then, George, you may or may not want to modify your motion.

MR. GEIGER: Bob covered my point and I was going to suggest modifying the motion.

DR. LANEY: Well, Mark touched on the point I was going to make, which is I guess you could, if you transferred the management of octocorals within Florida to the state the Florida, then that leaves the regulations in place from the Florida/Georgia Line northward. Roger's institutional memory is better than mine on this point, but if I recall there was quite a bit of discussion during the years when this was being developed in conjunction with the Habitat and Environmental Protection Advisory Panel when there was a lot of discussion about the fact that like corals, octocorals constitute habitat, but the provisions were put into place to allow the harvest to continue in Florida where I think the growing season is a good bit different, growth rates may be different.

There was a desire to provide protection for those species north of Cape Canaveral and personally I think the Habitat and Environmental Protection Advisory Panel would like to see those protections stay in place, and certainly Florida could handle that, I think, just by keeping a prohibition in place north of Cape Canaveral. I think it is a good idea to have legal do an analysis of it and then bring it back to us for further consideration and then scope it out before you pass a motion that does something you don't necessarily want it to do without you having full knowledge of what all the unintended consequences might be.

MR. HARRIS: Mark, do you have the wherewithal to manage the deep-sea coral resources that are protected under CE-BA 1, and what does that do to CE-BA 1 and those deep-sea coral resources off the state of Florida? I think those are the kinds of questions that we need some answers to. I agree with Wilson; we probably need some answers before we make a final decision on this.

DR. CRABTREE: I'll offer a Plan B if this doesn't work out, and that is to simply say we already have an ACL for octocorals. It's 50,000; it is a quota; it's already in place; no action is

required. That is my view is you don't have to do anything on octocorals. You already have an ACL.

MR. GEIGER: I would withdraw the motion in lieu of Dr. Crabtree's Plan B; a much simpler process.

MR. WAUGH: Remember, that 50,000 colonies is for the South Atlantic and the Gulf, and we now have a separate South Atlantic FMP.

MS. BROUWER: Yes, however, the Gulf has requested that the South Atlantic Council consider managing octocorals throughout their range.

DR. CRABTREE: And I think Mr. Teehan would concur; I think that would be no problem with the Gulf and that would solve that portion of this problem. How long has this quota been in place, more than a decade? It has been there longer than I have been around, and there is no apparent evidence of any problems. I think we can make a good case that things are in good shape, and I see no reason to make a change with it at this time. I would still like to ask Monica to explore all the ins and outs of this discussion and we can come back to it. Otherwise, I would simply just explain it and leave alone.

DR. CHEUVRONT: So it sounds like, from what Roy is saying, is that we're going to need a motion or two here; one to establish our ACL, but then is simply our request to general counsel to study this; is that enough or does the council need to make a motion requesting?

MS. SMIT-BRUNELLO: That's enough.

DR. CHEUVRONT: Okay, Mark, did you have something you wanted to say here?

MR. ROBSON: Only to reemphasize I think what I've said before in past meetings; this is a highly regulated fishery in Florida and 95 percent of the landings are out of state waters. It is a limited entry program where you have to have an endorsement to harvest. I think it is 167 or something like that participants in the fishery.

Again, I don't know of any octocoral landings north of the Cape Canaveral Line. It is a Gulf and Atlantic fishery, but as has been pointed out – correct me if I'm wrong, Bill, but did the letter from the Gulf Council also – did we get a letter as a state agency requesting or did that just go to the South Atlantic Council for them to manage the fishery?

MR. TEEHAN: First off, I would like to say I thought Roy doesn't speak for me, but, yes, the Gulf Council is interested in turning the octocoral fishery or at least removing its Coral Plan and giving it to the state of Florida. My question I guess would be does this require a letter exchange between the two councils as to what their intents are and to NOAA?

MR. HARRIS: I'll respond to Bill's question. I think it absolutely does. Anything that we do here like this has got to be documented for the future, so there is going to have to be some kind of written correspondence or plan amendments or whatever it takes so that everybody knows

what was done and when it was done and why it was done. I think it is premature to remove octocorals from the plan right now until we know a little bit more about it. I actually like Roy's suggestion right now and establish that ACL of 50,000 colonies and move on.

DR. CHEUVRONT: Well, we have a motion that the motion maker has said he wants to withdraw, but we've not gone any further than that to make sure that it is okay with everybody else to withdraw that motion. Is there any objection to withdrawing that motion? Roy

DR. CRABTREE: The only stickler with my idea is the SSC Report, and I think you're going to have to go back to the SSC and tell them they've provided inadequate rationale. It is not clear to me that they applied a control rule or what they did with this or how they came up to these conclusions.

I think we're going to have to go back to them and express that we want to stay where we are at 50,000 and go along with it, but right now we've got a problem because we've got an overfishing level from them. Maybe we can get the center to engage into this thing, but we're going to have to resolve that issue somehow.

MR. MAHOOD: You were there, Brian. I know because I was sitting in my office listening to the proceedings on my computer, and I started hearing this loud voice and I started paying attention. It was Brian's take on what they were doing on octocorals, and you got a little upset. What were they doing?

DR. CHEUVRONT: No, I got kind of pissed off because they tried to apply what they were using as their data-poor control rules starting from an ABC of zero and counting back up. Their data-poor control rule starts – you have penalties. If it is an ecosystem species, whack, that part is taken away from you; maximum, you can go up to a 75 percent, so automatically you lose 20 percent because you're an ecosystem species, and it's all this.

They ended up with like I think 20 percent of their ABC, which the ABC was 75 percent of the median of landings of the last ten years. Well, the problem is that this is not species-driven fishery. It is demand driven. Although they've never gotten close to that 50,000 colonies, it was just getting very, very bizarre.

I tried to explain some things to them and I tried to point out there was some data that they could look at, which they did not do. I mean they just applied the rule and that's the way they went. They started from the bottom and they ended up with like less than 1,500 colonies allowed in the federal harvest.

If you think about it in an average weekend in the summer or during the season, recreational boat strikes are going to kill more octocorals than could be harvested in an entire year from what they were going to allow. It just did not make sense to me. I tried to express some of the frustration and frankly I was told this is none of your business, this is the SSC's doing.

MR. HARRIS: Brian, I understand what Roy is saying. The SSC is responsible for giving us a number. My fear is that we go back to the SSC, and especially if we tell them we want them to

set at 50,000, first of all, we're meddling in their business. They're certainly going to see it that way, and they're going to go about doing whatever they want to do, and we're going to end up right back here again with the same kind of situation with these folks having an ACL that is much, much lower than what we'd like to see it set at. I don't know what the answer is.

DR. PONWITH: Well, if the council does management and the SSC does science to advise the council, I do science and I'm certainly willing, as the science center, to take a look at this situation and take a look at the information that is available, hear what was said in the public testimony that we have, and provide some input to the SSC from the science center from the science angle to revisit this issue.

DR. CHEUVRONT: I think part of the thing that made it particularly difficult with the SSC is there was nobody there who understood anything about corals at all, any kind of corals, gorgonians, anything. At one point I had to explain to them this is not like the Great Barrier Reef you're talking about here. If you look in the record, I actually said that.

I said this is an organism that will regenerate in three to four years, and you can go and harvest these things and come back two weeks later and you really can't even tell where you were before. Part of the frustration was simply that they applied their rule without adequate consideration I think of some of the metadata that was provided to them as well as their data-poor control rule did not adequately account for a species like wreckfish that is managed under an ITQ or a species like gorgonians that are harvested as a result of demand and not availability. That made it very difficult to apply the rule that they had, but that is what they continued to do, so that was a bit frustrating. Charlie.

MR. PHILLIPS: Roy, didn't we reject the data-poor ABC rule from the SSC; and if we did that, then that would mean we would also reject their number, and doesn't the council have the option of choosing our level of risk and we choose it according to Dr. Feddern's letter. Isn't that where we're going basically?

DR. CRABTREE: Yes, we have basically rejected the control rule for not following the guidelines, and I think we can do that here. The real issue is the overfishing level and not the ABC so much. Their overfishing level is less than our 50,000 corals, and it is based on median landings. To the best of my knowledge, since we've never hit the quota before, if you use median landings, it is going to be less than that.

The issue is the OFL; and I think to deal with that, we either need to get the center to tell us, no, the SSC's – and I'll just tell you my read on what the SSC gave us is it is wholly inadequate to support the decision they made. I would tell you not to take action based on what they've given you because I would be worried we would be subject to a charge of arbitrary and capricious based on some of these things. We need to beef up this record. The center I think can play into this and the SSC can play in it, but I'm not that concerned about the ABC. It is the OFL that causes me the concerns.

MR. ROBSON: I'm trying to understand the concern of my partner states. Has there been any octocoral – have there been any octocoral landings outside of Florida? What is the concern

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about removing octocorals from the Coral FMP? I understand we would keep the Coral FMP, but what is the concern about removing octocoral as a federally managed species in that plan?

DR. CHEUVRONT: I think the issue there is that the plan regarding octocorals prohibits harvest north of Cape Canaveral, and we would need to have that provision remain in there.

MR. ROBSON: And we could do that under our rules and apply those rules to federal waters.

DR. CHEUVRONT: Just in Florida; you can't do it for Georgia, South Carolina and North Carolina from Florida. You can't manage fisheries for the other states.

MR. ROBSON: And is the prohibition on harvest of all coral north of Cape Canaveral or just octocoral?

DR. CHEUVRONT: Octocorals. Well, I don't think there is any harvest of any, but if we're just turning over octocorals to Florida we would have to have a statement in there, I would think, about octocorals from states north of Florida. Wilson.

DR. LANEY: Mr. Chairman, if I remember correctly – and Roger can correct me if I'm wrong – we listed all the species, right or did we just list genera. If you remove those genera from the plan, the concern is still the same, you eliminate those regulations that cover those species for those federal waters north of Cape Canaveral.

MS. BROUWER: Just to illustrate, there is an EFP request that you guys were going to be talking about on Friday to harvest octocorals off of North Carolina. The octocorals are there; they're not being harvested. There is really no demand in that area, but the potential I suppose could be there. Another thing I wanted to remind you or explain to you is the recommendation from the SSC, I applied their recommendation to the combined landings, South Atlantic and Gulf, for the time series they recommended, which was from 2000-2009; and using their recommendation, that puts the OFL at 43,429 colonies. That is pretty close to the 50,000 colonies for OFL.

Now, the SSC recommended for the ABC to be 35 percent of that, which, of course, substantially reduces it, but just so that you keep that in mind as far as the SSC recommendations. If octocorals do become managed under the South Atlantic Council's jurisdiction throughout their range, then perhaps the SSC recommendation would not be that far off.

MR. BOYLES: Monica, there is no provision for partial delegation like south of 28 degrees north?

MS. SMIT-BRUNELLO: You don't have to delegate all the measures in a plan. You can delegate part of a plan. We look into that, too, and see how realistic it is.

MR. HARRIS: Just as a followup to Mark's question, Mark, all of the artificial reefs off the coast of Georgia have octocorals as well as the natural live bottom areas, and we're not really interested in seeing somebody go out there and just cherry-pick those areas. I think that is the

reason we want to continue to prohibit the harvest of octocorals north of the Florida/Georgia Boundary perhaps. We've got special management zones, too, but I think there is a way to figure this out and do what you want to do. Let's just give it some time to figure it out.

MR. WAUGH: This is more related to spiny lobster, but if we can delegate part of a plan, then perhaps we can solve our spiny lobster issue and just delegate all management of the spiny lobster fishery in Florida, all aspects of it to the state of Florida. I think Florida will take it if we delegate all aspects to them. What they don't want is a partial. That would keep the import prohibition in place, and then they could manage the Florida – okay, sorry.

MR. HAYMANS: I was going to pass because I was just mentioning that there are special management zones you can't collect that are reefs, anyway.

MR. TEEHAN: To Gregg's point, what we don't want is something delegated to us that is still under Magnuson constraints. Now I don't know whether – and I guess this would be for further legal research – whether if you state specifically that you're giving the portion of the stock that is in or off of Florida to Florida for management, whether that serves our purposes and gets us out of the Magnuson or whether essentially there still is a federal plan and a council that we participate in, whether we're still held to that. That is the question.

MR. PUGLIESE: Just one quick comment. In listening to the SSC and I think some of the application of all those percentages and reductions came from the fact that when they put that in relationship to some of the other species they were looking at, the bottom line with that was that these weren't even being harvested or reported at species levels. They were reported as colors.

Some of that type of thing I think fed right into that idea of uncertainty there. That has been an issue that has been raised a number of times at the advisory panel is that in tracking this, you're really are just tracking at a different level where you are in other fisheries where you have down to individual species, and you actually know what is coming out. I remember very specifically having that raised by Jenny Wheaton back when she was with FWC about that as well as an uncertain amount of, say, medical harvest areas. There is enough uncertainty and I think that got brought up to a great degree into why they started kind of chipping away at those numbers.

DR. CHEUVRONT: You're absolutely right, Roger, there was actually a discussion that because they could not differentiate between the species, that there was a discussion of potential localized depletion of specific species. There was a concern about that even though we tried to explain how that localized depletion may be within one square mile, but that was enough for them to be concerned. Roy.

DR. CRABTREE: And localized depletion is a concern, but it is a concern the council ought to deal with. Again, I think that is the SSC starting to step into management's turf. They can advise you on that, but they're to take the overfishing level and deal with uncertainty and risk. Again, I think you have discretion over that.

DR. CHEUVRONT: Okay, we need to go back to a motion that was made a while ago, and that was the motion that we had up there to remove the octocorals from the Coral FMP and allow the

state of Florida to manage octocorals. George, who was the maker of that motion, has offered to withdraw the motion at this time while we have legal counsel figure out what is possible and what needs to be done. Before we go on, I would like to find out does anybody object to the withdrawal of this motion at this time? Okay, I have Duane and then Mark.

MR. HARRIS: Mr. Chairman, I would change to “remove octocorals from the plan” to evaluate the option of removing those corals from the plan and ask legal counsel to evaluate the various options that we might have to do this. I don’t want to just drop it; but to move us off dead center with this issue, if we can evaluate that, change that motion perhaps to put that word in there, then it keeps it on the table.

MR. GEIGER: **I would accept that as a friendly amendment to state “evaluate the removal of octocorals from the Coral FMP and allow the state of Florida to manage octocorals.” How is that?**

DR. CHEUVRONT: That’s fine. Mark, you were the seconder of that; are you okay with that?

MR. ROBSON: Yes.

DR. CHEUVRONT: Is there a parliamentary issue here? Roy.

DR. CRABTREE: And if Monica can report back to us or give us something maybe to go in the briefing book because we need to get this resolved between now and the next meeting, for sure.

DR. CHEUVRONT: Okay, I think we have some direction. I’ll go ahead and read the motion that we have now: “evaluate the removal of octocorals from the Coral FMP and allow the state of Florida to manage octocorals.” Is there anymore discussion on this motion? Rita.

MS. MERRITT: Just a point of clarification; earlier it was mentioned that perhaps that should specify at the end of it “managing octocorals for Florida” or off the state of Florida, to specify that it didn’t go outside of the state of Florida.

DR. CHEUVRONT: I understand what you’re saying. Okay, somebody else has to come up with the modification of the motion.

MS. MERRITT: So, is the proper parliamentary procedure to amend –

DR. CHEUVRONT: Offer a friendly amendment.

MS. MERRITT: Offer a friendly amendment, all right. I’ll offer a friendly amendment to add to the end of this motion the words “off the state of Florida”.

DR. CRABTREE: That may be something they come to, but my interest is in removing them from the plan completely. I’m unconvinced that there is any realistic probability of a fishery developing north of Florida, and so I’m not sold that there is a problem there. I think that is part

of what Monica would look at, so I don't really feel like that change is needed. I think Monica understands what we want to look at.

MS. SMIT-BRUNELLO: I do.

DR. CHEUVRONT: So, if "off of Florida" is on there; would that change any of the direction that is given to Monica because we've got a friendly amendment up here.

MS. SMIT-BRUNELLO: We will look at it whether you put in "off of Florida" or not, and we will look at the various options, so it's all right, you don't need to change it.

MS. MERRITT: Okay, then do I need to withdraw the friendly amendment?

DR. CHEUVRONT: It was never seconded so we could let it die for lack of a second.

DR. CRABTREE: I call the question.

DR. CHEUVRONT: Thank you. The motion is to evaluate the removal of octocorals from the Coral FMP and allow the state of Florida to manage octocorals. Okay, is there any opposition to this motion? **Seeing none, the motion carries.** That was all before we got to actually what is on our agenda. Let's go back and look at this in light of our agenda.

We've actually already had a discussion of some of the SSC recommendations. I think we might just skip over that. We have given committee discussion and guidance to staff on what needs to be done here. Is there anything else that we feel needs to happen or, Myra, is there anything else that we need to cover?

MS. BROUWER: I'll need guidance on other actions in CE-BA 2, but as far as octocorals, I'm good.

DR. CHEUVRONT: Okay, can you then lead us through some of the other actions.

MS. BROUWER: Okay, this discussion would take care of Actions 1 through 5 and put us into Action 6, which is to modify the existing live rock aquaculture program to allow harvest of octocorals. The considerations are many. This is not something that marine life harvesters have supported. They maintain that octocorals cannot really be aquacultured and so the recommendation would be remove the entire action to the considered but rejected.

DR. CHEUVRONT: Can we get some help to figure where we are and which document. Is this still all in Attachment 1?

MS. BROUWER: It is not an attachment. It is just the actions to be projected for CE-BA 2. It should be in there.

MR. HARRIS: Mr. Chairman, looking at the Ecosystem-Based Management Tab 7, I don't see a CE-BA 2 document, so I don't know if we –

DR. CHEUVRONT: Exactly and I think that is what Myra is working out right now with Gregg to project those alternatives. We may not have copies of that document that she is going to have him project. John just reminded me of something here that is related to all the stuff that we were just talking about.

If we're serious about wanting to consider and evaluate the removal of octocorals, do we need to send this back to the SSC at this time or do we want to wait until we get the opinion about what we can do before we send it back to the SSC. If we are going to move this to allow Florida to manage octocorals off of Florida, then the SSC doesn't need to get involved. The question is do we want to not send it to the SSC at this point until we hear back from legal counsel on this or do we want to send it back, anyway, and stir things up a bit? Anybody care to comment on that one.

MR. CARMICHAEL: I think I would comment you have rejected the data-poor ABC control rule, so you don't have the ABC, so the question is the OFL. There are some questions about that and Bonnie mentioned they may be able to look at that – I think we've talked about that some – we might be able to look at corals a bit more, so the question then is that something you would like to add to the SSC's plate for a possible meeting prior to the September council meeting or is this something that you see that perhaps they could take up at their scheduled meeting in November? If there is going to be some evaluation of the data for coral, that is going to require some work from the science center, and remembering golden crab and black sea bass and red snapper and oil coming around the corner.

DR. CHEUVRONT: And if we do make that decision in September, would we want to run any of these ideas by the APs and get their opinion on this? Whether we do or not, I'm just throwing that out there. Duane.

MR. HARRIS: We said we don't have an OFL recommendation, but we do based on what Myra said. If you look in that first tab under the ecosystem management and look on Page 13 to 15, there is an OFL for federal and state waters combined for the South Atlantic and Gulf combined. I don't know where that number came from. It says it came from the SSC, but it certainly was not clear in their report, was it? The number of 43, 323 colonies, Myra, where did that number come from; was that from the SSC? Was it in their report?

MS. BROUWER: Yes, it was.

MR. HARRIS: Okay, I didn't see that but I see it in the slide show, so it is not as if we don't have an OFL recommendation from them. The question is based on this, do we want to send it back to them? I don't know that we get a whole lot if we send it back to them if we've got that many colonies recommended as an OFL.

MR. CARMICHAEL: What you get depends on what they get to consider. Their discussions were that they did not have a lot of information. They had some anecdotal information but not any type of cohesive evaluation. If perhaps the science center can tap into some of the coral expertise around the region and maybe find someone who can do some evaluation of that data,

that may take a little more time perhaps to do that. We do understand there are various coral experts within the universities and in other places who may be able to make a better stab at it.

MR. HARRIS: To that point, Mr. Chairman – and Bob reminded me – we do have an OFL but their recommendation for ABC was what was giving us tremendous heartburn, and that was, what, 35 percent of the OFL. Maybe it does have to go back to the SSC for an ABC determination, and maybe not?

DR. CRABTREE: Well, I think you can choose an ABC control rule that sets ABC equal to OFL in this if you can make a justification of it. We can deal with that. The problem is if the OFL is not going to work for you as the council, then I think you need to go back to them. What they will do with it, I think John is right, it depends on what other information we can provide them.

MR. ROBSON: This may be something for the review of this whole situation with Monica and looking at what all the options are. It just popped into my head, so I'll say it. The Gulf of Mexico Fishery Management Council has asked if Florida is interested in taking over all responsibility for octocoral, so we could do that. There wouldn't be a federal plan in the Gulf, but there would be in the Atlantic, and that is a possibility as well that needs to be looked at.

MR. HARRIS: Mr. Chairman, if the 43,323 colonies doesn't give us heartburn right now and Roy is right we can set ABC, we can do our own control rule where ABC is equal to OFL, then it almost seems like that would be a good placeholder for right now until we can get this additional information and then make an informed decision as to whether we want to give management authority for the entire coral plan to the state of Florida.

I still have heartburn over those deep-water corals and all that effort. There is not harvest there, but there is certainly protection there. I don't know that the state of Florida can afford them the same amount of protection that perhaps a federal fishery management plan affords them.

DR. CHEUVRONT: Yes, I understand what you're saying, Duane. Actually I think we could pretty much justify setting ABC equal to OFL here. Didn't we do something very similar in shrimp that was considered an annual crop? The reasoning why we could do it here I would think is because this is a demand-driven fishery and not an availability fishery. I think we might be able to justify it that way. Duane.

MR. HARRIS: Mr. Chairman, let me just make sure that I'm correct in this. There has never been this amount of colonies of octocoral harvested combined in the South Atlantic and Gulf waters; is that true?

DR. CHEUVRONT: Let's get clarification on that. Okay, Gregg is showing the landings from 2000-2009, and it looks like it probably approached that, if it didn't exceed it, in 2006.

MR. WAUGH: Those aren't totals. This is part of what Myra was going to cover in her presentation, but that is Atlantic, that is Gulf – that is Atlantic state; that is Gulf state, Atlantic federal and Gulf federal. When you add those together, that certainly is going to be above 40,000.

MR. CARMICHAEL: The SSC recommendation is for a median, so in half of the years you were over it.

DR. CRABTREE: And the trouble is if you go over it, then you're going to get letter from the Fisheries Service saying you're overfishing octocorals.

DR. CHEUVRONT: Yes, we're kind of in a Catch-22 here. Duane.

MR. HARRIS: Well, it almost appears that it is over 50,000 colonies.

DR. CRABTREE: No.

MR. HARRIS: Never?

DR. CHEUVRONT: The 50,000 colonies is federal only, correct, so we never get close to that in the federal, so we haven't done anything –

MR. HARRIS: So all we're really talking about is 43,000 in the South Atlantic and Gulf federal waters? Well, this says federal and state combined OFL is recommended at 43,000, which is way too low if that is the case. Okay, never mind, I'm glad we got that on the table.

DR. CHEUVRONT: So it sounds like we do need to send this back to the SSC because their federal waters only OFL is less than 5,000 colonies. Duane.

MR. HARRIS: I think we have really jumped the gun here. Myra is supposed to make her presentation before we got into this discussion, and that might have helped us and avoided some of this discussion. Is it too late now?

DR. CHEUVRONT: No, I think we need just to back up a bit and let Myra do her thing.

MR. WAUGH: I think with the octocoral issue, if we could, if you guys want to send it back – I think we've talked about everything, haven't we, Myra; so if we just want to send it back to the SSC, send it back to the SSC and then we can pick up with the other item.

MR. HARRIS: Mr. Chairman, I don't want to send it back to the SSC unless Bonnie is going to be intimately involved and we get some of the coral experts perhaps from the state of Florida involved in this as well.

DR. CHEUVRONT: Would that be possible to happen if there was an SSC meeting scheduled sometime in August?

DR. PONWITH: So you would be looking for the background work to be done and to have the materials to the SSC prior to August?

DR. CHEUVRONT: Yes, I don't think there has been a date selected for a potential SSC meeting, but I've just heard August was what people are thinking about.

DR. PONWITH: The timing will influence the amount of background work we will be able to supply, but I will make a commitment that we will do what we can to get what we can to them to be able to inform their decision.

DR. CHEUVRONT: Okay, thank you. It sounds like, John, we would probably like to try to get this on there if we can get some data from the science center.

MS. BROUWER: If we can back to the other actions in CE-BA 2 that we just need some guidance on. Action 6 is still in the document and that is to modify the existing live rock aquaculture program to allow harvest of octocorals. There are a number of considerations and recommendations that the Coral AP made at their September 2009 meeting. Those are up on the screen.

Basically, it is an idea that doesn't seem very feasible. The Coral AP mentioned that if this were to happen, there would need to be an initial seed from wild stock because recruitment would not be adequate in order to get the production that is needed to make this a sustainable harvest. I guess the council needs to decide whether this action should remain in the document or not.

DR. CHEUVRONT: Okay, thank you. This action is up on the screen here for those who were trying to figure out where it is. You don't have this in the document. It sounds like this might be one of those actions that has been recommended to us probably really can't be done, so we might want to entertain a motion to get rid of this action altogether from the document or move it to the rejected appendix. Duane.

MR. HARRIS: Mr. Chairman, I think that is what Myra recommended earlier when she first started, and **I would move that we remove Action 6 from the considered actions and put it in the appendix.**

DR. CHEUVRONT: All right, the motion was made by Duane Harris; seconded by Robert Boyles to move Action 6 to the considered but rejected appendix. Is there any discussion on this motion? Any objection to the motion? **Seeing none, the motion carries.** By my count, since we started Tuesday afternoon with snapper grouper, that was Motion Number 100, because I've been keeping track of all the motions and numbering them as we go along. Moving right along, Myra.

MS. BROUWER: Okay, based on the discussions that we've had so far, then I would need guidance on whether another action needs to be included in the document for the South Atlantic Council to assume management of octocorals throughout their range. I'm not quite sure how this is going to be approached from the Gulf Council.

MR. TEEHAN: I think the Gulf Council was prepared to remove octocorals from their Coral FMP; is that the question?

MS. BROUWER: Right, I'm looking for guidance on whether that action needs to be included in the document. If the South Atlantic Council wants to consider adopting management of octocorals throughout their range, is that an action that needs now to be added to CE-BA 2?

DR. CHEUVRONT: And it sounds like maybe you're suggesting that it might be needed?

MS. BROUWER: Right.

MR. TEEHAN: I would agree with your suggestion.

DR. CHEUVRONT: Okay, does anybody want to make a motion? Mark.

MR. ROBSON: I would like to make **a motion to add a new action to evaluate the South Atlantic Fishery Management Council extending the fishery management unit for octocorals throughout the Gulf of Mexico Fishery Management Council Area of Jurisdiction.**

DR. CHEUVRONT: Okay, the motion is made by Mark; do I have a second? Seconded by Ben. Is there any discussion of the motion? Mark.

MR. ROBSON: Again, just so I'm sure we're clear on this, did the Gulf of Mexico Council ask or suggest this or did it just suggest turning over the fishery to the state of Florida?

MR. TEEHAN: Well, the letter that was sent to the South Atlantic from the Gulf just mentioned those three finfish species, but the Gulf of Mexico – and David might want to weigh in on this because he has been a constant liaison over with us – the alternatives that we're looking at in our management actions, 2.1.1, Alternative 3, is to delegate management of octocorals to the South Atlantic Fishery Management Council. The alternative just before that is to delegate it to the state of Florida. Both of those are on the table at this point. Does that answer your question, Mark? Okay.

MR. CUPKA: Yes, that was my recollection. They talked about giving us authority; and when they passed the motion, for some reason the motion to write the letter to us they didn't include it, but they talked like they were certainly willing to do that.

DR. CHEUVRONT: Bill, maybe you can add to your to-do list for next week to ask them to send us a letter to request that.

MR. TEEHAN: I will do that.

DR. CHEUVRONT: Okay, any other discussion on this motion? Any objection to the motion? **Seeing none, the motion carries.** Myra.

MS. BROUWER: The only remaining action that I'm going to need some guidance on is pertaining to allowing harvest of orange cup coral, but I want to hold off on that until we receive a presentation from Dr. Shearer, who is here from Georgia Tech to do that. I'm not sure, Mr.

Chairman, whether you want to proceed with that presentation or take care of the next agenda item, which I believe was sargassum.

DR. CHEUVRONT: As long as you don't forget this, we'll come back to it later. Let's go ahead and take care of the sargassum first, if that's fine, and then we'll take care of the presentation. I believe Roger is going to handle sargassum.

MR. PUGLIESE: Okay, I wanted to bring forward the recommendations of the SSC and also kind of weave it into where this originally came from. The action under the original CE-BA was to look at the harvest of sargassum and consider the prohibition. Subsequently it was transferred into the ACL Amendment to consider, essentially using this mechanism to accomplish what the council wanted to do.

What I wanted to walk through is just quickly touch on a couple of highlights of the fishery management plan and the actions of relative pelagic sargassum. The existing regulations essentially limit the harvest area to a hundred miles offshore of North Carolina and north of 34 degrees. It also has the seasonal limitation of July through October. We did establish a 5,000 pound wet weight limit.

DR. CHEUVRONT: I just wanted to let folks know that if you're trying to find this document, it is Attachment 5, and we are on Page 2 of that document.

MR. PUGLIESE: And also following from that, I did want to identify that since the time of the Sargassum Habitat Plan implementation, there has been a pretty significant amount of research done; basically just reinforcing the information we have on the value of sargassum habitats, its connection to many species and just highlighting some of the work that Steve Ross and Tara Casazza had provided.

That document has I think previously been provided to the council. It is on our website. It really does build the importance or the connection of these species. I think in their work they had collected over 19,000 fish and identified probably 80 additional species that were utilizing it. One of the biggest outcomes of that was connecting the movement patterns of species, juveniles from offshore/inshore and then ultimately into estuarine systems, so building that big connectivity of sargassum as the vehicle for transport of everything from red porgy to many of the species that are in our management plan.

In addition, there has been even more work more recently trying to look at quantifying distribution of sargassum, beginning to use some of the greater technologies for satellite monitoring. One of the efforts was showing that there was – ultimately showing there is actually limited or less distribution than originally thought in the Gulf of Mexico, working into the South Atlantic region, but that is ongoing and at a scale that is still not down to the level that would capture things such as small floating mats and things like that. That is an ongoing effort.

In the original plan, one thing that was done or a couple of things that were done, it did, in order to meet the information relative to the biology of sargassum, established a maximum sustainable yield of 220 million pounds wet weight. It established an overfishing level with ultimately the

minimum stock size threshold being about 55,115,000 pounds; and then to track what the limitation on harvest was, established an optimum yield of 5,000 pounds wet weight.

Now, following up on that, there has not been removal or landings of sargassum. The last one occurred in 1997. The last 13 years there has been no harvest and no reported landings of sargassum in the South Atlantic region. The SSC deliberated on sargassum and acknowledged the fact that there not been any harvest. They had no landing values for sargassum at the time.

Even though they were not, as Roy has indicated, supposed to be integrating some of the discussion on management, they acknowledged that the council had originally discussed managing sargassum as habitat and to some degree had essentially, with no harvest being identified in recent terms and the fact that the council was managing as habitat, had identified an OFL of zero, an ABC of zero, and then essentially opened the door that if the council did desire to establish an ABC that would allow harvest, that they would reassess that or readdress it in the future. That's a brief review of where the SSC had gotten to the point where they created these recommendations for pelagic sargassum habitat.

DR. CRABTREE: Well, you as the council can decide to set your ABC as zero and not allow a fishery for this, but there is no basis for the OFL recommendation as far as I can see from the SSC. The report gives absolutely no justification. Clearly, if the fishery is not existing and is closed or no one is fishing, then you can't use average landings as the basis for a proxy, it seems to me, for MSY.

They apparently just gave no credence to the FMP, which indicates that a very high level would be the OFL. I think just to make the record clear, this is probably one we need to ask the SSC to revisit, but I think you can pretty easily make a case that you don't want to allow harvest of sargassum and set an ABC of zero, but you need to give your own rationale and not base it on the overfishing level of zero.

DR. CHEUVRONT: Right, I get what you're saying here, so is direction to John enough to get this back before the SSC or do we need a motion for that?

MR. PUGLIESE: We do have an overfishing level; can we use the one that is in the FMP as the OFL and then really let the council determine what they want to do relative to the action that would be included in the document.

DR. CRABTREE: I think you could. Clearly, if you're going to set an ABC of zero, you're not going to exceed anyone's overfishing level. I just think we don't want to have a number that has no basis as part of our record, and that would be the only concern.

MR. CARMICHAEL: I think this is another one where we would need to request some evaluation of sargassum. If they apply what they used for determining OFL and landings are zero over the period, so then the OFL just falls out as zero, but there is the other information that could be considered and perhaps – you know, one option you guys could have would be to just use the MSY you have in place.

DR. CRABTREE: And that would be fine with me. In that case I think what you would need is to ask the SSC to simply withdraw their OFL and to say they're okay with us using what is in the FMP. I don't think we need anymore from them at that point. I certainly don't see any benefit in generating a whole lot of work by any one to try and come up with a number here. I would be comfortable if they would pull this back and say, okay, we'll just rely on what is already in the FMP and moving forward.

DR. CHEUVRONT: Okay, so, John, you're okay with that?

MR. CARMICHAEL: Yes, I am.

MR. PUGLIESE: I guess really to that, then, the only other thing then is the actual action within the council document that identifies the council's position relative to harvest of pelagic sargassum, because we do have those existing provisions. This was brought forward as a mechanism to provide the council an avenue to essentially prohibit sargassum harvest and had recommended over the last three habitat advisory panel meetings, line item recommendations to the council; just to clarify within this document the council's management actions.

DR. CHEUVRONT: Right, but I think it might actually be technically getting the cart before the horse if we say that we don't want any harvest of pelagic sargassum until we actually get the levels from the SSC. If they're going to consider it in August, we could just make that statement in September. I think that would probably work. Is everybody okay with that? Anybody have heartburn with that idea? All right, that's fine. Okay, anything else on sargassum?

All right, thank you, Roger. The next thing we have is a presentation by Tonya Shearer on invasive coral species in South Florida and the Florida Keys National Marine Sanctuary. Thank you, Tonya, for coming and enlightening us because this has been a topic we have talked about at several of our last committee meetings, and there has been a lot of interest in this.

DR. SHEARER: Thank you for having me. I'm so glad to talk about it because it has been a while since anyone has been interested in this. I've been observing this for many years and no one seemed to care about it until the last couple of years. I am a research scientist at Georgia Tech. I have been noticing all this orange cup coral on some of our sites where we have been doing some sampling for some other studies.

I became interested in it just because of the abundance of it. At a time when all the other scleractinian corals are dying off, this one is becoming more and more abundant. For those of you that don't know, I'll try to be as brief as possible, this is an Indo-Pacific Coral from that has passed through the Panama Canal in the early 1900s.

It is azooxanthellate, meaning it doesn't have any algae associated with it and a symbiotic relationship. One of the issues with *Tubastraea* is that it produces both sexual and asexual larvae. There are high levels of local recruitment. This is a site in South Florida called the C-One Wreck. On a ceiling of the wreck there is a lot of bit corals, but then there are hundreds and hundreds of tiny, tiny little colonies here as well.

There are high local recruitment and widespread larval dispersal, and what happens is that larval dispersal has allowed it to enter the Caribbean. It was first found over in Puerto Rico around the 1940s and then it spread over the next several decades, and it has only recently been found in Florida in the late 1990s, and probably 2002 is when it became more abundant.

We do have it all the way over near the Flower Gardens and it is all along the oil platforms in the Gulf of Mexico. This species has some significant competitive abilities that have allowed it to become dominant in some areas. It is highly prolific. It reproduces at a very small colony size; so even a colony that has two polyps is able to reproduce to some extent.

It is hermaphroditic so there are some female-only colonies and there are some male and female colonies. It can also produce asexual larvae so there doesn't even need to be another colony around. One larva shows up at a site, it grows to reproductive age, produces an asexual larva and that just proliferates that population without a mate with it.

There are chemical compounds or secondary compounds that are produced by this coral. When I do my collections of the coral, if I touch it with my bare hands, within the next couple of days my hands will be swollen and red, and I think it has to do with the toxicity of these toxins that it produces. It has been demonstrated to kill coral tissue in Brazil.

When a *Tubastraea* colony is near a native colony, it will damage the boundary, the neighboring tissue of the colony that is next to it. The chemicals themselves will kill the larvae of other native coral species. The *Tubastraea* larvae themselves are immune to that toxicity. They can survive and settle in the presence of that chemical, but other coral species are unable to settle, and it kills them.

It turns out there is no natural predators that we know of in the Caribbean. In the Indo-Pacific the natural predator is a gastropod, and the species is not in the Caribbean. There was a study that just came out earlier this year that demonstrates the toxins or the chemicals that are produced by this coral are deterrents to fish predators in the Caribbean, so not many if any fish will eat this species.

Here are some examples of what the *Tubastraea* colony can do to a native – this is a Brazilian coral. Here is the *Tubastraea* colony and around the boundary where that coral was, all that tissue is now dead. Here is another example of *Tubastraea coccinea*, and all of this area has died back; and, again, down here all this area has died back. When it settles near a native Caribbean or Brazilian species, it will cause partial mortality, potentially full mortality if the colonies are small enough.

There have been efforts to remove orange cup coral in Brazil. They actually had a really big project where they took villagers out to the reef areas. They collected the colonies and removed the tissue and made them into souvenirs, so it was a means of these villages making some money while trying to protect their reefs.

I know the Flower Gardens National Marine Sanctuary has made some efforts to remove orange cup coral from some of the natural habitats they have there. Stetson Bank, which is a bank that

is near the Flower Gardens themselves, they have removed over 40 colonies in one year from the natural substrate.

The Flower Gardens has a very large larval population around it because of all of the oil platforms. Two months ago if you went diving on the oil platforms, there would be lots of *Tubastraea* there, and so there is lots of larvae in the water around there, so at some point they were going to settle on the natural habitat, and they have.

They haven't proliferated yet but that is partially because they were removing the colonies as they saw them. Here are some competitive interactions that I've seen in Florida. This is a *Tubastraea* and here is a single polyp juvenile. The organism around it – I think that is a sponge – was killed all around it, and that polyp is probably only a few months old.

This is becoming more obvious to me is the potential implications on bivalves. Here is a picture on some wreck, and there is this large *Tubastraea* colony on some bivalve here. I didn't really think much of it at the time until – well, there was video there but now you're not going to see it – until I went to this Ancient Mariner Wreck in South Florida in April of this year.

Usually I can't see the bottom of the wrecks that we are working off of because it is too deep and we're not allowed to dive below a certain level on the ships that we're on. This wreck is much more shallow. Here is the bottom of the wreck; and when I looked down, I could see *Tubastraea* colonies littering the sand.

Now, they won't colonize sand; so when we checked it out, it turns out they're colonizing the bivalves that are on the wrecks. My hypothesis is that they they're becoming large enough on the bivalves that they may be interfering with their efficient feeding. Eventually the bivalves will die. I'm not sure if it is due to the presence of *Tubastraea* or not, but they become so heavy that these shells will break off once the bivalve is dead, and then it just falls down to the bottom of the sea floor.

These can be transported in any big storm; any of these can be picked up and just transported wherever the currents will take them. The more I think about it and when I collect, when I touch the colonies it moves, and it because they're on bivalves. Now I can't quantify that, but it may be a significant contribution to some bivalve mortality there.

This is new. We just kind of realized this a couple of months ago. This was a big problem. Here is a colony that I just picked up off the bottom and it is on a bivalve shell, and it totally covered the entire opening there over the top. The competitive characteristics have led to a widespread distribution throughout the Caribbean.

They live in both shallow and deep habitats. From I've been told, out on the oil platforms *Tubastraea coccinea* has been observed as deep as 230 feet depth. One concern in the Florida Keys or one question I have been asked is are there populations of the species that are deeper than we can see. My answer is probably yes, but I don't have any documentation of that at this time.

This species, although in Florida we only see it on artificial substrates so far, wherever it is in the Caribbean, it is on both artificial and natural substrate. I think there has been a little complacency in Florida that, oh, it is only on artificial substrate, but here is a picture in Bonaire. These are all *Tubastraea* colonies, and they're right up against *Montastrea annularis*. Now, in this photo I can't tell if there has been any interaction. It is too far away.

We have the intention of going out to some of these sites to see if there are interactions that are leading to mortality of native corals. This one is in Bonaire. You can see it is in shallow water, just a few feet deep, and it is right out in the open. People think of this as a coral that kind of hides under ledges or in caves, but it can exist very happily out in the middle of a shallow reef habitat.

This is also pretty common now in Northern Bahamas, which is probably the closest source of larvae that we have in Florida. Not only do these characteristics of the species – they like the widespread distribution but also really large population sizes. This is the Duane and you can't see it very well here, but every one of these little round areas, these raised areas is a colony. There are thousands of colonies on the Duane, and this is in Key Largo. This was taken in 2008.

I have some video of this as well and some other pictures. This is a picture that I found off the internet because I could see the colonies a little bit better. This is at a hundred-foot depth. This is down to about 120-foot depth. There is almost, I would say, a hundred percent coverage here to several meters back away from the bow on both the starboard and the port side of that ship, and then all of a sudden there is none.

There is some patchy distribution of the species. You don't find it on horizontal surfaces. It won't be on the deck. It will be on the railings; it will be on the vertical surfaces. Here is another picture underneath with some of these structures. There are just hundreds and hundreds of colonies that will lie in these structures, all different sizes, juveniles to large colonies, large colonies being maybe 20 to 25 centimeters at the maximum diameter.

We've done some surveys with the EPA. Between the EPA and some photos that I've seen from recreational divers, the *Tubastraea* is present in at least 31 sites, from Key Largo north in South Florida. Everywhere we have looked for it we've found it in this area. We've looked in the Lower Keys and the Dry Tortugas area and we haven't found it yet, so I don't know if that's a function of its actual distribution or that we haven't really sampled it as much as we've sampled up in the Upper Keys and South Florida.

I've had the opportunity to measure a lot of colonies on some of these different wrecks. The size distribution varies across wrecks. The Duane is the one where it had all those thousands of colonies. They have the largest colonies there. This dotted line that goes across is approximately the size where these colonies become reproductive, so every location has a significant or a fairly significant number of reproductive individuals; and there is, again, significant differences between sites.

This is just when you break down those size classes, the black is the smaller size class, less than five centimeters; not as many juveniles in these larger – obviously, the maximum diameter, but it

will show you there are some large colonies at all of the wrecks. We have measured density at some of the wrecks; only two. Density is hard to measure with the quadrat method at some of the locations because of the surfaces of the wrecks.

They're not as flat as we'd like them to be. Here the Miami Mitigation Reef, there is a limestone boulder mitigation reef, the Port of Miami, and it is on that. That is not a steel structure; that is actually limestone boulders where this species does live. It tends to live underneath the boulders at the moment I think because of high sedimentation rates. They can't survive very well on the surfaces of the boulders, but that is the closest we've come to natural substrate, and there are hundreds of colonies there.

We can't do the quadrats for that type of habitat because they're underneath and we can't get up into it, but we did do some surveys on the Duane and the Spiegel Grove. This is number of colonies per meter square, and I'll tell you that this is an underestimate of the actual density. EPA regulations did not allow us to dive below a hundred-foot depth, and so all of these quadrats were taken on structure above a hundred feet.

When I showed you that picture, there was almost a hundred percent coverage of *Tubastraea* there. None of that surface was included in these surveys, so I would guess that this estimate is going to be much higher if we were able to sample that as well. But, still, we have an average of 20 colonies per meter square. It was all the way up to 40 in some quadrats.

The Spiegel Grove, which is not as old – it was deployed in 2002 – it has probably less than one colony per meter squared there. Coverage, we were getting an average of 10 percent coverage on the Duane. That's just surface area. You don't find that with any other scleractinian coral in the Caribbean. I don't even know if you have 10 percent coverage when you calculate all of the native corals in Florida. The Spiegel Grove was very low of the overall coverage

I do genetic analysis and my interest is in the genetic diversity of the *Tubastraea* as well as potential sources; where did it come from, where is it going, and what level of clonal structure is there? We know they can produce asexually; how is their asexual reproduction contributing to the population growth? This is the total. Each one of these colors is a different clone. This is a genetic method that I use to categorize individuals.

Most populations are dominated by a single clone. The sample size is really small on some of these, but so far two sites only have one clone. This is demonstrating that there is pretty low genetic diversity across the sites in Florida. That can be good and it can be bad. Genetic theory suggests that if you have high levels of genetic diversity you have a higher ability to adapt to new environments; so you have low genetic diversity, they may not be able to adapt as quickly to settle on natural substrate.

That is one running hypothesis. Whether that holds out or not is unknown. We do see that Florida is dominated by a clone, and I don't know if that dominance is due to an ability for that clone to proliferate more than others or if they can all proliferate equally and that just happens to be more larval input from the initial source.

Tubastraea coccinea is widely distributed on artificial structures, although I don't expect it to remain on artificial structures in South Florida and the Upper Keys. Population sizes have increased dramatically since it was first documented in 2002 or the late 1900s. I spoke with the two scientists that wrote the initial paper describing the species in Florida, and they were astounded when I showed them pictures and told them of the population sizes I was looking at because it was significantly different.

They only found a few colonies when they there and we were finding hundreds of thousands of colonies. Genetic diversity is low, and I'm expecting that certain clones may have higher rates of asexual reproductive success leading to that domination of that single clone. Potential ecological impacts; we haven't had a chance yet to study this fully, but my expectation, due to the mortality of native colonies due to the presence of *Tubastraea*, is that there will decreased biodiversity at sites where *Tubastraea* is present; with increases of at least partial mortality of native species.

I expect there to be lower levels of native coral recruitment there because we know that the chemicals produced by the species inhibit native larval recruitment. We already know that this species is numerically and spatially dominant to all of the other – even if you combined all of the native coral species together at a site, the *Tubastraea* dominates overall.

We're interested in also looking at coral disease implications, so one issue with corals in the Caribbean is the increasing incidents and prevalence of coral diseases, and we're interested to know if this species can carry these pathogens with them and spread disease even more to populations just because of their large population sizes; or, if they're resistant to Caribbean disease, whether or not they can actually act as a pathogen sink.

If those toxins can kill the pathogens, then maybe there will not be as much disease spread to the native populations, but we're looking into that or we're trying to look into that. We just found out last week that the extracts from *Tubastraea* kill a pathogen that is associated with an algal disease, so we're going to look into that a little bit more.

There has been a general thought that this species prefers artificial substrates, and that hasn't been demonstrated yet, and we're hoping to do some experiments to determine if the larvae preferentially settle on artificial substrates or if they have lower mortality rates or if they can out-compete only on artificial substrates; because when you place an artificial substrate into the ocean, that becomes a novel habitat for both native species and these non-indigenous species.

The hypothesis is that *Tubastraea* is just a really, really good weedy competitor, and it will out-compete anything that is there just because it is a novel environment to both native and introduced species. I think with time we'll see that it does show up on a natural substrate. It might already be there, and we just haven't been able to see it yet. Lots of acknowledgments. I'll be glad to answer questions.

In our research, if you have specific things that you want to know about the species, please let me know because we're continually or trying to continually go out to look at it; and if there are certain things that you need to know, certain questions you want asked, please let me know, and we'll do everything we can to try to get those questions answered for you.

DR. CHEUVRONT: Thank you, Tonya, very much. That was very, very enlightening. Now, if there is just some way you can figure out to get lionfish to eat these things, we will be in great shape – eat them and die. Bob, do you have a comment or question?

MR. MAHOOD: Is there anything good about them?

DR. SHEARER: The divers love to take pictures of them, and that was an issue we had with getting permits is that they don't want to take them – they don't want us to take a lot of the – at the time they didn't know, really, that they were so abundant, but they said that the divers like to take pictures and we don't want to ruin that experience for divers. That was the Florida Keys Sanctuary telling me that.

MR. HARTIG: It was pretty much associated with Bob's question. Have these corals been evaluated for biomedical possibilities?

DR. SHEARER: Part of a project that I'm involved in is through drug discovery. We've been looking at red algae from Fiji. They have all the bioassays available at Georgia Tech. A couple of weeks ago they took the extracts from this species, ran it through, did not see any inhibition of human microbial disease, but there are also some other tests that they're going to do, anti-malarial, anti-HIV with the extracts. Then we're also going to test some coral disease pathogens. But because it is so toxic, there has got to be something great in there, but that is what we're hoping.

DR. CHEUVRONT: We're just hoping it is going to kill the right things. Wilson.

DR. LANEY: Thank you for the presentation, Tonya. A couple of questions for you; one, you mentioned that in Brazil I guess they had tried some at least localized removal efforts. How successful were those for the long run? Did it rapidly recolonize the sites so it is sort of a futile effort to try and remove? Question two is what about dispersal? I know it is as far north already as Gray's Reef National Marine Sanctuary off Georgia. Has anybody looked at the potential for it to spread even further beyond where it is already colonized?

DR. SHEARER: In Brazil they have not made it very public what has happened with the project, so there is no scientific paperwork coming out of that. I don't know that it has been successful in eliminating or locally eliminating the species. I think it would be very, very, very difficult to eliminate the species now that it is established because of all the potential populations.

Even if you tried to remove it from all of Florida, there is going to be deep populations in the Bahamas that are going to reseed it. I don't know if it has been successful. Now, in the Flower Gardens they removed it from neighboring reef habitats, and they only have one colony that I know of or that they know of between the two Flower Garden Banks.

I think it is on the east bank. There isn't any on the west bank. On Stetson I know they were removing it, and I don't know if they've continued. They said it was really hard because

sometimes it gets in these cracks and crevices and they can't get the whole thing, so it is not a simple removal process. What was the second question, disbursal?

DR. LANEY: Yes, what is the potential for it to continue spreading geographically?

DR. SHEARER: Greg McFall has told me that he thinks it is at Gray's Reef. I haven't gone out there yet and he hasn't sent me a picture yet. I don't see any reason for it not to spread. There is really nothing controlling it. It is going to be deep and it is going to be widespread. I don't know how deep it can get, but it is at least 200/230 feet.

One issue that we've been talking about is whether the artificial reef program is providing corridors for the spread of the species, and so the artificial reef program – the Florida Fish and Wildlife, two of their people came out with us on our last trip, and now they are actively interested in evaluating whether or not they should be allowing steel-hulled ships to be deployed as artificial wrecks in case they are promoting the spread of the species.

DR. CHEUVRONT: I guess no good deed goes unpunished. Duane.

MR. HARRIS: Just a comment; Tonya, it is good to have you here, but I'm just a little bit miffed that I was not included in the acknowledgments after I donated my coast guard cutter to the state of Florida so that orange cup coral could grow all over it.

MR. HAYMANS: And I was just going to say if you're going to blame the artificial reefs, then you've got to blame the Nancy Foster, its bilge water which sits over Gray's Reef and everywhere else. It is going to be the spreader, too, so stop the Nancy Foster.

DR. CHEUVRONT: Okay, do we have any questions or comments for Tonya? Paul.

MR. RAYMOND: Myra, refresh my memory; do we list all the stony corals under the FMP?

MS. BROUWER: No, and that is what we need to talk about is whether it would be possible to remove this one species from the FMU in order to allow for some kind of a control mechanism. This is something the marine life harvesters came to the council and requested for them to be allowed to harvest it because it is, from what I understand, a very pretty coral and it is popular in the aquarium trade. We don't have a listing of all the species, no.

MR. RAYMOND: So we basically would bust anybody who harvested this right now? It is totally protected in federal waters.

MS. BROUWER: Right now it is.

DR. SHEARER: It is very hard to me to get a permit to collect any small samples of it.

DR. WILSON: Well, to that point, Mr. Chairman, then one of the things that we discussed I think before – I can't remember whether it was in council session or in the Habitat and Environmental Protection Advisory Panel – was whether or not if you did allow someone to

legally collect it, what is the likelihood that you would damage your native reef habitats by having folks out there chipping off orange cup coral colonies; and what is the potential that as they collected those, they would break them apart and then all you do is just facilitate dispersion.

DR. CHEUVRONT: Those are all very good points. Tonya.

DR. SHEARER: I don't think they would survive well broken apart. They have very soft shells. I can break it off with my dive knife. They seem to be – if they dropped on just the sand, it will probably kill parts of them is what we've seen when we've seen it on the shells. It is fairly simple to get them off the substrate.

It depends on how you consider your artificial reefs. Some places don't consider them as much as they consider their natural substrate; so if they break something on a wreck, then it is not the end of the world is the way I've seen some management deal with the wrecks. I think you could remove a significant amount and it will grow back very quickly. It will recolonize within months. These guys can reproduce multiple months a year. I just don't know how much damage the divers would do. There are not a whole lot of other corals living on there, anyway, at this point. If you go to the Duane, it is dominated by this species.

MS. BROUWER: I wanted to just go ahead and remind the council that back in December of 2009 we had the discussion, and we proposed that perhaps Florida would allow removal of the species in state waters. They were approached by the marine life harvesters with that request to allow that, and Florida, after having some discussions, decided not to allow harvest of this species due to potential law enforcement issues.

This is the dilemma that we were in when we were discussing this back in December and why it was sort of tabled for discussion at a later date. The issue is does the council go ahead and remove it from the FMU and allow it to be harvested and how does Florida feel about issuing concurrent regulations to go allow with what the council would like to do?

DR. CHEUVRONT: Okay, what is happening now is we're away from Tonya's presentation and into a discussion of some management things. If there are no more questions for Tonya, thank you for coming.

DR. SHEARER: Let me just say one more thing. There is some indication that this species may be important to juvenile reef fish because it creates structure where there was no structure before. A study wasn't too rigorous, but it was indicating that there is some juvenile fish that are associated with it for protection. I don't know how that changed the little tiny reef fish, but that might be something to consider if you're going to wipe an area clean and how is that going to affect the juvenile fish in that area. I haven't seen it myself so I don't know, but that has been out there.

DR. CHEUVRONT: Well, thank you very much, Tonya, we appreciate your coming and doing the presentation for us. Okay, the last question because we need to wrap this up.

MR. ROBSON: Tonya, I appreciate the presentation. I apologize, I stepped out briefly for some of it and I may have missed something. Did you describe or can you describe briefly – it is an Indo-Pacific native; does it have any kind of similarities in terms of growth form and spread rates or anything that is similar to what we're seeing outside of its normal range?

DR. SHEARER: As far as other corals, do you mean?

MR. ROBSON: Well, in terms of how is it behaving here in the Atlantic as opposed to what it would normally be looking like in its native range?

DR. SHEARER: There is not a lot of information on the species because it is not very obvious in its native range. It is found under ledges and in cave areas. It tends to live in areas that are dark because it doesn't have the symbiotic algae, so it can live in habitats that typical scleractinian corals live in. It seems to be just a very inconspicuous species not abundant, but there can be local abundances.

DR. CHEUVRONT: Okay, that is it. We're running late here so we're going to continue; I'm sorry. Myra, can you lead us into the next thing, please.

MS. BROUWER: The next item that I would need guidance on is whether the action to potentially remove the species from the FMU and allow harvest should remain in CE-BA 2.

DR. CHEUVRONT: So what is your pleasure on this one? We're hearing pros and cons on allowing this and not allowing it. Duane.

MR. HARRIS: Well, is this harvest part of the marine life trade – is that what you're suggesting – or are you harvesting it to kill it? What are we being asked for?

MS. BROUWER: The request came from the Coral AP to remove the species from the FMU so it could be harvested. Now, there may be enforcement issues with that, and that is where Florida comes in. From what I understand, there is a demand for this species in the aquarium trade, and that is why the request was made to the council.

MR. HARRIS: Well, I would make a **motion that we do remove this species from the Coral FMP and allow for harvest**. I have an idea the state of Florida is going to have a large influence on whether this gets done or not, but that is my motion.

DR. CHEUVRONT: **We have a motion to remove the Tubastraea coccinea species from the Coral FMP and allow harvest**. The motion was made by Duane Harris; do we have a second to the motion? Seconded by Charlie. Any discussion on the motion? Mark.

MR. ROBSON: From a federal waters perspective, I don't know if I would support this motion or not. I can tell you that the concern that we had in state waters was one of we don't allow harvest of any scleractinians. This is one, so it would be still prohibited in state waters unless we were to change our rule.

The concern was expressed primarily from an enforcement point of view was that because there is potentially – you know, they could be harvesting other native forms of scleractinians once the door is open to remove these orange cups, and that could present a problem. The enforcement is it is very difficult for an officer on the water in a boat to tell what corals he or she is looking at. I think that was one of the primary concerns. If you had additional questions about our rules or our program, I do have Jessica McCawley here who is very familiar with our review of the rules and can answer questions.

DR. CHEUVRONT: Okay, any other council members want to weigh in on this? Paul.

MR. RAYMOND: The law now is really clear with hard corals in federal waters as it is in state waters. You can't take it. There is not a lot of education that we have to do with our enforcement partners, whether it be a JEA marine patrol officer or the coast guard or an agent. Not only that, you have to educate the public that this is the one hard coral that could be removed.

Bonnie had a good point. This has nothing to do with law enforcement, but when you allow the collection of something like that, you may want to think about that may actually accelerate the distribution of it because folks tend to collect and then dump them when they're tired of it in their aquarium.

DR. LANEY: The only point I was going to make, Mr. Chairman, is I think we had this discussion before, and we didn't make that motion for that very reason was because of law enforcement issue.

MR. ROBSON: The unfortunate pattern appears to be this is a horse that has left the barn, and I don't know what kind of – if it is a matter of allowing harvest for a marine life collection, that is one issue. If there is any thought that allowing harvest is somehow going to enhance control, I think that would be naïve on our part to think that at this point.

DR. CHEUVRONT: Okay, we have got the motion in front of us. Roger.

MR. PUGLIESE: I didn't want to get too far in the middle of it, but I think this has gone around a lot of time. With removing it from the Coral FMP, then there would not be any regulatory action on this so anybody could essentially go offshore and harvest. That is assuming you didn't have a transfer forwarded to the state of Florida. It would be I would assume open to anybody to harvest and possess without permits or anything.

MR. RAYMOND: Yes, that was my thought exactly. Maybe it is better to leave it on there and then you just allow the removal only with a permit or collection permit or a scientific permit.

MR. HARRIS: Well, with this discussion I'll withdraw the motion, Mr. Chairman.

DR. CHEUVRONT: Okay, the motion maker has requested to withdraw the motion; is that okay with everybody else? I see no objection to withdrawing the motion. Is there any other discussion on this topic? I think what we might want to consider now, then, is that this

action is in CE-BA 2 right now, so we might want to entertain a motion to remove this action out of CE-BA 2.

MR. HARRIS: So moved, Mr. Chairman.

MR. CUPKA: Second.

DR. CHEUVRONT: **Okay, the motion was made by Chairman Harris and seconded by Mr. Cupka. The motion reads “remove this action from CE-BA 2”.** Any discussion on this motion? Seeing none, is there any opposition to this motion? **The motion carries.** That takes care of CE-BA 2.

MS. BROUWER: The next item on the agenda is to discuss the Draft Invasive Species Policy, which is Attachment 4, I believe. There is also an attachment that details the comments that were received from the Habitat and the Coral AP. If you recall at the last meeting, the guidance we received was to let the Coral and Habitat AP take a look at the draft policy and give us their recommendations and make edits to it as appropriate.

There were several general comments. They did recommend to remove the orange cup coral from the list of prohibitive stony corals and point out that it is an invasive species of concern. This is pointed out in the draft policy. There was a general comment made that the draft policy was too fish and coral centric and there was too much emphasis placed on Florida species.

The Coral and Habitat AP members stated that there were many other invasive issues occurring in other southeastern states that could impact habitat, and they have made recommendations to include, for instance, two species of mangroves, a species of macroalga, a species of cyanobacteria that also seem to be causing problems.

Rather than go through all these individual comments, my suggestion would be to perhaps split the policy into two and make one that would be specific for estuarine species and one that would concentrate mainly on marine species. As it is right now, it is pretty much a grab bag of many different issues.

There were also some specific edits that were made regarding lionfish. For example, diseases from introduced Asian Tiger Shrimp – anyway, I don’t want to take the time to go through the entire thing. Basically, I just wanted to bring it to your attention and perhaps get guidance to continue to work on it and perhaps split it into two different policies that can be made more specific.

DR. CHEUVRONT: Are you looking for a motion to do anything like that?

MS. BROUWER: Yes, please.

MR. HARRIS: Mr. Chairman, I’ll move to do what Myra suggested and I will let her word the motion.

DR. CHEUVRONT: **Okay, the motion that we have right now is to direct staff to split the policy into a marine and estuarine statement, making editorial changes and to bring that back at the September meeting.** Is that what the motion maker intended?

MR. HARRIS: Yes, sir.

DR. CHEUVRONT: All right, Ben seconded the motion. Discussion on the motion? Any opposition to the motion? **Seeing none, the motion carries.**

MS. BROUWER: Also, for the record I have a statement here that Ron Lukens submitted. He is the Chair of the Gulf and South Atlantic Regional Panel on Aquatic Nuisance Species. I'm just going to read two of the items on his statement for the record. The Gulf and South Atlantic Panel agreed to establish a working group to develop a discussion paper on orange cup coral to provide more scientific information to the council on this species.

They strongly recommend that NOAA Fisheries encourage other fishery management councils to address non-native and invasive species either through the development of policy statements like the draft being considered by the South Atlantic Council or some other appropriate mechanism.;

DR. CHEUVRONT: The thing we have got is we have some updates, and Myra has a couple here. For the sake of time, which we are quickly running out, if we could make these as short as possible, we would really appreciate it.

MS. BROUWER: Okay, the first update I have is the meeting of the Marine Protected Areas Federal Advisory Committee, which met in Charleston in April. During that time there was a lot of discussion of the role of the MPA System in regards to climate change and coastal marine spatial planning as well as cultural heritage.

The South Atlantic Council does have sites that are eligible to be nominated to the National System of MPAs. That list includes the Oculina HAPC, but interestingly not the Deep-Water MPAs. I'm not sure why. The benefits of being a part of that system would include the opportunity to be part of a broader network of protected area programs that provides a framework for linkages, coordination on issues of common interest and eligibility for funding and technical assistance.

There is a council process for nomination. It spells out the public comment process and coordination with the National Marine Fisheries Service. They were not yet sure of the timing of the next round of nominations. The Mid-Atlantic Council and NOAA Fisheries have nominated four sites that will go into the Federal Register for public comment in June.

These are the first council sites to be nominated. The next round will likely be in the fall of 2010 or spring 2011, depending on interest and timing from nominating agencies. This is something for the council to just sort of keep in the back of their mind, whether the council would like some of their MPAs to be included and nominated for that national system. Are there any questions on that?

Moving on to deep-water coral research activities, there has been already a good bit of activity this year. There are four cruises schedule for 2010. One took place in April. It was aboard the new vessel Pisces. They did take samples of *Lophelia* up to 400 meters. The Southwest Fishery Science Center was sponsoring or coordinating the effort.

There were some issues with currents and so they did not get to do everything they intended to do. Another cruise that took place recently was in conjunction with the National Marine Fisheries Service, Andy David. They sampled some of the shelf-edge MPA sites off North Florida and South Carolina. They did a fish characterization, and John Reed is doing the benthic habitat characterization.

One salient point is that they did see several lionfish on almost every single dive during that time. There is a research cruise planned aboard the Ron Brown that will take place in November of this year. There is a slot being saved for a council representative; so if anybody wants to go out to sea for a couple of weeks aboard the Ron Brown, there is a spot for somebody to do that. Unfortunately, it is right before the December council meeting.

MR. TEEHAN: Where are they going?

MS. BROUWER: They are going to be mainly off of Florida, moving up from the Florida Keys, I believe. The council will likely be involved in education and outreach activities, perhaps doing some work on our website. There has been talk of hosting a port day in Charleston, also in conjunction with that cruise.

There is also a research cruise that is being led by the Dutch that will take place in May. Most of the work will be in the HAPCs off North Carolina, but if there is time there are other areas that will be explored. ENCW is building a lander that is going to be deployed during that cruise. The Dutch landers that are currently deployed off North Carolina will be retrieved.

The Dutch are interested in placing landers in the South Atlantic along the entire length of the Gulf Stream, so there has been two ship time requests that have been submitted to the Cooperative Institute; six to eight days in 2012 and the same in 2013. Then, finally, Steve Ross has submitted a proposal to the Pew Fellowship Program.

His proposal would assess what has been done in the South Atlantic to conserve deep-water corals and maybe explore areas that would qualify for greater protection. Also, MCBI has developed a model to predict distribution of deep-water corals and work on refining this model was included in the proposal, as well as production of a documentary for PBS. That is the report that I have.

DR. CHEUVRONT: Thank you, Myra. Does anybody have any questions quickly for Myra? We can entertain one or two questions but probably no more than that. Okay, Bob.

MR. MAHOOD: Just one quick comment; we had hoped to talk a little bit more about the marine protected area nomination process. First the councils were kind of resistant to that program, and now more councils are getting involved in it. I think at a future meeting we may

bring that forth to you to start some consideration and think about whether we want to be involved in that program or not.

DR. CHEUVRONT: Yes, that is a good point, Bob. I believe North Carolina has a few things that have gotten into the designation. We were a little bit wary at first, fearing that somehow we were going to end up with more regulations on some of our state sites, and we have been pretty much assured that is not going to be the case. Once we kind of got over that hurdle, we were in much better shape. I think it is really more of a catalog than anything else. In my mind at this point that is not a bad thing. Okay, Roger, you have got a couple of quick updates, too, right?

MR. PUGLIESE: Yes, I will be brief. I wanted to at least touch on a couple activities that are ongoing. First of all, the continued development of the South Atlantic Landscape Conservation Cooperative; there was a workshop held in Charleston back in April. This initiated kind of a kickoff of that entire effort, building from an interagency task force group that was kind of building the structure.

It provided the opportunity to have input on governance structure, on highlights, on priorities and movement and brought everybody up to speed in terms of some of the pretty significant commitments of the U.S. Fish and Wildlife and USGS in terms of really moving this forward. This entire effort really was a spin-off and a move forward on the services move toward having a climate strategy. There are a lot of resources being put forward. Right now a new director is going to come on line, I guess, in July.

We will have the first full-time director of the Cooperative. Again, I had mentioned earlier in some of my comments that this is one of the first in the country, so really it is an opportunity to structure where this can go. The footprint that was discussed was really from up in the top of the state systems, all the way off into the marine system and to the EEZ.

The opportunity to have some collaboration and understanding how this will provide input on our understandings of estuarine habitats, nearshore/offshore habitats relative to river systems, relative to a lot on the landscape scale is going to be a real opportunity. Fish and Wildlife has committed, I think, \$1.5 million to fund projects already through that.

There has actually been the initial review of those projects in the southeast. A subsequent review process will be developed to expand with anticipated additional resources going. USGS has committed I think three to four million dollars a year to this effort in the southeast. That is kind of the stage of where we are at. Again, the refinement of governance structure, strategy is all underway at this time so that is just a quick point that there is a very good opportunity for pretty significant collaboration with a lot of real potential science-based support from a multiple agency and other partners in the southeast region.

The other area I wanted to touch on was the Southeast Coastal Ocean Observing Regional Association efforts. We had a board of directors' meeting and a member meeting recently. It was the time right after the beginning of the oil spill in the Gulf of Mexico. In that session we had actually provided breakout sessions for ecosystems, for working waterfronts.

A number of the major targeted, highlighted priorities for the Association under the ecosystem fisheries was highlighted and had a fairly significant presentation from George Sedberry on the interconnectivity of species in the southeast region and understanding how we can expand our knowledge on observing capabilities, technologies and ways to move forward.

The Association received a fairly significant increase in resources and funding in 2010 and is anticipating potentially even a greater expansion in 2011 and beyond. We're in the process of having a five-year funding support developed. There was a decision by the group and by the membership that this year there will be a unified process to bring together all of the different aspects of the priorities under a strategic plan and fund them as one package.

Everything is going to be funneled through – before it was funded through individual groups submitting proposals for modeling, for impacts on estuarine habitats – different things were all funded separately. This is all going to be bundled under one effort, and to support it there has been an expert review panel selected; one of which the member is – Colonel Lautenbacher is now a member of SECOORA, an acting member, and has also been selected for the expert review panel as one of the members.

The intent is to really provide something that meets these high priority needs that are identified in a developed, more recent five-year plan that the Association is already working on. What this is really doing is it has raised fisheries to the front end. With the oil spill, it is even emphasizing the importance even greater about the assets that are available for ocean observing as well as for beginning to move into utilizing biological monitoring, et cetera.

What was kicked off right from the beginning – and I have been funneling some of these different pieces of information as they have been developed by the Association – is coordination with all the partners, facilitating and providing these to NOAA, to the ones that are really looking at the comprehensive view of the footprint in the Gulf of Mexico and monitoring the movement of oil, monitoring or putting the assets in the water to provide a characterization of the system and what is going to happen in the future.

In addition to that, the group is putting together or has put together a proposal to monitor the sub-surface oil. Right now there is no effort to really – well, there is initiated effort, but there is no combined effort, and it was going to bring together all the assets of the Association and partners to really get a handle on where the oil beyond the surface is moving in the Gulf of Mexico and hopefully beyond and understanding at least if it moves into the South Atlantic and into our region.

An Ad Hoc Oil Spill Committee has been developed by the board with the intent to take this even a step further and the South Atlantic is going to be expanded in the way we do this. This will provide the opportunity to really look at what assets are available for us on our side to be able to see how they can be able at least be in the right coordination level to understand what is going to happen in the future with regard to the South Atlantic, also.

That has been a fairly significant effort by SECOORA and I think it is going to really provide the opportunity to look at expansion of this program and how important those types of information-

gathering components are. The last major area was the discussion on the South Atlantic Alliance, real brief, is still continuing to move forward in terms of development of their action plans.

It is in the review. The individual area components and technical groups have provided input on what the action plan is going to encompass. We're in that stage where the executive planning team will be providing input, and then this will be sent ultimately to the executive committee or the governors for approval, which will push this forward and then hopefully this is ultimately going to provide resources and then the coordination that we can see this link into a lot of these other opportunities.

I think one of the discussions we have been having is then also especially with the case we've got moving forward with the oil, there is an opportunity to maybe engage the Alliance even early in the process here with states and with other groups such as SECOORA to maybe get some unified efforts and review in view of what is going on.

That is the status of those three major areas. I think that one thing that Brian wanted to at least touch on was alluding to some of the other things I had talked about, oil and preparedness for what may be coming for the South Atlantic region and opportunity for the council to begin to stage ourselves or be in a position to understand what may be coming or what we need to do in cooperation with the states and other partners. That's it.

DR. CHEUVRONT: Great, thank you, Roger. Anybody have a quick question for Roger?

DR. LANEY: Not a question, Mr. Chairman, just a quick comment. One is that the interim SALCC coordinator is going to be Laurel Barnhill, who is a colleague of Robert's. He is based at Columbia, South Carolina. The second comment is that the North Carolina Wildlife Resources Commission has graciously agreed to host a couple of the SALCC positions, so they're going to be based in Raleigh, located in the WRC building on Centennial Campus at NC State University. The first coordinator will be Ken McDermond. He was a deputy regional director for the Fish and Wildlife Service in Region 8 in California, who will be reporting for duty July the 6th.

DR. CHEUVRONT: Okay, Mr. Chairman, that ends the business of the Ecosystem-Based Management. Do we need a task and timing? Okay, yes, we've actually got one activity that we're going to recess until morning and wait to do. All the other business is completed.

MR. HARRIS: Thank you, Brian. Myra has already talked with me about that. Here is what we're going to do. Tomorrow morning we're going to begin at 8:00 a.m.. We're going to be in closed session for the SSC Selection Committee. That will take probably about an hour, so members of the public just plan on kind of being out here. I'm thinking an hour, but it could be a little bit less. Following that, we're going to go right into mackerel and finish mackerel. Then following that we'll get this last presentation that Myra has and then we'll go into the rest of our agenda.

(Whereupon, the meeting was adjourned at 6:45 o'clock p.m., June 10, 2010.)

Ecosystem-Based Management Committee Minutes
Orlando, Florida
June 10, 2010

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JUNE 11, 2010

MR. HARRIS: We're down to other business. Under other business, I want to apologize to Myra for forgetting her report that she was going to give today that was under the Ecosystem Committee, so we'll get that report at our September meeting.

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South Atlantic Fishery Management Council 2009 - 2010 Council Membership

COUNCIL CHAIRMAN:

Charles Duane Harris
105 Demere Retreat Lane
St. Simons Island, GA 31522
912/638-9430 (ph)
seageorg@bellsouth.net

COUNCIL VICE-CHAIRMAN

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

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

Robert H. Boyles, Jr.
S.C. Dept. of Natural Resources
Marine Resources Division
P.O. Box 12559
(217 Ft. Johnson Road)
Charleston, SC 29422-2559
843/953-9304 (ph)
843/953-9159 (fax)
boylesr@dnr.sc.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

Dr. Brian Chevront
N.C. Division of Marine Fisheries
P.O. Box 769 (3441 Arendell St.)
Morehead City, NC 28557
252/726-7021 Ext. 8015 (ph)
252/726-6187
brian.chevront@ncdenr.gov

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

Benjamin M. "Mac" Currin
801 Westwood Drive
Raleigh, NC 27607
919/881-0049 (ph)
mcurrin1@bellsouth.net

George J. Geiger
566 Ponoka Street
Sebastian, FL 32958
772/388-3183 (ph)
georgejgeiger@bellsouth.net

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

Rita G. Merritt
38 Pelican Drive
Wrightsville Beach, NC 28480
910/256-3197 (ph); 910/256-3689 (f)
miridon@ec.rr.com

John V. O'Shea
Executive Director
Atlantic States Marine Fisheries
Commission
1444 Eye Street, N.W., 6th Floor
Washington, D.C. 20005
202/289-6400 (ph); 202/289-6051 (f)
voshea@asmfc.org

* SHEAREN
DR TOMA ~~SHEAREN~~

Charles Phillips
Phillips Seafood / Sapelo Sea Farms
1418 Sapelo Avenue, N.E.
Townsend, GA 31331
912/832-3149 (ph); 912/832-6228 (f)
Ga_capt@yahoo.com

Mark Robson
Director, Division of Marine Fisheries
Florida Fish and Wildlife
Conservation Commission
620 S. Meridian Street
Tallahassee, FL 32399
850/487-0554 (ph); 850/487-4847(f)
mark.robson@myfwc.com

Spud Woodward
Director, 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)
Spud.woodward@dnr.state.ga.us

Lt. Brian Sullivan
U.S. Coast Guard
Brickell Plaza Federal Building
909 S.E. First Avenue
Room 876/ DRE
Miami, FL 33131-3050
305/415-6781 (ph)
305/415-6791 (f)
Brian.A.Sullivan@uscg.mil

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

MONICA-SMIT BRUNELLO
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David Cupka
Ben Hartig
Vince O'Shea
Mark Robson
Tom Swatzel
Staff contact: John Carmichael

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

Senior Fishery Biologist

Roger Pugliese
roger.pugliese@safmc.net

Staff Economist

Kathryn (Kate) Quigley
kate.quigley@safmc.net

Cultural Anthropologist

Open Position

Environmental Impact Scientist

Rick DeVictor
richard.devictor@safmc.net

Science and Statistics Program Manager

John Carmichael
john.carmichael@safmc.net

Outreach Assistant

Anna Martin
anna.martin@safmc.net

Fishery Biologist

Kari Fenske
kari.fenske@safmc.net

SEDAR Coordinators

Julie Neer - julie.neer@safmc.net
Dale Theiling - dale.theiling@safmc.net

Coral Reef Biologist

Myra Brouwer
myra.brouwer@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/Adm. Assistant

Julie O'Dell
julie.odell@safmc.net

SEDAR/ Staff Administrative Assistant

Rachael Lindsay
rachael.lindsay@safmc.net