

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
HABITAT PROTECTION & ECOSYSTEM-BASED MANAGEMENT
COMMITTEE

Webinar

June 17-18, 2021

TRANSCRIPT

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Invited Attendees and Participants (Cont)

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Dr. Clay Porch

Monica Smit-Brunello

Additional invited attendees and participants attached.

The Habitat Protection & Ecosystem-Based Management Committee of the South Atlantic Fishery Management Council convened via webinar on Thursday, June 17, 2021, and was called to order by Chairman Steve Poland.

MR. POLAND: I will call the Habitat Committee to order. Roger, if you will go ahead and bring up the AP report. Anne, are you ready?

MS. DEATON: I am ready. Thank you, Mr. Chairman, for accommodating my schedule, and I know you guys are tired and need a break, and so I will do my best to go through this fairly fast. I was just asked to give you a summary of the last Habitat Protection & Ecosystem-Based Management Advisory Panel meeting, and that was held in April.

At this meeting, we started with some presentations from NOAA/NMFS staff on ecosystem-based fishery management activities, and so these were implementation actions that are in the FEP II Roadmap under the EFH policy about South Atlantic climate variability in fisheries. The first was on the Climate Vulnerability Assessment, which some of you may know about, and I know that Steve participated in that assessment, and the point of that is to create a tool to predict how likely a species abundance or distribution or productivity is likely to change with climate change, and so they take into consideration fish life history and sensitivity and exposure.

From that, they will determine if the species is highly vulnerable or low in vulnerability or moderate, and so a species with high mobility and low habitat specificity and tolerance to temperature change is likely to be more resilient and adaptive to change and more likely to shift distribution. In their assessment, and they were presenting their results at this meeting, dolphin is one example of a fish that showed up as having low vulnerability, because it would be able to migrate and move in its distribution.

They also had twenty-two species listed in the high-vulnerability category, and that included several group species, tilefish, sturgeon, striped bass, shrimp, and oysters, and so you know these are all important species to the South Atlantic and something that would be of a concern for fisheries.

Michael went on to explain how the CVA has been incorporated into fishery assessments and used to influence decisions, and, during our discussion, some of the AP members mentioned that habitat CVAs have been used in other regions and that -- Of course, the Habitat Advisory Panel was interested in that, and they said that it would be very beneficial, and to pass that on to the council, that this would be very beneficial for the South Atlantic.

Part of that reason is because a lot of our EFH here is known to be susceptible to temperature or salinity changes, and so, right now, I know there's a lot of concern about how seagrass will be able to survive in certain areas with increasing temperature or changing salinity or changing wave environments. Similar is coral, and, you know, it can't move, and so, if conditions change where it's at, it's going to have to count on its reproduction, and so, anyhow, I just thought that I would pass that along.

Then we also had a report, a brief report, on the Ecosystem Status Report. Both of these reports are now done, or in their final stages, and so you should be getting a copy of them, and the

presentations are in the briefing book from the April meeting, if you want to look at the full presentation.

The Ecosystem Status Report is different, in that it focuses on indicators, to evaluate how the ecosystem is doing, but we tended to notice that most of the indicators are climate-based, and so they looked at things like a multidecadal oscillation or physical or chemical changes, and they also looked at productivity in the lower and upper trophic levels of organisms. What they didn't include a lot of was habitat, and the advisory panel members mentioned that that's kind of an important thing to include, because it's not just temperature and salinity that affect where fish are and how they do, but the habitat is really critical to being in the right locations where those fish need to be, for predator protection, for food, and many other reasons.

The good news is that something like this has to be repeated on a regular basis, to stay up-to-date, and so you can see what the trends are changing to, and so, maybe in the future -- We passed on that we would like to see more habitat data, and they did express that. The difficulty with including the habitat data is because it's hard to get it standard across all the different states.

We also had a couple of presentations about dredging and beach nourishment, and this ties into another council EFH policy statement, the one regarding beach dredging and large-scale coastal engineering, and so we had a presentation by a member of the U.S. Army Corps of Engineers, as well as someone from BOEM, about SARBO, and SARBO is the South Atlantic Regional Biological Opinion on dredging that was completed in 2020, and is different than the last one.

It's more detailed than the former one, but it is based on -- It's a risk-based assessment, is how they explained it, for non-ESA species, and so, in the past, we've relied on environmental windows for when to perform potentially impactful activities, like dredging, and they want to go to more of a case-by-case consideration, and they also are expanding it to include not just listed species, but also the fishery species, and so, even though the document itself says the SARBO does not take the place of EFH assessments and Magnuson-Stevens Act requirements, they are somewhat using it that way.

The advisory panel members did have a lot of concern, and one concern is that the SARBO, as I just said, was -- It's supposed to be limited to listed species, but it's not, and they pointed out that no analyses have been done to see if this new method is effective, and one example I can give you is that -- So, in North Carolina, the Corps wanted to go to year-round dredging with no environmental windows at the two port inlets, and so North Carolina agreed to it on a one-time case, combined with some research.

As part of that adaptive approach to being able to dredge in the summer, when we have a lot more risk of sea turtle interactions, their strategy is to relocate turtles by trawling in front of the dredging, but I just heard, yesterday, that two turtles, I think, experienced mortality, and three were relocated, and so, if they had done that in the winter, would that have happened? Again, it just points out the fact that we don't know how effective this risk-based assessment method is, and, also, people brought up the fact that, because of this approach, there is no NEPA required, and there is no opportunity for the public to comment, and so there was, I would say, a consensus from the AP that environmental windows have a lot of science behind them and are a proven science-based approach, and they would prefer it stay like that.

That leads us to a growing concern that we have been seeing in the South Atlantic about the increased demand for dredging, beach nourishment, and other engineering projects, and that there is increasing pressure to do that without the windows. There is new data available about environmental windows, and it's more species specific, and there's also this growing pressure to not only do it inside the typical period when we wouldn't allow it, during the winter months mostly, when there's lower productivity, but in different locations, and so, in North Carolina, they are trying again to use Frying Pan Shoals, one of the southernmost cape shoals in North Carolina, for beach nourishment, and it hasn't been done, and we know it's EFH for multiple species, and we know it's highly productive, and we don't know of what the effect of one, or multiple, dredging effects would be.

That just kind of has it on our radar, that it's a concern, and so, because of that, it was felt to be a priority to update that policy to be more up-to-date and inclusive, and so the AP decided to form a -- They agreed to form a sub-committee that's going to work on modifying that policy statement, and they will be working on it this summer, and they will bring a draft to the Habitat AP in the fall, and then it would go to the council once done, hopefully in December.

The advisory panel also discussed progress on the implementation actions in the roadmap, and Roger went over all of that, and then there was discussion from the AP on the nine EFH policy statements that we have, and so what the members decided to do was they ranked which of those nine policies would be the highest priority, in terms of importance and relevance to the council for managing species, and then, within those policies, they looked at the different implementation actions and decided which of those would be the highest priority to work on for the next two years, and so they were ranked high, medium, and low.

Low priority was given to ones that had less direct impact on federal species, or were out of council authority or control, and so, for example, there is one on invasive species, and there's another on riverine and estuarine flow alterations, and so both of those are very difficult to manage, certainly in council authority, and many of them are in fresh or estuarine waters and not in federal waters. Then, for each policy, we looked at the implementation actions that would be a priority, and so these are listed here on this slide and the next, and I would just encourage you to look at those. This is just -- Again, you can see the -- In parentheses, it will say high, low, or medium, and then the bolded items under it are the action that was selected as a priority to get done in 2021 and 2022.

Then, at the meeting, we also had a demonstration from Tina Udouj on the latest digital dashboard and tools and reports that you can do with it, and she was asking for feedback on it, and some of the input from the advisory panel members was that it was very comprehensive, probably one of the most comprehensive council databases that there are in the U.S., and there seemed to be a lot of support for it, and like people were happy with it and used it.

Some of the suggestions were that it would be helpful for the council to put out a report about the information, summarizing the information that's on there and how it can be used, and then to develop a video or tutorial, and sometimes you will see, on some of these spatial tools, they'll have a little video, a short video, and sort of like Tina does for our AP, when she talks to us, and it makes it so much easier to understand than when you're trying to do it without that, and so that was a suggestion to do that, to help improve the user's experience. Then collaborate with NOAA Digital Coast, so it can be the most up-to-date that it can be, and to connect it with the ocean observing system and BOEM, to get more value out of it.

We also had an update on wind energy from Brian Hooker, who is an AP member and works for BOEM, and there are now fourteen commercial facilities that are under review in the Atlantic. In the South Atlantic, Kitty Hawk, the one that is off of Kitty Hawk, the Outer Banks, is the only active lease, and there are several additional planning areas between really Wilmington and South Carolina, but these haven't gotten to the approval stage, and so they might get approved by mid-2022, and they would need to get approved by 2022 to be able to proceed, because of that federal action that went into effect I think last year. It withdrew the Southeast from energy leasing, but that included not only oil and gas, but also wind energy, and so, as long as that's in effect, no new leases can be approved.

There was a lot of discussion, following that talk, about possibilities, positive possibilities, for using these wind turbines, and that included, one, confirmation that they will be open to fishing in and around the turbine poles and that the platforms could be used for putting ocean observation equipment on, or acoustic telemetry equipment, so they could really be helpful for marine mammal tracking or other fish tracking.

They also discussed aquaculture, possibly, some kind of a mutualistic relationship, but I think the conclusion was there are too many cables and entangling equipment, like tubes and things, and that it would probably not a good idea for those to be too close together.

Then, I believe, on the next slide, we discussed some of the regional conservation blueprints, and, if you've been on the council for a while, I know you've heard of the SA LCC, the South Atlantic Landscape Conservation Collaborative, and so that has now morphed into a new name, and it's the Southeast Conservation Blueprint, and it's the same effort, but it's grown, and now, instead of being -- Well, what they've done is they have added state wildlife agencies into this organization, and so it has more state backing, and so it's doing the same purpose, and it's a tool, a spatial tool, to show landscape connections of undeveloped land, and it rates the quality of the sites, and it is used by conservation land trusts to help buy land in optimum locations.

The presentation noted that, so far, they have already put over 13,500 acres under conservation, through funding that has been received through this SECAS effort, and so one of the advantages that also was mentioned was that they do have like really good customer service, and they have a dedicated person that shows people how to use the tool, and that's kind of where the idea of a video, or a tutorial, for the council's digital portal would be a good idea, and it's just something to build on, and they have expanded the blueprint to include the hardbottom off the coast and some estuarine waters, and so, at first, it was only uplands, but now it shows that transition into the ocean, and so buying and conserving land adjacent to the waters is going to help the water quality, and it's going to help the quality of the habitat, and so, even if the activity is on land, it helps the habitat, and therefore the fish, that the council manages. I believe that's the last slide, unless there's any questions.

MR. POLAND: All right. Thank you, Anne. I appreciate that, and I know you've got to jump off pretty quick, but are there any quick questions for Anne? Remember that you do have the AP report in the briefing book, and certainly, if there are any questions during our discussion of the other agenda items, we can certainly relay those to Anne or the AP. All right, Anne. I'm not seeing anything. Again, I appreciate you hanging with us.

MS. DEATON: No problem, and I'm sorry that I will miss the rest of it. Thank you again for the opportunity to share that, and I will see you around.

MR. POLAND: All right. Thank you, Anne. All right. Mel, I'm going to turn it back over to you, real quick. I know you wanted to take a break, and I didn't know if you wanted a chance just to address the council on our plan for the rest of the day and tomorrow.

MR. BELL: Right. The plan is we'll take at least ten here and come back and finish up Habitat, and then we've basically rolled the Executive Committee into Full Council, and so the only item we have left there was to really discuss the workplan, which we all do together anyway, and so, if we can get through Habitat this evening, we're basically on schedule, except we've kind of packed some other things into Full Council for tomorrow, but I think we'll be all right, and so if you could come back at -- I've got 4:55, and I don't know, but how about ten minutes, five after?

(Whereupon, a recess was taken.)

MR. POLAND: Welcome back to the Habitat Protection and Ecosystem-Based Management Committee. We did modify the agenda, and we've already done the AP report, and we're jumping ahead to the habitat blueprint scope of work, and so, Myra or Roger, and who is reviewing this?

MR. PUGLIESE: It's going to be a team effort, and I think Myra is going to start off.

MR. POLAND: All right. Take it away.

MS. BROUWER: Thank you, Steve, and thank you, Roger, and, Roger, are you good scrolling for me?

MR. PUGLIESE: Yes, that's fine.

MS. BROUWER: All right, and so, yes, we're just going to tag-team, Roger and I, and I will begin by walking you through this attachment, which it's Attachment 2a in your briefing book, and so, first off, a reminder of the purpose and the membership of the workgroup that is facilitating development of the blueprint, and so it's there on your screen what the purpose of this is, and this is something that we started late last year, and so you've got the membership on your screen and what we've planned, in terms of meetings and how we're conducting all of that, and so we don't need to review any of it, but it's there for your reference.

Here are the workgroup tasks, and these are the overall tasks, and we need to develop draft goals and objectives for the habitat program, and we'll go over those in a little bit, and that's going to be one of the action items for this committee. These were developed when the workgroup last met in April, and we also have been documenting habitat requirements and council actions to address them, and there is a summary table in Attachment 2b that, if we have time, Roger will show you here in a minute. If not, as I said, it's sort of support material for what the workgroup has been doing and compiling throughout this time.

This item would include reviewing the consultation process, how all that works, and it would include some work on the policies and the EFH comments that are submitted as part of that process, the consultation process, and so, next up, we will be evaluating the habitat and ecosystem tools

and services, and I'm not quite sure if we're going to get to that in July or if we might have to put that off until the fall, and the previous item is -- There's a lot of work to be done there, but the plan is to go ahead and do that evaluation and identify also, and document, the role of partners, and this is something that we started doing, and we talked a little bit about that in the winter, and so that's ongoing.

All of this information is going to be contained in this habitat blueprint, which will also include better defining the role of the Habitat AP, and we're going to brainstorm an outreach and communications strategy, and you can see the six main components on your screen. We intend to also develop a workplan to address the items in the blueprint, sort of like an implementation plan, and, to the extent that we're able to, explore the connection to climate change, and so, as I mentioned, the workgroup last met in April, and so here's a summary of what came out of that meeting.

We revised the scope of work for the blueprint, to exclude the ecosystem level activities that the committee directed to us in March, and we worked, as I said, on the goals and objectives, which we'll get to in a minute, and we talked about the need to develop overall measures of success to later evaluate whether the program is meeting those goals and objectives, and we also brainstormed how to track the consultation process, and perhaps some type of a feedback loop, to kind of better gauge impacts and the outcome of consultations, which policies have been used to date in consultations, to inform future revisions of those policies, and develop measures of success for habitat-related policies, and so this is all ongoing, and Roger is working with the Habitat Conservation Division on some of this work.

We talked about the need to review the threats matrix, which was last updated a couple of years ago, and Roger can tell you more about that, and we reviewed an EFH table, which is included in Attachment 2b, and it's pretty handy. It summarizes which amendment, by FMP, addressed EFH mandates, and so, here, I would like to spend just a couple of minutes talking about how we think we can move forward to clarify that SMZs are EFH HAPCs.

Recall that Regulatory Amendment 34 established those SMZs off of North Carolina and South Carolina, but the council was advised, at that time, that those areas could not automatically be considered EFH HAPCs without a clarification in an amendment to the FMP, and so I'm hoping that Monica is still on the line, so we could just get, on the record, the guidance that we've received for how we're going to get that clarified.

MS. SMIT-BRUNELLO: Sure, and my power just came back on, and so this is great. I was going to have to figure out how to attend the meeting. I did some research into this, and looked at -- I think Myra touched on this, but I looked at the Comprehensive Ecosystem-Based Amendment 1, which designated SMZs as EFH HAPCs, and it designated all the SMZs at that time, but it didn't really discuss how future SMZs become EFH HAPCs.

I think maybe that's what the council inferred, but it just wasn't clear, and so we drafted some language, and we're going to include it, I think, in the blueprint, although I will ask Myra exactly where it's included, and I will read it to you, and it's titled: "Designated SMZ is EFH HAPC". It states: The council established the special management zone (SMZ) designation process in 1983, in the Snapper Grouper FMPs, and SMZs have been designated in federal waters off of South Carolina, Georgia, and Florida since that time. The purpose of the original SMZ designation

process, and the subsequent specification of SMZs, was to protect snapper grouper populations at the relatively small permitted artificial reef sites and, quote, create fishing opportunities that would not otherwise exist, and that quote comes from the original Snapper Grouper FMP. Thus, the SMZ designation process was centered around protecting the relatively small habitats, which are known to attract desirable snapper grouper species. Similarly, in the Comprehensive Ecosystem-Based Amendment 1 (CEBA 1), the council has designated essential fish habitat areas and EFH habitat areas of particular concern under the Snapper Grouper FMP. Under the Magnuson-Stevens Act, FMPs are required to describe and identify EFH and to minimize the adverse effects of fishing on such habitat, to the extent practicable, and EFH HAPC designation adds an additional layer to the EFH designation. Under the Snapper Grouper FMP, EFH HAPCs are designated based on ecological importance, susceptibility to human-induced environmental degradation, susceptibility to stress from development, or rarity of habitat type. The council determined, in CEBA 1, that the council-designated SMZs met the criteria to be EFH HAPCs for species included in the Snapper Grouper FMP. Since CEBA 1, the council has designated additional SMZs in the Snapper Grouper FMP. The SMZ and the EFH HAPC designations serve similar purposes in the pursuit of identifying and protecting valuable and unique habitat for the benefit of fish populations, which are both important to fish and fishers. Therefore, the council has determined that a designated SMZ meets the criteria for an EFH HAPC designation, and the council intends that all SMZs designated under the Snapper Grouper FMP also be designated as EFH HAPCs under the Snapper Grouper FMP.

We think, by including that into these documents, that will give -- That will specify the council's intent that, in the future, when you designate an SMZ, it's also going to be designated as EFH HAPC.

MS. BROUWER: Thank you, Monica, for that, and, at this point, I am done with my part, and so I'm going to turn it back to you, Steve.

MR. POLAND: All right. Thank you, Myra. Thank you for providing that language, Monica. I had one comment and one question, and so the comment is, I think, at the beginning of that text, you had referenced the other three states as having SMZs established since the original FMP, and I would just point out that, now that the Regulatory Amendment 34 final rule has published and is implemented, that North Carolina has SMZs now, and so I would just request you to add North Carolina into that list. Then I just wanted to make clear that we don't need to add that language into any type of plan amendment, and it's sufficient to have it in a document like a blueprint?

MS. SMIT-BRUNELLO: One, I don't know how we missed not putting North Carolina in there, and so I'm sorry, Steve. I think it should go in a couple of places. I think it should go in the habitat blueprint, and then we would also include it in a Snapper Grouper FMP amendment, and the Snapper Grouper Committee met before this committee, and so we kind of thought it's going to be very confusing if we introduce this in the Snapper Grouper Committee, and so I think, going forward, and Myra could probably better talk about which exactly amendment to put this in, so that it becomes part of the Snapper Grouper FMP, and I would urge for all of us to remember that, in the future, when we have an amendment that designates a special management zone, we include this language in the discussion, so it's very clear.

MR. POLAND: All right. Thank you, Monica. Myra.

MS. BROUWER: Thank you, Steve, and thank you, Monica. I was going to suggest that we maybe could include it in Amendment 50, which is the red porgy amendment, simply because that's the one that looks the most likely to be approved the quickest, but we can potentially add it to maybe the timing and tasks motion in the Snapper Grouper Committee. That way, it will be captured when that committee finalizes their recommendations tomorrow.

MR. POLAND: That sounds good to me. Thank you, Myra. Roger, go ahead.

MR. PUGLIESE: Just as a follow-up to that, I think the cleanest is we'll be able to include it in the expanded EFH discussion within that amendment, and then, in any other subsequent amendments, we can make sure that wording is just added in, but I think what also is going to be good, as mentioned, is into the blueprint itself, but then the operational side would be into the user guide, and we can talk to Monica about that, and we can include it as a clarification within the user guide, which is really exactly what the value of the user guide is, to be able to clarify any of these types of actions, and so we have multiple areas that we can include the wording, to make sure that it's clear in the record.

MR. POLAND: All right. Thank you, Roger. Maybe we can even put it on bronze plaques and label all of our artificial reefs with it. All right. Are there any questions or comments from the committee? All right. I am not hearing any, and we can continue through the document.

MR. PUGLIESE: Actually, at this stage, Myra, I guess we're going to shift over to a couple of things, and one of the action items that we wanted to address today had to do with the drafting of goals and objectives for the habitat program, and what we have included under Attachment A2b are there goals and objectives, but also some of the different documents that were cited earlier on, and I can just touch on that quickly, but that have been generated to include directly into the blueprint.

What I will go ahead and do is identify this first cut of what has been developed as goals and objectives for the program. The purpose is to support the identification, monitoring, and protection of habitats required by the species managed by the South Atlantic Council to preserve their ecosystem function and to ensure their long-term sustainable use.

Goal 1 would be to comply with habitat mandates of the Magnuson-Stevens Act and its amendments. Under that, the objectives would be to describe and identify essential fish habitat for the fishery, as required in the council FMPs, and provide information for use in FMP development, to minimize, to the extent practicable, adverse effects on such habitat caused by fishing. Identify other actions to encourage the conservation enhancement of such habitat. Provide information to support the council's role in mandatory EFH reviews, and provide information to support council comments on activities by federal or state agencies that may impact the habitat or resources managed by the council.

That brings us to the second goal, which is to provide information to support council communication on habitat issues. This would be to provide habitat research needs for consideration in council research and monitoring plans, to provide habitat and research needs and council habitat priorities to inform regional planning and research efforts. Provide information to support the council's responses to habitat-related requests for information and to provide information to support council outreach activities on habitat issues. This was the generation of

what we have proposed as potential goals and objectives for the program. Are there any specific comments, questions, or recommendations relative to these?

MR. POLAND: I will look to the committee. Does anyone have any comments?

MR. PUGLIESE: Okay. Is there a desire to move, at least for now, that these be the core motion to provide these as the goals and objectives for the program? Of course, these can be modified as the blueprint gets further refined, but to start the process.

MR. POLAND: Kerry, go ahead.

MS. MARHEFKA: **I will make a motion that we move that these are the goals and objectives for the habitat program.**

MR. BELL: Second.

MR. POLAND: Thank you, Kerry. Thank you, Mel. Is there any discussion of the motion?

MR. BELL: It looks thorough.

MR. POLAND: Thank you. I agree. **Any opposition to the motion? Hearing and seeing none, the motion stands approved.**

MR. PUGLIESE: Okay. Moving forward, what I did want to do is touch on some of the products that have been developed so far, and, as Myra had mentioned, some of these are some really good references to understand the context, how much the council has actually accomplished over time, and supporting information that gives you the context of the overall program.

The first one is Table A, which lays out the fishery management plans and amendments and identifies those stages where they are either the designation of essential fish habitat or follow-up designations of essential fish habitat areas of particular concern, and so you will see, starting from the original CEBA, which was supported by the original habitat plan, and that evolved to the FEP, that supported then subsequent ones, but this lays out the timing where that detailed information - - The specifications are there, and then the detailed information is usually in the other documents, such as the original Fishery Ecosystem Plan or the Fishery Ecosystem Plan II. It also lays out the managed areas, the SMZ or MPA designations, which all are essential fish habitat areas of particular concern.

Table B is a subsequent table that also shows the relationship of the council's policy statements to the threats, and this was something that was developed through the Habitat and Ecosystem Advisory Panel over time, and it provided a context of how each individual policy was addressing various threats. The major threats have been identified in previous activities, starting from the Habitat Plan and evolved into the Fishery Ecosystem Plans, and so sub-sections identified the major areas, and this is a tallying of the different ones that have been identified.

Now, Table C really gets to kind of the core of the activities relative to the policies that the council has developed, and it gives you a nice synopsis of the individual policy statement, when it was developed, and the core areas that were addressed under each of the individual policy statements

that have been developed over time, and it does show the timing of when they were developed or revised, and, if you see something, such as the energy policy, started all the way back in the original Comprehensive EFH Amendment, and it has subsequent revisions in 2005 and then in 2015, and my guess is that's going to be one of the ones that is going to be slated for additional follow-up, especially to shore up all the activities on alternative energies. Those are some of the background information and tables that have been developed and provided that are integrated directly into the developing blueprint. Are there any questions or comments on those?

MR. POLAND: Mel, go ahead.

MR. BELL: I was just going to say, Roger, I mean, that's pretty thorough, and there are a lot of resources there, a lot of useful stuff, and so we don't need to bless that or anything at this minute, right?

MR. PUGLIESE: No, and there's going to be more like this. I think one that I struggled a little bit with is trying to do the actions, all the actions the council has taken over time to address essential fish habitat, and they are laid out in list form in the developing scope, and, the more of these that we can generate into products that are quickly accessible, like these tables, I think the better it's going to be to be able to really see the context of those different ones, and also working on like NMFS policies, et cetera, and guidance that they have, and I'm working with Habitat Conservation to maybe fine-tune something like that, and so I think, as these get compiled, it really gives you the full context of activities of the council, both from the mandates all the way to how they've been prosecuted and the different timing associated with this.

MR. BELL: Good job in capturing all that. Thanks.

MR. PUGLIESE: Any other comments? If not, I think that -- Myra, did you have anything else to say on the blueprint? I think that really addresses everything we wanted to accomplish today, and the biggest thing was to address the goals and objectives and move forward, and I think that will set the stage for looking at some of the other more general policies that the council has adopted in the past, and maybe how that might provide additional vision or discussions or whatever, and that's for the workgroup to discuss.

MS. BROUWER: Roger, I think I'm good, unless the committee has any additional guidance for the workgroup, or they have any specific things they would like us to bring up.

MR. POLAND: Is the committee good? Any comments?

MR. BELL: I am good. That's a lot of work, and I appreciate it. Good job.

MR. POLAND: That's a lot of good work, Myra and Roger, and I know there's been a lot of time put into this, and I appreciate it, and I look forward to our next workgroup meeting.

MR. PUGLIESE: Then I think that's it for the habitat program today, and that's all.

MR. POLAND: All right. I will throw it back over to you, Mel.

MR. BELL: All right, and so what I would like to do is, as I promised, we'll go ahead and recess Habitat right now, and we'll pick up at 8:30 tomorrow morning, as scheduled, and we'll process through Coral Amendment 10, and then we'll move back into the schedule, and remember that we've kind of rolled the Executive Committee stuff into Full Council, which is fine, because we do that as Full Council anyway, and so that's the plan, and so it's worked out, and thank you so much for your patience today. It's been kind of grueling, I know, but eat a big breakfast, and we'll hopefully try to stay on schedule tomorrow, as best we can. Thank you, everybody.

(Whereupon, the meeting recessed on June 17, 2021.)

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JUNE 18, 2021

FRIDAY MORNING SESSION

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The Habitat Protection and Ecosystem-Based Management Committee of the South Atlantic Fishery Management Council reconvened via webinar on Friday, June 18, 2021, and was called to order by Chairman Steve Poland.

MR. POLAND: Good morning, everyone. We're back in the Habitat and Ecosystem-Based Management Committee. We need to take care of this one perfunctory item before we get started today. We never approved the minutes yesterday, and so I'm sure that everyone has reviewed the minutes from the March 2021 meeting. Are there any additions, deletions, or modifications to the minutes? Hearing none, is there any opposition to the approval of the minutes from the March 2021 committee meeting? Hearing none, the minutes stand approved. We have one item left on our agenda, and it's to review Coral Amendment 10, and so, Roger, whenever you're ready.

MR. PUGLIESE: Okay. Good morning, everyone. Attachment A1 is the decision document for Coral Amendment 10, and I would like to go directly to the charge of today's meeting. The amendment is coming off of public hearings that were held in May, the 12th and 13th, and the objectives for today's meeting were to review and consider approval of the revised purpose and need statements, to review comments received during public hearings, to review proposed action and make any modifications, as appropriate, and consider the timing of the amendment and approve the actions and alternatives.

With that, the first issue is the purpose and need statements, and these have been slightly modified by the IPT, and I think the most significant in the purpose is to have the specific permit identified within the purpose, and so the purpose, as proposed right now, is the purpose of Coral Amendment 10 is to determine whether to establish a shrimp fishery access area along the eastern edge of the northern extension of the Oculina Bank Habitat Area of Particular Concern, where permit holders of a valid limited access commercial vessel permit for rock shrimp (South Atlantic EEZ) would be able to fish for and possess rock shrimp.

The proposed need for action is the need for the coral amendment is to increase economic and social benefits to the rock shrimp fishermen by increasing access to historic rock shrimp fishing

grounds, while maintaining protection of the Oculina deepwater coral ecosystems, and those are for your consideration today.

MR. POLAND: All right. Thank you, Roger. What is the pleasure of the committee? Any thoughts on the purpose and need? Does the proposed text capture the intent? Jessica, go ahead.

MS. MCCAWLEY: **I move that we approve the purpose and need statements, as modified.**

MR. POLAND: Thank you, Jessica. Is there a second?

DR. BELCHER: I will second it.

MR. POLAND: All right. Thank you, Carolyn. Is there discussion? **Hearing no discussion, is there any opposition to the approval of the purpose and need? Hearing none, the purpose and need statements are approved.**

MR. PUGLIESE: Okay. That brings us to the next matter at hand, which would be with regard to the public hearing comments, and those are at the PDF page 23, or, actually, it's page 23 and PDF 24, I think is what it is. On May 12, we did not have any public in attendance, but, on May 13, Mike Merrifield, with the Cape Canaveral Shrimp Company and Chair of the Deepwater Shrimp Advisory Panel, provided the following comments.

He was in support of the action in the amendment, and he felt the council had done a good job in developing the amendment. He noted the preferred alternative included traditional bottom which had been fished, and that's verified by many VMS points occurring in the area over the years. He also indicated the area under consideration had been fished, and it was just something that came up late in the Coral Amendment 8 process, which was put in place first. At the time, fishermen requested the council revisit this issue, and he appreciated the fact that it was being revisited.

We received an online comment during the public comment timeframe, where Jerry McNew, a private recreational fisherman, provided the comment to open up an area for as shrimp fishery only defeats the purpose of conservation and your role to protect the environment and the fishery. You are playing into the hands of the commercial fishery and will set a precedent. Do not allow this to happen.

Now, subsequent to this, the council did receive comments during this week's public comment session. In addition, there were quite a few comments that were received on the Wufoo form, in addition to specific submitted letters this week, and they are very similar to the same tone of the comments that were provided during the public comment session this week. With that, those were the comments received during the public hearings.

MR. POLAND: All right. Thank you, Roger. Are there any questions or discussion from the committee on the public hearing comments? Carolyn, go ahead.

DR. BELCHER: It's not specific to the comments, but I did want to point, going through the decision document, if this is going to stand, that there was a measurement unit that was missing on page 13 that was talking about the effects, potentially, from the plumes of dragging. It's the second line on document page 13, and it just ended with "700", and it didn't say like 700 meters.

MR. PUGLIESE: Yes, that was supposed to be 700 meters.

DR. BELCHER: Okay. Just so the record was clear on that, and it was kind of left hanging, and it had an impact for me, because I'm like is that 700 millimeters, because it wouldn't be a whole lot there, and, again, I know it's not that, but, anyway, thank you.

MR. POLAND: Thank you, Carolyn. Thanks for pointing that out. It's a good catch. Chester.

MR. PUGLIESE: It was right here, and, yes, this is 700 meters.

MR. POLAND: Chester, go ahead.

MR. BREWER: Roger, were there only two people that gave public comment? That was my first question, and then you said that the stuff that's been received recently, like within the past week or so, was along the same lines, and do you mean along the same lines as the recreational guy or the same lines with the shrimper guy?

MR. PUGLIESE: During public hearing, we really only received the one comment during public hearing, and the other one was received during the timeframe through a Wufoo form, and, when I referenced the same, it had to do with the comment that was provided this week, in the actual public comment session, and most of it was in line with the discussions and comments about concern over actions relative to establishing a shrimp fishery access area, and so there were more aligned directly with those comments.

MR. BREWER: Okay. Thank you.

MR. POLAND: All right. Any other questions for Roger on public comments? Monica, go ahead.

MS. SMIT-BRUNELLO: Just to point out, for the record too, that I think the council members have received at least a couple of letters this week from various people opposed to allowing this kind of area as well, based on the corals that were there, or that they said were there, or the harm to the corals, based on sedimentation, and a number of things, and so just to be clear in the record.

MR. POLAND: Thank you, Monica. I've received approximately four emails directly to my council member email, or official email. All right. Any other questions? All right. If not, Roger, you can pick back up and continue.

MR. PUGLIESE: Okay. What I wanted to do was walk through the effects associated with the document, biological and social and economic effects, and, first, I will start off with the biological effects, and not establishing a shrimp fishery access area would have no negative biological effects. Preferred Alternative 2 and 3 could result in negative biological impacts to the deepwater coral habitat within the proposed shrimp fishery access area, as they would allow intermittent bottom trawling for rock shrimp.

Habitat mapping for the proposed area shows low-relief, probably sand and mud, bottom, with no high-relief habitat in either the Preferred Alternative 2 or Alternative 3, and, given the narrow width of the proposed shrimp fishery access areas, we created figures to lay out the information,

and I think what I will do is just jump straight to those, so that you can visually see it, while I'm stating some of the specifics.

The first figure is showing the northern portion of what is Preferred Alternative 2, and what you see is the alternative is on the eastern side, and the mapped habitat and the *Oculina* pinnacle area during the 2011 efforts is shown in this northern area on the western portion, and this would also then go south, and there is, again, the mapping that occurred in 2017 along the area that was specific to the shrimp fishery access area proposal and then the 2011 mapping and characterization of that high-relief pinnacle system is shown on the left.

Now, in order to be able to see it and to really get a better feel of how they are related, there is some desire to get a better zoom-in on this, and we created separate areas, and what you see, under Figure 8a, is, again, this is Preferred Alternative 2, and it's zooming into that high-relief habitat in the area, and what you can see is the area would show that, across from Point 2 in this area, it's about 310 meters to the pinnacle system.

You can see the different widths of the proposal, at 430 meters and at 183 meters at the second area. Then, if you go to the southern portion of the preferred alternative, and, again, this is the southern mapped area in 2011, the pinnacles system is very distinct within this area, and they really do track some of the historic bathymetry, except multiply it by many times. What you see is, in the area across from Point 5, it's 750 meters to the pinnacles, because they start here, and then, across from Point 8, you're looking at about 700 meters to the actual pinnacle system.

Now, we did the same with Alternative 3, and so, again, you see a wider area in Alternative 3, and it's 430, 438, over 1,000 meters on this one area down here, and, if you look -- Again, that's the other half of Alternative 3, which, again, close to 1,000 meters in the two northern portions and then about 500 in the southern, 420, but, again, getting into the zoom-in, again, to give you a better feel of the association of the proposal, relative to the known mapped areas that we have, when you look at the area in Point 2, you have widths of 430 and 438, but, at Point 2, you're only 115 meters away from the pinnacles system.

Now, this is Alternative 3. When you move south, and, again, the mapped system, the proposed area, the width, again, is over 1,000 meters, close to 1,000 meters here, about 994 meters here, but, if you look at the points in the system beyond this, at Point 4, it's approximately 386 meters to the pinnacles, and, at Point 5, you're about -- This is like 750 meters to the pinnacles, and this is at 386 at Point 5.

That was at least to give a perspective of the proposals relative to mapped habitat in the areas, and mapped bottom, because all of the area in the proposed areas are low-relief habitat, low-relief bottom areas, and so the direct biological impacts from the bottom-tending fishing gear on coral habitat as a result of Preferred Alternative 2 and Alternative 3 are expected to be low, considering no high-relief habitat was mapped in the area. Rock shrimp occurrence and fishing in the area is variable.

Fishermen are expected to target rock shrimp in areas where previously captured, and, thus, already impacted from years of previous trawling in low-relief, predominantly sand, habitat. With no visual surveys having been conducted though, it is not possible to know if low-relief coral colonies do exist and are susceptible to trawling within that area. Indirect effects to coral could result

through influx of suspended benthic sediments created while trawling on the bottom. Increased sedimentation can cause smothering and burial of coral polyps, shading, tissue necrosis, population explosion of bacteria in coral mucus, and generally reduces recruitment, survival, and settlement of coral larvae.

Fine sediments tend to have greater effects on corals than coarse sediments, and the coral experts and members of our Coral Advisory Panel and Habitat Ecosystem Advisory Panel indicated that establishing a protective, possibly 1,000-meter, buffer between the known coral habitat and fishing grounds would be prudent, to prevent adverse impacts to coral colonies. However, research has not established exactly what the optimum buffer distance would be. Active dredging operations have found suspended particles that can travel and impact coral over 700 meters.

The spatial extent of impacts from dredging can be variable, and, in severe cases, water quality impacts have been detected up to twenty kilometers away from dredging activities when oceanographic features included unidirectional flow during the project. Depending on direction and magnitude of water currents in the affected areas, shrimp trawls could create similar sediment plumes during fishing operations.

Potential negative impacts to the affected environment relative to Alternative 1, no action, would be the greatest under Alternative 3, which has the largest proposed shrimp fishery access area, followed by Preferred Alternative 2.

That brings us to the economic effects. Not establishing a shrimp fishery access area would continue to disallow shrimp access to rock shrimp vessels within the northern extension of the Oculina HAPC and would result in no change in economic benefits. Not establishing a shrimp fishery access area would result in foregone landings of rock shrimp, and, thus, foregone economic benefits associated with these landings, compared to Preferred Alternative 2 and Alternative 3. Preferred Alternative 2 would result in net economic benefits by potentially increasing landings of rock shrimp through access to approximately a twenty-two-square-mile area.

The use of this area will likely vary from year to year. However, participants in the fishery have indicated that rock shrimp have historically been caught in the proposed area and will migrate into this area at times. Increases in catches of rock shrimp would be expected to increase direct net economic benefits. Given the likely variability in usage in the area, as well as the exhibited variability in overall participation in the regional rock shrimp fishery, these economic effects cannot be quantified.

The economic effects of Alternative 3 would likely be similar to those of Preferred Alternative 2, but the economic benefits under the Preferred Alternative 3 would be comparably higher, since the alternative would allow access to an additional ten square miles of fishing grounds. The economic benefits for the commercial rock shrimp vessels would be highest under Alternative 3, followed by Preferred Alternative 2 and not establishing a shrimp fishery access area.

The economic effects on individual vessel owners cannot be determined with available models, but Preferred Alternative 2 and Alternative 3 would depend on each vessel owner's profit maximization strategy, their dependence on the rock shrimp and seasonal fishing behavior, and the propensity to fish for rock shrimp in the new area compared to existing open areas.

Overall, there are nineteen vessels with the rock shrimp limited access permit that harvested rock shrimp in the South Atlantic from 2015 through 2019, and rock shrimp dealers are indirectly affected, with increases in gross revenue expected to indirectly benefit dealers. Overall, eight dealers purchased rock shrimp from the South Atlantic, on average, again, from 2015 through 2019.

The social effects of not establishing a shrimp fishery access area, it would likely result in minimal social effects, because the fleet is already harvesting in open areas and prohibited from working in closed areas. Preferred Alternative 2 and Alternative 3 address stakeholder concerns regarding access to historically-important fishing grounds along the eastern edge of the northern extension of the Oculina HAPC and may improve stakeholder perceptions of the management process. As such, Preferred Alternative 2, the most recent recommendation of the South Atlantic Council's Deepwater Shrimp Advisory Panel, is expected to have the greatest social benefit, followed by Alternative 2 and not establishing a shrimp fishery access area. Those are the effects, as identified and summarized from the developing draft amendment. Are there any questions?

MR. POLAND: Thank you, Roger. Are there any questions from the committee? I am not hearing any, Roger.

MR. STRELCHECK: Steve, I have a question.

MR. POLAND: Sorry. Go ahead, Andy.

MR. STRELCHECK: Good morning, everyone. Roger, I appreciate the synopsis of the impacts. I did, I guess, want to comment on the economic effects. One of the things that I was interested in kind of understanding is how have rock shrimp landings changed kind of pre and post when this extension went into place, and I guess the best way to describe it is rock shrimp landings are very variable, obviously, from year to year, and there's really no kind of pattern or way of predicting them, and so I comment, or note, this, because I guess I'm struggling with the statement about foregone economic benefits.

I think, yes, we are potentially allowing them to increase access to another 2 percent of habitat that previously they were shrimping, but I really question whether or not that's really foregone or not over this time period, given landings really have been kind of in line with those historical levels and kind of fluctuate above and below kind of a long-term average over the last five or six years, and I just wanted to make that comment.

MR. POLAND: Thank you, Andy. Jessica, go ahead.

MS. MCCAWLEY: I was going to talk a little bit about some of the history here and then get to Andy's comment, which I need to look up some of the specifics, to give the specific numbers, but I just want to remind folks kind of why we're talking about this, and I also have a letter that I sent to Steve that we can send around to the council members that came from the FWC in February of 2012, when the council was embarking on establishment of these areas.

The letter points out that, originally, the Coral AP drew some lines, and it hadn't been vetted with the shrimp industry, and the FWC actually sent us, and you the council members sent us, over to the Canaveral area to meet with the fishermen that had been using this little sliver of an area. We

looked at the tracks, and just a reminder that this area, and this fishery, requires VMS, and so our other fisheries don't have that, and rock shrimp does, and we also have special areas where people can transit with the shrimp onboard, et cetera.

This is basically a technical fix, and so some of this information came in at the last minute. Some of it came in earlier, and then, the way that the polygons were drawn was not exactly how we thought it was going to be, and so we thought that it was going to allow access to this little sliver of an area. It came down to the end, and, actually, Roy Crabtree said that we will promise to go back and work on this, but just let us get this amendment passed, and we will immediately start a new amendment to work on this area.

A number of council members looked at the plots through this area, and Roger I know has seen them, and I went over and met with the fishermen, at FWC's request, and the council's request, to look at all of this, and so we made this promise to the fishermen, but you see that we have this system of priorities, and so, since this was really kind of a technical fix, this just kept going further and further to the bottom of our priority list, and so I know it's been a long time.

I mean, this amendment that ultimately put this in place got passed in, I believe, 2014, and it was started in 2011 or 2012, and so there's a number of council members that don't remember these discussions, and Roy is not here anymore, but I am just reminding folks that the rock shrimpers were using this area, and I believe that, the year that we closed it, either that year or the year prior, was the highest amount of money coming in from that particular area, and so it actually showed that the value of this sliver, monetarily, was a lot greater than what we thought it was.

I couldn't pull up the numbers yesterday, and I haven't been able to find them this morning, but it was high dollar values there that we found out at the last minute. Once again, Roy was one of the main ones that made this promise that we would go back and fix this, and the economic value of this little sliver was significant, and I just want to point out, because I saw it in some of these comment letters coming in, that this is not a new area. They were trawling here before and were pushed out of this area. They have not been trawling since the area was closed, and so they haven't had access to it once it was closed by the council.

I just want to remind folks kind of where we came from, what we're doing. This is really kind of a technical fix, and that area was significant economically in certain years, and it was, either in the year that we closed it or the year prior, the highest amount, monetarily, that came from that area ever, and so I just want to put that out there, and I can go back and look for some of those specific numbers.

MR. POLAND: All right. Thank you for those comments, Jessica. As far as the letter you referenced, I think staff is distributing that to the council members, so they will have a copy. Kerry, go ahead.

MS. MARHEFKA: I just wanted to pipe in and thank Jessica for that background information. That was extremely helpful for me, and so thank you very much for giving us that information.

MR. POLAND: Thank you, Kerry. Are there any other comments from committee members? Andy, go ahead.

MR. STRELCHECK: Thanks, Jessica, for the background, and I certainly would encourage that to be added to the record, if it's not already part of the record. I can't, obviously, know what my predecessor stated with regard to this issue, whether he promised to fix it, promised to revisit it, but I do want to acknowledge that there's a lot more information that we also know since that time, and that has to be taken into account, in terms of the record.

We just passed the purpose and need for this action, and, essentially, the need balances this opportunity for access with the conservation of corals, and so I do want to talk a little bit about the specifics of that, given what we heard on the record yesterday, what our APs have been stating, because I think it's still something that should be discussed with this council, and so a few points here.

One, I am certainly supportive of revisiting and looking at expanding access, especially if we were overly conservative in establishing the northern extension, and so I want to state that, first and foremost. With regard to *Oculina*, I think everyone knows they're very slow-growing corals, and so it can be very detrimental if allow activities that could negatively impact their growth, their sustainability, or even the habitat which they would affix to.

We, the National Marine Fisheries Service, work in southeast Florida on a lot of various projects that impact corals, a lot of major port projects, and I realize this is very different than maybe a port dredging project, but what we have learned, over the years, is that dredging sedimentation can be very detrimental to the health and status of corals, especially immediately around those dredging locations, and so it has been pointed out, the concerns about sediment disturbance and potential impacts of sediment on corals near this expanded area, and so I know that's been acknowledged in the document, but certainly a risk, obviously, to *Oculina* corals surrounding the habitat of concern here.

There is also, from what I'm hearing, limited mapping, and there certainly is good hourly mapping, but there isn't a strong understanding of kind of what's in this area that we're reopening, and, although there has been some mapping done, some of the resolution isn't necessarily at the level that could detect corals, and then, lastly, we heard, and I want to give the shrimp industry the benefit of the doubt on this, that there's a small margin for error.

Obviously, if we reduce the buffer between where they shrimp and the coral habitat, there is potential for errors, mistakes, to happen, currents, whatever the effect might be, to impact corals, because of just errors in terms of those nets being dropped to the bottom and currents in that area. These are professional fishermen, and so I want to, obviously, give them the benefit of the doubt that that's not likely to happen, but certainly I think the sediment disturbance, and kind of the limited information we have about the mapped area, is something that we should be concerned about, given the slow growth of *Oculina* corals.

The other thing that I guess I will last acknowledge is just kind of the distance, or buffer, between trawling and the corals, and we've heard, from the APs, the need for kind of a greater buffer, given some of these concerns, and I don't know if there's ways that we could reconfigure this, if the council so desires, so that we could ensure those buffers while opening areas where there are sufficient buffers already. Thank you

MR. POLAND: Thank you for those comments, Andy. Mel, go ahead.

MR. BELL: I was originally just going to say that I thought Jessica providing the letter and the context and the historical perspective was very helpful, and we definitely need to make sure that's in the record, and I was at I think it was the June 2014 meeting of the council, and I believe David Cupka was the Chair then, and we had a lot of interaction with the industry members, and I am not, obviously, speaking for Roy, or quoting Roy, but I know the council, at that time, was very clear to them that, yes, we would work with them on resolving this issue.

As you can see, as I think Jessica mentioned, here we are, seven years later, finally getting around to it, and, again, because of competing priorities and schedule and all, and that's how long this has taken, but I do remember the council members, at that time, being clear to them that, yes, we heard them, and we understood what they were saying, and we would work with them, and FWC was working with them, and so that -- I do remember that very clearly, and here we are seven years later.

A little bit about -- Just following-up on what Andy was saying, and absolutely -- This may be lost somewhere, in some comments from folks, is that, obviously, this is not about trawling on corals, and this is about how comfortable are we in allowing that buffer, decreasing the buffer, and, sure, there's a lot of speculation about current patterns and what would happen in a particular time, where would the sediment go, what would the sediment do, and, again, that's all yes it could, or maybe it wouldn't.

I do appreciate Andy pointing out that these are professional people that have no intention of putting their gear on coral, or any closer to coral than they need to to find the particular product they're looking for, which happens to be closely associated, I think, on the edges of the coral, and so that's the challenge there, and I think it is the only, I think, or it's a VMS fishery, and we don't have the use of a lot of VMS in our region, as everyone knows, but this is a case where it shows the value of that tool. It demonstrates, when we're dealing with areas where you need to know exactly where you are, and people need to be able to track you, in knowing exactly where you are, and you have accountability for where you are, and VMS is a very good tool.

This fishery is required to use the VMS and maintain it, and I think it's just a demonstration of application of that tool, and, again, back to the -- I fully understand that accidents happen, but relying upon their professional ability, and I also know that, when you tow something behind a vessel, whether it's sub-surface or surface, you have to be aware of where the object you're towing is tending, and these guys have been doing this for a long time, and they know what they're doing, and I would trust that they would conduct themselves accordingly and do this right, but I do appreciate pointing out the fact -- I mean, these guys came to us a long time ago, asking to have this resolved.

Yes, we did make a commitment, and I think, based on the fact that, as Jessica pointed out, this is area that was previously trawled, and yes, it's been a few years ago now, and nobody has been in there, but it's not like some people may have the impression, that it would be dragging across these coral pinnacles or something, and that's not the case. Thank you.

MR. POLAND: Thank you, Mel. Chester, go ahead.

MR. BREWER: Thank you, Steve. I am really troubled by this, and it started out, and, just as Jessica said, we had made a promise to come back, or at least our predecessors had promised to come back and look, and that perhaps this was a technical error, and I love rock shrimp, and I love going to Dixie Crossroads, and I want to do anything we can to help that industry, but, over the past couple of weeks, we have gotten information, letters, from a number of very credible sources saying that they are very concerned, because of the sediment plumes.

I think that's a valid concern. I have never seen photographs of what happens when -- Well, out from Miami and the corals down there, when they were redoing the Port of Miami, and it was heartbreaking, and I don't know what the solution -- I don't know how to resolve my discomfort here, but I have a lot, and I would really like to know more information with regard to the plumes and the potential for them to drop sediment over and into the coral areas, and apparently we don't have that information right now. There was a little bit of discussion, apparently, but we don't really know, and so I just -- I just want to express my discomfort here and that I am really, really torn.

MR. POLAND: All right. Thank you, Chester. Spud.

MR. WOODWARD: Thank you, Steve. I want to echo what Chester said, and I'm -- I certainly understand that, when you make a promise, you need to follow through on that promise, and, although we didn't necessarily make that promise, we are bound by a commitment of our predecessors, and so I think we're doing that we promised to do, which is to look at this in light of the way things are now, and, obviously, the landings history of rock shrimp are all over the place. I mean, it's highly variable, and I don't know whether that's effort driven because of weather or availability of rock shrimp, and I don't know, but it is highly variable.

The thing that concerns me, and tacking on to what Chester said, is what I don't know, and I am concerned about the narrowness of the buffer between known coral pinnacles and this area along the extent of the area of consideration, and that troubles me a little bit, too. The real question for me is, as the rock shrimp fishery exists now, yes, there may be some lost profitability, because of not being able to access this area, but is it really critical to the current and long-term sustainability and profitability of the rock shrimp fishery to get back in this area, and is that worth the potential harm to coral?

We know that the ocean environment is changing, and there are a lot of other things that are going to affect corals, and so the coral biomass that we have now is very precious, and so I do think that we have to do what's necessary to protect what's already out there and be very cognizant of how our efforts can affect that, and so thank you.

MR. POLAND: All right. Thank you, Spud. Are there any other comments from the committee? Dewey, go ahead.

MR. HEMILRIGHT: Thank you. I was just curious as to what's the predominant tide in this area, east of this area, and there's got to be some type of work or data on that, which way predominantly the tide flows on the eastern side of this. Thank you.

MR. POLAND: Thanks for the question, Dewey. Is there anyone that can answer that?

MR. PUGLIESE: The predominant currents are flowing north/south in that area, and it's directly under, or close to, the Gulf Stream area, and so it's really high. However, there are some tidal effects, and so you do get an east/west, relative to some of the tidal effects.

MR. HEMILRIGHT: Thank you.

MR. POLAND: Thank you, Roger. All right. I don't see any more hands, and so what's the pleasure of the committee? This is our opportunity to either take final action on this or not, and so we need to hear what the committee wants to do. Jessica, go ahead.

MS. MCCAWLEY: Going back, I don't think that this is final action, and I thought it was supposed to be final action at the September meeting, and so I guess I will say that. Also, I am fine moving forward with this amendment. I do understand the concern about these plumes, but this is a historic area, where they trawled before, and it's not like we're letting them into a new area. In theory, in the past, there could have been sediment plumes, and they found intact, healthy coral since this area has been shut, and so post the time period when plumes would have been created from trawling.

Alternative 2 is smaller than Alternative 3, and Alternative 2 is a little bit smaller than the area that they were actually trawling in, and so it should allow a little bit bigger buffer, and the AP, the Shrimp AP, agreed to that, because it has a bigger buffer, and so I'm just going to put that out there.

MR. POLAND: All right. Thank you, Jessica, and you are correct. I misspoke. We are just reviewing public comment and affirming our current preferred alternative under the action, and final action will be at the September meeting. Monica, go ahead.

MS. SMIT-BRUNELLO: Steve, you just mentioned what I was going to say, in that the council will -- If you want, the council will see this again in September, and that is when you're scheduled to take final action.

MR. POLAND: Thank you, Monica. All right. What's the pleasure of the committee? Roger has a draft motion on the board. Anna and then Mel.

MS. BECKWITH: Well, I would say that, if I was going to be here in September, I would probably have voted in favor of this, but I'm not, and I think you guys are going to have a big struggle in September with new members that have never really had the opportunity to see this and think this through, and so I don't have a warm, fuzzy feeling about this amendment going forward, given that you guys are going to have some new folks at the table in September, and so I think that schedule planning may have been a little bit ill-conceived, and I don't think there's a way of moving this forward to final action today, given that at least some members around the table had some information, and I too was present during those 2014 meetings and have the historic perspective on this issue available to me.

MR. POLAND: All right. Thank you, Anna. Mel.

MR. BELL: **I move to approve action in Coral Amendment 10, to move the process on forward.**

MS. MCCAWLEY: Second.

MR. POLAND: All right. We have a motion and a second. Any more discussion, Jessica, or was that just to make a motion?

MS. MCCAWLEY: That was just to make the motion. Thank you, Steve.

MR. POLAND: All right. Thank you, Jessica. All right. Any more discussion on the action and the motion on the table? It sounds like this will not be a consensus vote, and so, Roger, I will ask you to do a roll call.

MR. PUGLIESE: Okay. Carolyn Belcher.

DR. BELCHER: Unfortunately, no.

MR. PUGLIESE: Mel Bell.

MR. BELL: Yes.

MR. PUGLIESE: Chester Brewer.

MR. BREWER: Well, since I don't really know, or I'm not even comfortable voting either way, I abstain.

MR. PUGLIESE: Tim Griner. Kerry Marhefka.

MS. MARHEFKA: I am kind of in the Chester camp. I really do not feel ready to make a decision on this, and so I'm going to abstain for now as well.

MR. PUGLIESE: Jessica McCawley.

MS. MCCAWLEY: Yes.

MR. PUGLIESE: Art Sapp.

MR. SAPP: Yes.

MR. PUGLIESE: Spud Woodward.

MR. WOODWARD: I hate to do it, but I'm going to abstain as well.

MR. PUGLIESE: Bob Beal isn't with us today. Steve Poland.

MR. POLAND: The Chair is not going to vote, and it looks like Tim is in the meeting. I don't know if he's having --

MR. PUGLIESE: Okay. Tim.

DR. SCHMIDTKE: Tim, if you're there and unable to mute yourself, you can chat your vote. He just flashed unmuted, but we didn't hear anything on our end.

MR. GRINER: Can you hear me now?

MR. PUGLIESE: You're online now.

MR. PUGLIESE: Tim.

MR. GRINER: Yes.

MR. PUGLIESE: Mr. Chairman, it is four in favor, one opposed, and three abstentions.

MR. POLAND: Thank you, Roger. **The motion passes.** This will come back in September for another discussion of the committee, and it sounds like there was some -- I don't know if necessarily additional information, but additional consideration that some members felt they needed, and so, if you could provide any input on what additional information you might like to see, that might help our discussion in September. Kerry, go ahead.

MS. MARHEFKA: To that point, I would love to be directed towards, whether it's the minutes or a summary of the minutes, of the meeting you all referencing in 2014, and I haven't dug around the website enough to know if they're easily enough accessible by me, but that's somewhere I would like to look, to reference that conversation, and then, Roger, sort of any other information that may be easy to get us as far as the plume and the sediment situation, and I'm not saying you have to put it together, but if you're like here's a great place to sort of get caught up on it, that would be really helpful for me in making a decision in September.

MR. PUGLIESE: Okay. Yes, there will be additional work on the complete draft. Up through May, technically, was also provided, but there, I know, will be additional work on especially the environmental assessment, and so yes.

MS. MARHEFKA: Sorry. I always go straight to the decision document, and that's my bad, and so I will make sure to really dig into the actual amendment.

MR. POLAND: All right. Thank you, Kerry. Anyone else? All right. Not hearing or seeing any, that should be it on Coral Amendment 10. Roger, is that correct?

MR. PUGLIESE: Yes, that's it.

MR. POLAND: All right, and I think we have discussed everything on our agenda. Is there any other business to come before the Habitat and Ecosystem-Based Management Committee today? All right. Hearing none, thank you, Roger and other staff, and that will conclude the committee meeting. Thanks, everyone.

(Whereupon, the meeting adjourned on June 18, 2021.)

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Certified By: _____ Date: _____

Transcribed By
Amanda Thomas
August 4, 2021

SAFMC June Council Meeting

Attendee Report: (6/14/21 - 6/18/21)

Report Generated:

06/18/2021 07:07 AM EDT

Webinar ID

811-235-419

Actual Start Date/Time

06/17/2021 08:00 AM EDT

Duration

9 hours 33 minutes

Attendee Details

Attended

Yes

Last Name

BROUWER

First Name

MYRA

Yes

BYRD

01JULIA

Yes

Bailey

Adam

Yes

Bauer

Tracey

Yes

Beckwith

00Anna

Yes

Belcher

00Carolyn

Yes

Bell

00Mel

Yes

Bellavance

10 - Rick

Yes

Bianchi

Alan

Yes

Bowlen

Joshua

Yes

Brame

Richen

Yes

Brennan

Ken

Yes

Brown

Julie

Yes

Bubley

Walter

Yes

Calay

Shannon

Yes

Carmichael

01 John

Yes

Carrodeguas

David

Yes

Chaya

01Cindy

Yes

Chesnes

Max

Yes

Christiansen

00kyle

Yes

Clarke

Lora

Yes

Collier

01Chip

Yes

Conklin

00 THE REAL Chris

Yes

Copeland

00 Bobby

Yes

Cox

Jack

Yes

Cox

Derek

Yes

DeVictor

Rick

Yes

Deaton

Anne

Yes

DiLernia

00Anthony

Yes

Donaldson

Mary

Yes

Fletcher

Brad

Yes

Flowers

Jared

Yes

Foor

Brandon

Yes

Foss

Kristin

Yes	Gentry	Lauren
Yes	Godwin	Joelle
Yes	Goodhue	David
Yes	Goozner	Zoe
Yes	Gore	Karla
Yes	Gravitz	Michael
Yes	Grimes	00 Shepherd
Yes	Gulbrandsen	Michael
Yes	Guyas	Martha
Yes	Hadley	01John
Yes	Harrison	BeBe Dalton
Yes	Hart	Hannah
Yes	Hawes	Rachel
Yes	Helies	Frank
Yes	Hemilright	00 Dewey
Yes	Hoke	David
Yes	Horton	Chris
Yes	Howell	Scott
Yes	Howington	Kathleen
Yes	Hudson	Rusty
Yes	Iberle	01Allie
Yes	Iverson	01 Kim
Yes	Johnson	Denise
Yes	Kaelin	Jeff
Yes	Karazsia	Jocelyn
Yes	Karnauskas	Mandy
Yes	Kellison	Todd
Yes	Killer	Ed
Yes	Klibansky	Lara
Yes	Laks	Ira
Yes	Lam	Elliott
Yes	Levy	Mara
Yes	Lewis	Savannah
Yes	Lyons Gromen	Pam
Yes	Marhefka	00Kerry
Yes	Masi	Michelle
Yes	McCawley	00-Jessica
Yes	McCoy	Sherylanne
Yes	McGovern	Jack
Yes	Mehta	Nikhil
Yes	Mendez-Ferrer	Natasha
Yes	Meyer	Robert
Yes	Murphey	Trish
Yes	Neer	Julie
Yes	Nesslage	Genny
Yes	O'Donnell	Kelli
Yes	O'Shaughnessy	Patrick

Yes	Porch	00Clay
Yes	Prewitt	Brian
Yes	Pugliese	01Roger
Yes	Pulver	Jeff
Yes	Ralston	Kellie
Yes	Records	David
Yes	Reichert	Marcel
Yes	Reynolds	Jon
Yes	Rhodes	01Cameron
Yes	Rock	Jason
Yes	Sanchez	Joseph
Yes	Sanchez	John
Yes	Sapp	00Art
Yes	Schmidtke	01Michael
Yes	Scott	Tara
Yes	Sedberry	George
Yes	Smit-Brunello	00Monica
Yes	Smith	Duane
Yes	Spurgin	Kali
Yes	Stemle	Adam
Yes	Stephen	Jessica
Yes	Strelcheck	00-Andy
Yes	Sweetman	CJ
Yes	Thompson	Mary
Yes	Thompson	Laurilee
Yes	Travis	Michael
Yes	Vara	Mary
Yes	Vaughan	Douglas
Yes	WHITE	GEOFF
Yes	Walia	Matt
Yes	Wamer	David
Yes	Whitaker	David
Yes	Wiegand	01Christina
Yes	Wiseman	adam
Yes	Woodward	00 Spud
Yes	berry	james "Chip"
Yes	brewer	00chester
Yes	campbell	calvert
Yes	colby	barrett
Yes	crosson	scott
Yes	emery	jeff
Yes	fabbri	jeffrey
Yes	griner	tim
Yes	joyner	woody
Yes	moss	david
Yes	poland	00steve
Yes	sandorf	scott

Yes
Yes

thomas
wilber

01suz
pace

SAFMC June Council

Attendee Report: Meeting (6/14/21 - 6/18/21)

Report Generated:

06/18/2021 03:12 PM EDT

Webinar ID

811-235-419

Actual Start Date/Time

06/18/2021 08:00 AM EDT

Duration

6 hours 60 minutes

Attendee Details

Attended

Yes

Last Name

BROUWER

First Name

MYRA

Yes

BYRD

01JULIA

Yes

Bauer

Tracey

Yes

Beckwith

00Anna

Yes

Belcher

00Carolyn

Yes

Bell

00Mel

Yes

Bianchi

Alan

Yes

Brame

Richen

Yes

Carmichael

01 John

Yes

Chaya

01Cindy

Yes

Christiansen

00kyle

Yes

Clarke

Lora

Yes

Collier

01Chip

Yes

Conklin

00 THE REAL Chris

Yes

Copeland

00 Bobby

Yes

Cox

Jack

Yes

Curtis

Judd

Yes

DeVictor

Rick

Yes

DiLernia

00Anthony

Yes

Donaldson

Mary

Yes

Duval

Michelle

Yes

Fletcher

Brad

Yes

Foor

Brandon

Yes

Foss

Kristin

Yes

Gentry

Lauren

Yes

Goodhue

David

Yes

Gore

Karla

Yes

Grimes

00 Shepherd

Yes

Guyas

Martha

Yes

Hadley

01John

Yes

Harrison

BeBe Dalton

Yes

Hawes

Rachel

Yes

Helies

Frank

Yes	Hemilright	00 Dewey
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Yes	Hudson	Rusty
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Yes	Iverson	01 Kim
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Yes	Karazsia	Jocelyn
Yes	Kellison	Todd
Yes	Killer	Ed
Yes	Knowlton	Kathy
Yes	Laks	Ira
Yes	Lyons Gromen	Pam
Yes	Malinowski	Rich
Yes	Marhefka	00Kerry
Yes	McCawley	00-Jessica
Yes	McCoy	Sherylanne
Yes	McGovern	Jack
Yes	Mehta	Nikhil
Yes	Mendez-Ferrer	Natasha
Yes	Merrifield	Mike
Yes	Murphey	Trish
Yes	Neer	Julie
Yes	Nesslage	Genny
Yes	Newman	Thomas
Yes	Nix	Sara
Yes	O'Shaughnessy	Patrick
Yes	Petersen	Andrew
Yes	Porch	00Clay
Yes	Pugliese	01Roger
Yes	Pulver	Jeff
Yes	Ralston	Kellie
Yes	Ramsay	Chloe
Yes	Reichert	Marcel
Yes	Rhodes	01Cameron
Yes	Roffer	Mitchell
Yes	Sanchez	John
Yes	Sapp	00Art
Yes	Schmidtke	01Michael
Yes	Scott	Tara
Yes	Sedberry	George
Yes	Smit-Brunello	00Monica
Yes	Smith	Duane
Yes	Spurgin	Kali
Yes	Stam	Geoff
Yes	Stephen	Jessica
Yes	Strelcheck	00-Andy

Yes	Sweetman	CJ
Yes	Thompson	Laurilee
Yes	Travis	Michael
Yes	Vara	Mary
Yes	WHITE	GEOFF
Yes	Walia	Matt
Yes	Waters	James
Yes	Whitaker	David
Yes	Wiegand	01Christina
Yes	Woodward	00 Spud
Yes	berry	james "Chip"
Yes	brewer	00chester
Yes	crosson	scott
Yes	emery	jeff
Yes	griner	tim
Yes	poland	00steve
Yes	sandorf	scott
Yes	thomas	01suz
Yes	wilber	pace