

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

HABITAT AND ECOSYSTEM COMMITTEE

**The Shores Resort & Spa
Daytona Beach Shores, Florida**

June 11, 2024

Transcript

Habitat Committee

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Observers and Participants

Other observers and participants attached.

The Habitat and Ecosystem Committee of the South Atlantic Fishery Management Council convened at The Shores Resort & Spa, Daytona Beach Shores, Florida, on Tuesday, June 11, 2024, and was called to order by Chairman Trish Murphey.

DR. BELCHER: In the essence of time sensitivity, what I'm going to ask of folks is that we hold back to at least open up the Habitat Committee, so that we can get the AP report-out on that, and then we will break for lunch after that report, and so Kathleen. For those interested as to who is on Habitat, actually everybody that was on the Shrimp Committee is part of Habitat, and then there's Tom Roller is on that, and so, in addition, we have Robert Beal, Tim Griner, Judy Helmey, Kerry Marhefka, Tom Roller, Robert Spottswood. Sorry. Trish is the chair, and so Trish.

MS. MURPHEY: Thank you, Carolyn. We'll just move to the agenda, and the approval of the minutes, after lunch, so we can go ahead and let Stacie give her presentation on the AP report.

MS. CROWE: Okay. Thank you, Trish. Good afternoon. I was prepared to say good morning, but it's afternoon, and I know you all have had a really long morning, and so I'm going to try to move pretty quickly through this. I do appreciate the opportunity to give you an overview of what the Habitat and Ecosystem Advisory Panel, or HEAP, as we call it, talked about in our spring meeting.

We started off by discussing the EFH five-year review. The HEAP had three focus areas for this five-year review period. Two of those focus areas, the buttonwood clarification subcommittee and the tidal freshwater boundary subcommittee, had already provided their recommendations to the council in December, and those were approved, and they have been integrated into the EFH User Guide.

Our third focus area was tasked with updating the prey matrix and references in the FEP II, and this proved to be really challenging, because the FEP II is a huge document, and so, after some internal council staff discussions, it was decided that this information might be better suited to be updated into the food web policy. The food web policy had not been updated since 2016, and so the panel decided that this would be more appropriate, and that workgroup is going to reconvene and continue incorporating diet information, prey abundance, and updating the reference section, and we're going to revisit that again in our October meeting.

Next, we started talking about energy, and we have had a subcommittee that was tasked with updating the policy statement on energy. Historically, this statement mainly covered oil and gas exploration, and, after some discussions, it was decided that it should also include renewable energy, and so they came to our spring meeting with a final draft, and the panel reviewed the draft, and it was updated, and we were ready to check the box and move forward, and then, later in the day, we had a couple of presentations on wind energy, and the panel decided that some of the information provided really should be put into this updated energy policy statement, and specifically information that focused on decommissioning and long-term wind impacts.

Next, we had those presentations on long-term impacts of windfarms and windfarm removal, and we heard representatives from Avangrid and Duke Energy give us updates on the Kitty Hawk Wind and Carolina Long Bay, and we also had a representative from BOEM who gave us a really nice talk on the decommissioning process, and this led to a lot of discussions amongst the panel members.

We talked about fisheries monitoring plans, some of the nature-inclusive designs that are being included in the windfarm project, such as EConcrete boulders and articulated mattresses, and one of the overarching concerns of the panel, that was discussed a lot, was the cable routes, specifically with the Kitty Hawk wind project, and then we also talked about long-term responsibilities of these windfarms and the decommissioning process, and so the end of those discussions was that the panel moved to make the additions bulleted on your slide to that energy policy that I talked about on the previous slide, and that included some additional references, some language to the mitigation section, and really some emphasis on long-term impacts of windfarms, and also what the decommissioning process is for these structures once their lifespan is up.

We started day two with an update from Pace Wilber from NOAA Fisheries Habitat Conservation Division, and he gave us his annual update on EFH consultations, and so Pace indicated that offshore wind is still taking up a lot of his staff's time, and he also kind of reiterated the panel's concerns that there was a lot of concern about where the cable routes will go with the Kitty Hawk wind project.

Pace mentioned that they are also reviewing a lot of fish passage projects and coral conservation. If you look at the pie charts on this graph, you will see that, as far as number of consultations, marinas and docks were definitely dominating their time, as far as EFH reviews, and so this led to some discussion amongst panel members about whether we need to have a policy addressing impacts from marinas and docks to EFH. I think we decided to table that until fall, again, for additional discussion. Then, as far as total acreage, there are a lot of dredging and artificial reef and beach nourishment projects going on in the region.

One of the emerging threats that Pace mentioned was a lot of shoreline stabilization requests for review, and he indicated that these were mainly bulkheads, but also that they're seeing an increase in the number of living shorelines, and so this led to some discussion among panel members about how exactly do we define a living shoreline, what are some of these other kind of green and green-gray stabilization projects that are coming down the line, and how do projects like those relate to more total gray projects, like a bulkhead, and so this also is going to be a topic of conversation for our fall meeting.

Next up was the annual activities report, and this was a new task for the HEAP. Kathleen is going to talk about this a lot more later, and so I'm not going to say too much about it, but she did come to the meeting with a draft, and panel members took some time to just go through the draft and add some comments and recommendations for her.

Then we kind of switched gears and started talking about water, and specifically we were discussing potential revisions to the alterations to the riverine, estuarine, and nearshore flows policy, and this was to address threats to the Indian River Lagoon. We had a nice presentation from an Indian River Lagoon Council member, and he kind of talked us through the history of the lagoon and some of the impacts that have occurred over the last several decades to habitat and fisheries.

Then we discussed the IRL estuary program and the restoration process and some of the steps forward, and, if you will note the picture on this slide, we just wanted to point out that these impacts have been -- They have occurred as a result of alterations to flow, and so there were forty-five

bridge or causeway projects in the Indian River Lagoon that altered the flow in the estuary and have led to a lot of detrimental impacts.

This is a concern for the AP, not just because of the Indian River Lagoon, but, also, members indicated that they have been seeing an increase in construction projects in the region that also alter flows, and an example of that would be tide gates, and so, at the end of that discussion, the panel recommended that we stay in communication with the IRL Council, and get updates on their progress, and support recommendations for appropriate waterflows, and, also, that considering the impacts to the lagoon, and also these other upcoming concerns about other projects that potentially impact flows, that the council revises the flow policy, or adds revising the flow policy, to the workplan.

These are just some images to kind of drive home how severe impacts can be when you alter flows. These are images from the Indian River Lagoon, and you can see that excessive nutrient loading has caused bacterial contamination, algae blooms, and that horrible fish kill picture at the top.

Continuing on with water, we had a great presentation from Shep Grimes, who is NOAA Counsel, and he gave us an overview of the Sackett versus EPA lawsuit, what that lawsuit entailed, and he talked to us about the Clean Water Act itself, and kind of what that encompasses, and then we talked about the definition of waters of the U.S., and so, just in a real simple nutshell, the EPA definition of “waters of the U.S.” was that it included navigable waters and all contiguous wetlands and adjacent wetlands. The new standard, in summary, is that it only covers navigable waters and contiguous wetlands, and so all those isolated pocket wetlands no longer have protections under the Clean Water Act, and we all know how important isolated pocket wetlands can be to biota.

In light of that, the panel had a lot of discussions about this topic, and it was decided to continue to review and evaluate state and local efforts to conserve those isolated pocket wetlands that no longer have federal protections and also to continue to explore how does this affect EFH consultation reviews for these areas that no longer have protections.

Moving on to the Coral 10 resubmission, I’m not going to talk too much about this, because you heard a great overview from Mike earlier, and Kathleen gave the AP a review of the current plan, and there was a lot of discussion about this also, and the HEAP voiced concerns over the NOAA visual survey, and also the lack of known habitat and growth data, and they decided that, as a panel, we did not feel comfortable with opening the shrimp fishery access area without more additional information and research.

Julia Byrd visited us and gave us an overview of the Citizen Science Program, and she talked about the ongoing projects with that, and, at the end of her presentation, she asked for some volunteers for her citizen science advisory panels, and I’m somewhat embarrassed to admit that we didn’t have a single volunteer for her, and so I’m sure she would be happy if any of you wanted to help her out.

Our last major topic was the habitat blueprint. Kathleen gave us an overview of the current policies, and where those stood, and we talked about EFH User Guide usage, and we reviewed plans for our next five-year review, and then we also talked about the workplan and added some short and long-term goals to that, and then, just finally, some other business, and we’re hoping to have our next meeting at the end of October.

The AP was reminded of the FISHstory scanning event, which happened on the last day of our meeting, and then Kathleen requested help with a SEAMAP habitat identification working group, and she got two volunteers, Charlie Deaton and Clare Pelletier from North Carolina, and then, just to wrap up our meeting, Kathleen took a really nice picture of our entire group that she's going to include in the habitat webpage, and so sorry that that was very quick, but, if you have any questions, I would be happy to answer them.

MS. MURPHEY: Thank you. Does anybody have any questions? No questions. Okay. Well, thanks so much, Stacie, for coming down and presenting to us, and sorry we kind of got behind, but I appreciate you being able to take the time and present things. I guess I will hand it back to Carolyn.

DR. BELCHER: Okay. For all intents and purposes, we're at 12:15, and so knowing that the lunches did pretty much take a little bit more than an hour, we're going to stick with an hour-and-a-half for lunch, and so be back at quarter to two, and we will go back into Habitat and readjust the agenda to make sure we pick up the items that we've missed, but thank you for everybody's patience, and we'll see you back at quarter to two.

(Whereupon, a recess was taken.)

MS. MURPHEY: Do we have everybody here? We'll just go ahead and get started. We've got some easy things right now. I'm looking to approve the agenda. Is everybody good with the agenda? I'm not hearing anything, and I'm going to say that it's approved by consensus, and then, also, approval of the December 2023 minutes. Any concerns over those minutes, or edits? Then I'm going to call those approved by consensus.

We've already heard from Stacie on the habitat report, and we also heard discussion with shrimp, and so, from there, we're going to go ahead and hit the Annual Habitat Report, and that's going to be Kathleen. Go for it.

MS. HOWINGTON: All right, and so the annual activities report, and I am not going to go through this in detail, because it is a very detailed report, but, in September of 2023, the council approved the habitat blueprint. In that, you outlined a requirement for the Habitat AP to produce an annual report. The idea of the annual report was that it was going to discuss habitat activities that were not outlined in the HEAP report but that are something that would be of interest to the council.

A few things that I just want to highlight, and, like I said, I'm not going to read through them, but the update on major regional activities and projects in the South Atlantic, and so this goes into the Mark Clark Expressway potentially be expanded, and it just got a new EFH consultation, and some fish passage restoration things, and there were two changes that the HEAP made to the outline that you all approved last December, one of which is we added in an emerging disease category underneath the potential future or developing habitat issues and threats.

This section is really going to probably help us outline the HEAP's subjects that we're going to be talking about in the future, and so this section is very important, and I would definitely recommend you reviewing all of it, including the emerging disease section, and the only other highlight that I wanted to mention was we did have a funding opportunities, projects and opportunities section,

and, unfortunately, that became more of a funding concerns discussion, and then a little bit of funding opportunities, but please read through this.

This is the first time we've ever created this annual report, and, like I said, it's very detailed. If you have any questions, comments, feedback that you would like to give, suggestions on any kind of theme or subject that you want us to discuss, please email me, and I will make certain to bring that back to the Habitat AP next spring, and so you will be receiving this every spring, or summer, whenever the Habitat Committee meets, and the HEAP will be developing it right before then. With that, that's all I really had to say. Back to you, Trish. Then I think back to me, for the rest of the committee.

MS. MURPHEY: So does anybody have any comments on the report right now? You know, did you get a chance to review it and have any comments to share at this point? So any questions about the report? Okay. If you guys could maybe review the report, and, if you do have any edits, or suggestions, or input, would you just send Kathleen an email, and I think she would be appreciative of that.

This is the first report, and so it would probably behoove us to spend a little time to look at it, if you can at some point, and just get back with Kathleen, and so any other questions or concerns for the report? Okay. So we'll just move along. Probably the big piece of the meeting today is going to be the Coral Management, and so I will turn it back to Kathleen to go over Coral Amendment 10.

MS. HOWINGTON: Thank you, Trish, and so Coral Amendment 10 -- I was very grateful about the conversation that we had earlier today, because it highlighted a bunch of the points that I'm going to bring up, and so I'm sorry if some of this is repetitive. Just to remind you all, you moved to resubmit Coral 10 last December, and the IPT has since met once, and now we addressed, during the IPT meeting, these items that are listed here, and these are the things that we needed to tweak to be able to resubmit.

How is the proposed action minimizing EFH, how the proposed action is consistent with the goals and objectives of the Coral FMP, how does the proposed action minimize bycatch, and then consider input received, including the following bullet points, but also just received during public comment.

Like I said, the IPT meeting has reconvened, in March, and we discussed these items, and then we identified areas for updated analysis and additional language. However, the IPT would like to request some feedback from the council on the rationale of those this proposed action is consistent with the goals and objectives of the Coral FMP, specifically regarding protection of EFH.

When the IPT met, and this concern was raised, and, as you all know, I am a new staff member, and I kind of went back into history, and this is where we're going to go into a little bit of story time, and I apologize that this is going to be a little bit of a longer talk, and I did bring popcorn on the snack table, and so feel free to snack away, but, since Jessica is the only sitting member who has been here during this entire process, I would just like to walk us through the Coral FMP, and Laurilee, but the Coral FMP goals and objectives, the history of Coral 8 and Coral 10, and then review the purpose and need of this amendment, to try and meet that request for rationale and

logic, and see if we can all figure out how to make this Coral 10 more congruent with the Coral FMP goals and objectives.

Those are outlined directly in front of us, to optimize benefits generated from the coral resource, minimize adverse human impacts, designate coral areas of HAPCs, increase public awareness, and provide coordinated management regimes, and so those are the current and standing Coral FMP goals and objectives.

Then here is the history of the development of Coral 8 and Coral 10, and I have read a lot of minutes to be able to develop these, and so, again, I apologize, and I have made it as succinct as possible, and so Coral 8, and Coral 8 was initially expanding the Oculina CHAPC in the Comprehensive Ecosystem-Based Amendment 3, and so that was where this all got started. In June of 2012, the council recommended that maybe this expansion needed to get a little bit more focused, and so they split it from CEBA 3, and they wanted to get feedback from the LEAP and the Habitat AP, which ultimately ended up being the Shrimp, Coral, Habitat, and LEAP that all came together, and they all met, and they recommended these seventy to hundred-meter contour line.

However, the shrimp fishery then got VMS, and so Coral 8 was then delayed to be able to wait for VMS information, to be able to determine exactly where this fishery existed. The APs reconvened a year later, and they re-identified that seventy to 100-meter as the contour line for the northeast area. That motion to add the Deepwater Shrimp AP recommendation, that subalternative of seventy to 100-meter, was then added in and approved by the council, in June of 2013, and then Coral Amendment 8 was submitted for approval in September of 2013.

Unfortunately, in December of 2013, the shrimp fishery had received more VMS data that had shown that they actually do go fishing a little bit inside of that seventy to 100-meter contour line, and so they brought that information to the council three months after Coral 8 was initially submitted. The council was interested in that, but, ultimately, Coral 8 had already been submitted, and they decided to move on.

In March of 2014, the council recommended that maybe we consider an EFP. Ultimately, the council ended up saying we need more information, and so, in June of 2014, the council wanted more VMS data, South Atlantic bycatch results, observations of algae, and the whole nine yards was a request for information, and, in December of 2014, the council received all the public comments about this, including from our shrimp fishermen, who were very adamant that that line, the seventy to 100-meter, was not accurate with the VMS data and they needed a little bit cut in on that northeastern boundary.

Again, the council said look at this northern extension boundary, and please go get information, and then, in June of 2015, there was a direction to staff to develop an amendment to change the eastern boundary line of the northern extension of the Oculina HAPC. Then Coral 8 is implemented right after that.

Unfortunately, there was a lot of delays that then occurred after that, and there were some issues with VMS ping data, and there were some issues that I have on here of some coordinates that were initially printed in the Register were incorrect, and they had to be -- They had to release a correction in the Federal Register, and so then, in June of 2018, there was direction to staff to develop an

options paper for shrimp transit, the golden crab amendment, and then the Oculina Bank, which, ultimately, the council ended up splitting the CHAPC boundary conversation out and moving forward with golden crab and the shrimp transit and then bringing back the Oculina Bank boundary in September of 2019.

Finally, in September of 2020, and this is actually a quote from Jessica, the council moved forward with the Oculina area modifications, with the intent to review in December of 2020, and this was a top priority for you guys, with the presidential EO on seafood competitiveness and economic growth.

Here's where I'm really kind of bummed about what Jessica said earlier today during the Shrimp AP, because this was where I was going to ask the logic behind this jump right here, and so, in September of 2020, the wording that the council was using was "area modifications" and "boundary modifications", and then, at some point in time, specifically between June of 2021 and September of 2021, it went from boundary modification to a shrimp fishery access area to be developed underneath the Coral Fishery Management Plan.

The reason why I highlighted the change in the language is because changing a boundary of an HAPC is a framework amendment, and establishing a shrimp fishery access area underneath the Coral FMP is a full-blown amendment, and so I was going to actually pause right now and ask -- Jessica, I'm going to call you out, of trying to figure out the logic behind this.

MS. MCCAWLEY: I looked at this also, in the packet of information that Laurilee had, that was kind of the listing of the minutes as well, and I couldn't really make a determination either, but, yes, and just -- I will say it again, and I said it in the Shrimp Committee, but I guess I just have concerns with submitting this under the coral management plan objectives, fishery management plan objectives, just because I don't feel like it meets those, and so I don't remember this discussion exactly. I do remember, you know, when it was pulled apart from golden crab, and why we focused only on this one area, and not on the golden crab areas and all that, but I don't know why it went with the shrimp fishery access area.

MS. HOWINGTON: So, unfortunately, I also could not find the logic in the minutes. However, the council approved Coral 10, which established that shrimp fishery access area on the northeast boundary of the Oculina Bank in November of 2021 and submitted it, and we got the letter for disapproval, and now we are here at the pretty red marker.

Since then, the three APs, applicable APs, the Coral AP, the Habitat Ap, and Shrimp AP, have all received an update that this resubmission is occurring. The Coral AP has actually received two emails from me, letting them know that this presentation was going to occur, that the Habitat AP was going to talk about it, and the Habitat AP also received an update, and, like we said earlier, they expressed concern about the lack of data on sediment resuspension, whether the coral is present in the area, habitat restructuring, habitat quality, and they expressed a preference for more information.

The Shrimp AP would rarely use this area if it was open, and the Shrimp AP only uses it on occasion, whenever the Gulf Stream moves, and they try to avoid the coral as much as possible, because it destroys their gear, and, due to the currents, which are really, really strong in this area,

only the experienced fishermen go in there, and they typically are about three football fields away from any known coral pinnacles that we are aware of at this time.

So I circle back to my original request, now that you have all walked through Coral 8 and Coral 10 with me, and what is the rationale, or the logic, for how this purpose and need for Coral 10 adheres and is congruent with the Coral Fishery Management Plan, because that is one of the biggest things that we need to fix, specifically with protecting EFH, and, in Coral 19, that's one of the biggest things we need to tweak to be able to resubmit this and have it be successful.

MS. MURPHEY: All right. Thank you, Kathleen, and I attended the Habitat AP meeting, and you heard all the discussion, and heard all the concerns, and I kind of just want to reiterate those concerns, and I know that Kathleen shared those with you, but I would like to just again -- They really stressed wanting to be heard on this issue, and so I'm going to just share it again, that -- Especially one of our AP members was very passionate in the concern of this, and, you know, that person did understand a balance between a fishery and the habitat, but, again, she felt very strongly that we need a lot more research on it.

There was concerns about the monitoring study that was done, and there were only two successful dives, out of ten or eleven, and just due to the difficulty, which the fishermen actually say you've got to be experienced to be out there, but it was difficult to get the sampling done that was needed, and they were very concerned about that, and they were very concerned about sediment impacts, and they said that, you know, sedimentation could kill, you know, a cohort, a whole cohort, of very small corals, and, you know, these corals have been around for thousands of years, and it takes thousands of years to develop.

I am just wanting to reiterate their concerns to this council, and they really wanted to make sure that they were heard, and so I'm just reiterating those concerns, and so I know, even Mr. Merrick said that -- He talked about boundaries to begin with, and then it became a fishery access area, and I'm hearing, you know, Jessica thinks this is not an appropriate thing, an appropriate place, if we're going to do a fishery access area, and I don't know whether discussing making a boundary -- Going to a boundary change, if that's a discussion point to get at for this committee to talk about, or, anyway, I'm just throwing some things out there, and I'm sorry, Laurilee, and I know you had your hand up.

MS. THOMPSON: I am still thinking. My hand went back down.

MS. MURPHEY: Okay. Then I will let Kerry --

MS. MARHEFKA: I think it's TBD the vessel -- I think we're going to need some guidance on that, but it's very clear, from the outset, knowing the history of this, that this was just intended to be a boundary modification. I wasn't around, obviously, when Jessica was, but, from the time we submitted Coral 10, past that, I was, and I don't recall ever having an in-depth discussion on the record about changing it from a boundary modification to -- I really think there wasn't a lot of -- I don't know where the thoughtfulness came in in calling it the shrimp fishery access area, and it sounds like Kathleen -- I just have a couple of points to make before that.

Honestly, I'm embarrassed. I'm embarrassed, when we're in front of these fishermen, that this was never supposed to have gone this far for them. Now people are using it to sort of twist what

the intention was, and coming up with different justifications to keep them out of an area that they weren't really ever supposed to be kept out of anyway. As soon as we passed Coral Amendment 10, there was magically money to go out there and look at the area, and I understand that maybe the conditions weren't right, but I've never seen a research cruise happen faster in my entire life, and I would like to go on the record as saying that I propose that we open all eight deepwater MPAs.

They had the chance to look for that research, from what I recall from the time, and reviewing it since then, and sort of the science on the dangers of the sedimentation in this area is speculative, at best, and, I mean, you're really putting -- We're putting the burden on this industry to prove that they're doing any damage to an area they're not even in, and I don't understand where the burden of proof is. We know where they're at, and there can't be those stands of coral, because they can't fish in those stands of coral, and so I am a very strong proponent of cleaning this up in whatever way we need to, changing the name, because I do think it is literally just a boundary modification, and we are not opening a new area and saying, hey, shrimp fishermen, go back to -- You know, here's a whole new area to go into.

I have faith, and they have shown us, with all of their work, time and time again, they're not interacting with this coral, and so, whatever we need to do, whatever the mechanism, and, if we need to move it back over to -- I don't think we can move it back over to shrimp, if it's a boundary modification, because we're modifying the Coral HAPC, and so I think we have to do a coral -- I think it has to be a coral framework, and we call it a boundary modification.

MS. MURPHEY: Robert.

MR. SPOTTSWOOD: I was just going to ask -- Kerry, is it even a modification, or is it a correction? I mean, technically -- You can argue about that, but the point here is that there was a mistake made, and it was already approved, and this area was supposed to be left open, and it wasn't, because it was drawn improperly, and so it sounds like this is a correction, and not a modification, and you probably shouldn't have to go through all the processes to do a modification, and that's my observation.

MS. MURPHEY: Okay. Thank you, Robert, and I've got Monica.

MS. SMIT-BRUNELLO: I think, if you call it a boundary modification, that's under the Coral FMP, and, whether it's a framework or an amendment, you still have to meet the goals and objectives of the Coral FMP, and so you've got the same issues. You would have the same issues before you as you have now. When I looked back, to kind of untangle a little bit of what happened, and not in the depth that Kathleen did, because I was at the table then too, in addition to Jessica, and I was trying to figure this out.

So the -- If you give me just one second, the Comprehensive Ecosystem-Based Amendment, CEBA, and everybody calls it CEBA, and CEBA-1 was an amendment -- That document amended seven FMPs, and, when it amended all those FMPs, including the Shrimp FMP and the Coral FMP and Snapper Grouper and so on, it established some deepwater coral habitat areas of particular concern, and then it also established some fishery access areas. It established some shrimp fishery access areas in those new deepwater coral HAPCs, and it didn't address Oculina, okay, and then

we moved forward, where we have Coral Amendment 8 that expanded the Oculina HAPC boundaries, and it didn't address any kind of shrimp access areas.

It did in the way that they -- This was a little confusing, and apparently those shrimp fishery access areas used to be labeled -- There were four of them, and they were A through D, and they renamed them 1 through 4, and so maybe that's where the shrimp fishery access area idea came into Coral 8 and then got carried over to Coral 10, and so, theoretically, and, actually, I think CEBA-1 used the Shrimp FMP to put in fishery access areas into those HAPCs, but, whether you do this under the Shrimp FMP or the Coral FMP, you have the record you've built, right, which is you have a lot of people concerned about this potential area being -- Shrimp trawls being allowed in there, and so those kinds of things don't go away.

Maybe you can avoid somehow the Coral FMP objectives, but still that's part of your record, and so I think we have to address them in some way, and it's not like they disappear because all of a sudden you switch FMPs, because then it looks like you're just trying to play a shell game, which I know you're not, but it looks like, oh, well, let's do it over here, because this is going to be easier, and so you have the record that you have, and we just have to figure out, going forward, how best to go forward.

Again, if it's a boundary change, it's definitely a Coral FMP amendment, and I think maybe you could do this under the Shrimp FMP, with some access areas, but you're still going to have to address a lot of the issues that were the reasons for disapproving Coral Amendment 10, and that area is also EFH for snapper grouper, and I think it's EFH of particular concern, or whatever we call it, for snapper grouper as well as for coral.

MS. MURPHEY: I've got Tom and then -- Thank you, Monica. I've got Tom, and then I will get Carolyn.

MS. ROLLER: Thank you, Trish. I'm just going to go back to some of the comments from the Habitat Committee, and I would just add that a disapproval of an amendment is no small thing, and it does not happen very much. My concern here is, and everybody is obviously making really valid and important points, is that we still really haven't been able to address any of the potential sedimentation concerns that were expressed in the disapproval letter.

MS. MURPHEY: Thank you, Tom. Carolyn.

DR. BELCHER: I was just going to ask Kathleen if she could remind us what the disallowances were that come back, because, as we talk about the objectives, was that specifically stated about the objectives relative to habitat? I just -- It's a reminder thing, and I just don't remember all of what was in there.

MS. HOWINGTON: I will go pull up the letter right now, to make certain, but this is how I've summarized it, and so let me get the exact wording.

MS. MURPHEY: While she's doing that, Jessica. I'm sorry. Laurilee.

MS. THOMPSON: I want to go back and look at the calendar thing, and I don't know what slide it is, but -- There you go. So, in October of 2012, there was the joint meeting between the Shrimp,

the Coral, Habitat, and Law Enforcement APs, and it was a huge -- It filled up a room at the Radisson Resort at the Port, and that was when -- At that meeting, it was agreed that we wanted the seventy to 100-meter contour line, and then you're right that Coral 8 was delayed because Roger wanted to verify, with VMS, that what we were telling him was true about where the shrimpers were working.

Then we got the VMS, and it was 100 percent accurate, and it showed where we were fishing, and so then the APs reconvened, and they created a subalternative, in May, based on the new VMS information on the seventy to 100-meter contour line, and so, in that folder that I gave you guys, there's a single page, and it looks like this, and, if you turn it sideways, with the blue part facing down, and you look really hard, you can see that that pink line, that is on the offshore side of the reef, is right on the seventy to 100-meter contour line, and that's what we all agreed on, and that was what we were supposed to get.

The Coral Committee agreed to that, and Law Enforcement and everybody agreed that that was what we wanted. Well, when the APs reconvened in May, when we were given the minutes from the October meeting, the whole afternoon portion of the minutes wasn't there, and we said, well, where are the minutes, and that was the part of the meeting where everybody agreed that the seventy to 100-meter contour line was what we wanted, and so we objected, and we did not approve the minutes, because the most important part of the minutes, for us, was missing, and we were told that the recorder never got turned on that afternoon, and there was no recorded version of the minutes, and so, therefore, whatever happened that afternoon was basically irrelevant.

We did object and ask that the seventy to 100-meter contour line be included before Coral 8 was submitted, and it got submitted anyway, without making this change, which we thought was going to be made, and so, once that was done -- Once we saw what was going to be submitted, a whole bunch of us went to the council meeting, and it was at Ponte Vedra, and a whole bunch of the shrimp boat captains were there, and they all spoke, and we were told, by the chair of the council at the time, and the Executive Director, that we need to get this submitted, because we need to protect the coral.

Well, none of the shrimpers were opposed to protecting the coral. We wanted the coral protected, but we wanted that valuable piece of bottom, that all of the APs had agreed to, and we wanted that in the submission, but we were told that it would take two years, and they would have to take it back out to public comment, and meetings, and it would take two years to modify the amendment, and that, if we would just let it go, that they would come back and immediately start a new amendment that would open up access to that area. We don't care whether it's a boundary shift or whether it's a shrimp fishery access area. That area was supposed to be submitted in Coral Amendment 8, and it wasn't, and that's why we're here today.

There is other documentation in the package that I gave you, and there is pictures that, you know, show the difference between the amount of bycatch that the rock shrimpers catch, and that picture in the middle was taken in the mid-1970s, and you can see that that big pile of shrimp is loaded with big flounder, and big fish, and the other four pictures, and the only bycatch they catch now are these little silver flat fish, and an occasional like six or eight-inch flounder, and they don't catch any bycatch anymore, and so that shouldn't even be an issue.

The other thing that I gave you was a map, and it's got some numbers on it of how many feet away from the western edge of the shrimp access area these waypoints are, and, also, no record of, because we didn't have the minutes from the October 2012 meeting, but the Coral Committee agreed that a quarter-mile boundary away from the coral was adequate, and that's what they said at the time. I know they've changed their minds since then, but that's what they said at that meeting where we have no record of.

They said that they would be happy with a quarter-of-a-mile distance away from the closest pinnacle, and so these points that are on this map -- These are the closest pinnacles to the western edge of the boundary. The majority of the coral is further to the west than where you see these yellow waypoints, and so those are the pinnacles that were closest to the edge of the boundary, and I took Mike's drawing, that is on the next page, that shows how he ended up with an estimation of -- The shrimpers, they start their drags over a thousand feet east of the edge of the western boundary right now, or the eastern boundary, and so they would be starting their drags a thousand feet away, and so, in reality, their first drags would be -- Some of the points, and it depends on which pinnacle they're going by, but they're all -- Except for Number 10, they're either right at a half-mile or more than a half-mile away from the pinnacles that are closest to the edge of the boundary. They start their drags on the closest side, and that's to get the shrimp starting to move away from the coral, and from the edge of the boundary, and then they progressively work offshore.

You've got to think about what they're working on too, and it's not flat bottom. It's the side of a hill, and so they're starting at the top of the hill, and they're working their way down, and so, you know, they are -- They're a quarter-of-a-mile further offshore than what the Coral Committee wanted in October of 2012, and I think that that -- You know, that's a pretty good argument, you know, about protecting the essential fish habitat. They have been fishing that bottom for fifty years, before Coral Amendment 8 was put in place, and, when they investigated --

I know they weren't able to do very many drags, when Andy sent the boat around the following summer, but he found no evidence of coral, and that was seven or eight years after Coral Amendment 8 was passed.

It's mud bottom, and I know, from when I was longlining, you know, because this is how we did it, but, if we had like a hardbottom hump, we would start the gear kind of as close to the edge as we could, and right next to the coral would be all the big groupers, and then, the further you got away from the hardbottom, the smaller the fish got, and then, when you got out to pure mud, you didn't catch anything anymore, because the snappers and groupers aren't out there on the mud. They're in that transitional area, where you have like a mud and shell mix, that is close to the coral and the hardbottom, but, once you get out in the mud, there is no snappers and groupers out there in the mud. You see the pictures, and it's little silver flat fish, and so I don't think that that's an issue either.

I can't -- I don't have the best scientific information available on a plume, but I have talked to the captains, and I asked them, you know, when you guys -- If you were to throw an anchor out there, what would come up on your flukes, and mud. You know, not sand and shell, but mud would come up, and so they -- Also, this isn't a big dredging operation, and this is -- Like Mike said, it's a tickle chain dancing over the top of the bottom, and the sleds on the doors are bouncing along the top of the bottom. They have got chafing gear on the cod end of the bag that is dragging over the top of the bottom, and there is likely not a huge sediment plume.

I don't know whether it's going to drift a half-a-mile, more than half-a-mile, to get to those closest pinnacles, but what I do know is that we fished that area for fifty years, and, when they did the research dives, they found healthy coral all the way up and down, from the Cape all the way up to St. Augustine, and there wasn't -- There wasn't near the damage to the coral that had occurred down off of Melbourne, and that damage had occurred from the scallop dredges in the 1970s and 1980s, and so I -- If I didn't believe, in my heart, that we're not doing damage to the coral, I wouldn't be sitting here saying what I'm saying. I mean, I built a -- I'm pretty well known as an environmentalist at home, you know, and I -- I will stop talking for a while, until I can think of something else, but I will let somebody else talk.

MS. MURPHEY: Well, thank you, Laurilee. I appreciate all that, and, you know, some more history that you gave on that, on the agreement to the seventy and 100-meter contour line, and so, you know, I get it. I will go ahead and go to Jessica and then Carolyn.

MS. MCCAWLEY: So the council, and this is my recollection, has already decided that we want to resubmit this amendment, and so isn't what we're doing today just looking at the points from the letter and figuring out what needs to go with the resubmission and coming up with the rationale for those points, to combat every reason that NOAA disapproved the amendment for, because we've already made the decision to move this forward, and so should we be kind of hitting the goals and objectives of the FMP, the bycatch, those two or three things, and I think that Laurilee provided some information on the bycatch, and do we need to kind of systematically go through those points and figure out the changes there for the resubmission?

MS. MURPHEY: Yes, I think you're right, and I've got some thoughts, but I will let Carolyn go.

DR. BELCHER: Just piggybacking on what you were saying, I had a similar thought, with just coming down the list, and, obviously, we initially supported Coral 10. I came in at -- September of 2019 was my first meeting, and so, to me, some of the questions -- I am kind of surprised that we didn't catch the fact that it wasn't in alignment with the objectives to begin with, but, I mean, you can't put the cow back in the barn anyway, but, again, trying to figure out where is the appropriate FMP, if this is not it, and then how do we get it into the correct -- I mean, I think that's just some of that same conversation that you were thinking, is walking through the steps to get it into the appropriate place, so we can move forward with it.

MS. MURPHEY: All right Thank you. I am hearing, around the table, that we do want to move forward with Coral 10. How we do that, first we'll look at the objectives, but I wanted to throw out the idea of do we want to discuss boundary versus the shrimp fishing access area, because I'm wondering if going the boundary route might be the better approach, especially since what I'm hearing, as far as the history, is that it started out as a boundary, and so maybe go back to that, and I'm sorry, Andy. You're next. Go ahead.

MR. STRELCHECK: I mean, it certainly would be helpful, because Kathleen talked about the IPT having kind of walked through our letter and how the IPT was going to respond to that, and so hearing more from the IPT on that would be helpful.

In reviewing, obviously, Coral 10, and our letter, but also the presentation, to me, I think the biggest things -- We have to focus on everything, but the biggest things that you need to really

focus on answering are minimizing adverse effects of fishing on EFH, right, and I heard, obviously, some of that coming from Laurilee and her experience with the shrimp industry, but then also going to the Coral FMP and minimizing adverse human impacts on coral, coral reefs, and live hardbottom habitat, right, and I really appreciate, Trish, you talking about what the Habitat AP had to say, and some of their concerns about sedimentation, because I think that's really probably the area that we know the least about, have the least information.

As it was pointed out, Clay, and his team, went out and did research to try to look at the bottom out there, and they did not discover corals, right, and they were only able to sample a small area, but, ultimately, at the end of the day, it at least provided us more information than we had prior to when we passed Coral 10, and so, when I was talking to my coral and habitat teams, you know, one of the things that I was looking for, that, you know, may be an opportunity, was, you know, are there commonly used buffers for fisheries, fish trawling, for some of the other work that we do, and there's really, obviously, no smoking gun here.

There is no silver bullet, and my habitat team indicated that, depending on the project, current patterns, eddies, sediment size, it could be anywhere from 400 to 1,000 meters. In the Gulf of Mexico, we, obviously, do a lot of work with the oil and gas industry, and they have buffers, and set-asides, between where oil and gas activity occurs and these high-density deepwater benthic communities.

I emphasize all of this because probably one of the most important aspects is, whether we're talking a boundary amendment or a shrimp access amendment, is where that boundary is drawn, how that's providing shrimping activities for the rock shrimp industry, how that's also providing that protection and needs for meeting the Coral FMP objectives, given this is a slow-growing coral, and so I really want to, obviously, work through the rationale, and, if there's other things that we can look to as proxies, or examples, maybe that will be a sort of benefit, in terms of the rationale for the amendment, as well as the potential consideration of moving that boundary to address any of the potential information that could emerge from those investigations. Thanks.

MS. MURPHEY: Thank you, Andy. Jessica.

MS. MCCAWLEY: I was going to try to start hitting some of those points, if you're ready. The minimize adverse effects of fishing on EFH, I believe that the buffer ranges, in this area, anywhere from 310 to 700 meters, and so part of this, to me, is a discussion on how big does that buffer need to be. Since the research indicated that there aren't any deepwater corals there, that, to me, also gets to the how big does the buffer need to be for an area that doesn't have corals, but anyway, and I think that we could also get into the strict requirements that are already in place for the rock shrimp fishery, the number of participants, the possibility of the number of people that could be in there, and those boats have VMS, and so I think you could get into the very strict requirements that are in place for this fishery, and that, I believe, also helps get to minimizing adverse effects on EFH.

MS. MURPHEY: Laurilee.

MS. THOMPSON: To add onto what Jessica just said, is the self-imposed additional quarter-of-a-mile buffer that the shrimpers impose on themselves, in case there is a malfunction or something that goes on with the VMS, and that's what Mike illustrated in that drawing of the shrimp boat,

and he did a really good job of showing that. You know, it shows where the nets are, you know, and how big the outriggers are and all of that, and so the captains -- They will -- They automatically impose a 1,215-foot buffer, two nautical miles, two-tenths, from the boundary, to allow for the margin of error in their electronics, and so none of them are going to get close to the boundary. You know, it's too costly.

MS. MURPHEY: Jessica.

MS. MCCAWLEY: I don't know if these are questions for Kathleen, but the part in the letter about minimizing bycatch, and then kind of a description of the bycatch, could we not get into the fact that BRDs and TEDs are required in these nets, and then could we -- If they're looking for a description, could we go back in time, to some of the years when they did fish kind of along this area, and are we just kind of listing out some of the species that were caught at the time, the last time that they trawled the area, and so I guess I'm just kind of wondering -- When it says explain the bycatch, could someone offer some information? Can the IPT, or something, offer some information about what we think we need to articulate that?

MS. MURPHEY: I will let -- Kathleen, can you answer that, real quick, and then I will get to you, Andy.

MS. HOWINGTON: So there was a limited bycatch analysis, but one of the things that the IPT is going to look into is doing a full-blown bycatch analysis, but I like the idea of also highlighting the BRDs and the TEDs and then trying to look at historical bycatch, and listing that out as well, and so I've typed that out as potential things to include.

MS. MURPHEY: Thank you, Kathleen. Andy.

MR. STRELCHECK: Laurilee, a question for you. You just talked about a quarter-mile self-imposed buffer. If we drew the line a quarter-mile to the east, would then they self-impose another quarter-mile, or would they fish closer to the line at that point, because they know there's more separation between the Oculina Bank and where that new boundary line is drawn?

MS. THOMPSON: They would still stay with the quarter-mile self-imposed restriction, because they're going to be further away from the coral, but they're not going to be further away from the boundary, and so that boundary -- Crossing that boundary, that's when they get in trouble, and so dragging right next to the boundary -- I mean, if you lose power, or anything, and your electronics could be off, and they would not go any closer than that quarter-of-a-mile, and so, if you moved the boundary further to the east, you would basically be cutting -- You would be cutting the shrimp fish access area in half, because they would still use that self-imposed quarter-of-a-mile distance away from the edge of the boundary, in case there's anything that might go wrong.

Now, I will sit here and tell you that cutting the area in half would still be beneficial to the shrimp boats, but that's not what we were promised back in 2012, you know, but it would help, because, you know, when the shrimp are falling out, and coming downhill, and they just keep coming down, and coming out of the reef, and coming out, and the boats are dragging back and forth, and they're going back and forth over the same area, and they're catching lots of shrimp on every drag, and so it would definitely give them a little bit more area to shrimp, but, you know, we would really like to have the whole shrimp fish access area that we feel like is owed to us.

MS. MURPHEY: Go ahead, Andy.

MR. STRELCHECK: Sorry to get into a back-and-forth, and so I really appreciate that, Laurilee, and, you know, where I'm coming from, from the Fisheries Service perspective, is where, you know, the rationale for denying this letter -- You know, I'm not saying we need to come up with a compromise, but is there an opportunity here, where it doesn't meet the promise, or whatever you were told way back when, or how you view it as a mistake, but there's an opportunity to still expand access, meet the goals of the shrimp fishery, as well as the goals of the Coral FMP. Where that line is drawn would still have to be determined, and that's why I was asking the question about that quarter-of-a-mile buffer. Thank you.

MS. MURPHEY: For my clarification, so Andy was asking about moving that line a quarter-of-a-mile east, and then you --

MS. HOWINGTON: He is saying take this seventy to 100-meter contour line on this side, on the east side of this, on the northern boundary, where it is, and moving it a quarter-mile to the left, and no further, and so a quarter mile west. Yes?

MS. MURPHEY: I swear I thought you said east, Andy, but --

MR. STRELCHECK: I'm saying east because that's the inner boundary of the shrimp access area, right, and so essentially narrowing the shrimp access area, but I'm not suggesting that a quarter-mile is the correct answer. I was just asking that from a question standpoint.

MS. MURPHEY: Right. I got that, and then my understanding, from Laurilee, was that, if that did happen, you would not do a self-imposed quarter-mile off that additional boundary, and it would be off the coral?

MS. THOMPSON: If I'm looking at this drawing, which helps me, you're talking about moving that blue line that is the -- Right now, that is the -- That is the -- That is the boundary. That's the boundary that we ended up with, and you're talking about moving it half the distance to the west, towards the seventy and 100-meter contour line, and am I correct in that?

MS. HOWINGTON: I think I've got it. Okay, and so this picture right here is the proposed shrimp fishery access area, as stated in Coral 10. Andy is suggesting moving the left-hand line, the west boundary, a quarter-mile to the right, to the east, and so there will still be a shrimp fishery access area in this area, but it gives us an additional little buffer between the shrimp fishery access area and the coral, and so you're saying taking this left-hand line, these dots, 2, 4, 4, 5, and then the 1 and the origin, and moving it a quarter-of-a-mile west, right?

MR. STRELCHECK: Yes, to the east, the interior line to the east, but, once again, I was just basing that on what Laurilee was saying, and I'm not saying that as a definitive statement, that that is my recommendation, right, and so she just was suggesting that they already self-impose a quarter-mile buffer, and so my question to her was specific to, if you eliminated that self-imposed buffer, right, you essentially are drawing the boundary line a quarter-mile to the east, where they would want to shrimp already.

MS. MURPHEY: Okay. I got that, and so that was why my follow-up -- I did not quite understand whether Laurilee said that you would do another self-imposed off that or you would just move -- That you would fish the boundary, but you would do another self-imposed line?

MS. THOMPSON: (Ms. Thompson's comment is not audible on the recording.)

MS. MURPHEY: Okay. All right. That's all. I'm sorry, and I didn't mean to drag that out, but I didn't understand, and so I just wanted to make sure, and so thank you. Jessica.

MS. MCCAWLEY: Just a couple of things, and it's already a small area, and we're talking like twenty-two square miles, but -- And I'm not saying that Andy is suggesting the quarter-mile, but that would be like adding a 400-meter buffer. The smallest the buffer is right now, throughout that area, is 310 meters.

There is some areas where that buffer is 700, even going -- You know, adding this in, the buffer is 700 meters, which is bigger than a quarter-mile, and so, if Andy is suggesting that maybe this gets approved, because you fixed the buffer, I don't think that you need to move the whole line, and you would just move certain points on the line, because the buffer is already 700 meters in some areas, and you would, I think, go to the area where the buffer is the smallest and move that line a little bit. I get what Laurilee is saying, that this was not the original agreement, and that here we are splitting hairs about this kind of technical fix, but I was just trying to add some -- Kind of here's some ways to get to kind of what Andy was saying.

MS. MURPHEY: I appreciate that, Jessica. Robert.

MR. SPOTTSWOOD: Perhaps I'm confused, but, Laurilee, what you're saying is that, regardless of where the line is, the fishermen are going to use a half-mile buffer to avoid a violation, or a quarter-mile, right, because, regardless of where you put that line, if VMS messes up, or they lose signal or something, they don't want to get in trouble, and so, regardless of where we put the line, that's not necessarily protecting the corals.

MS. MURPHEY: All right. Thank you, Robert. I had Tim, and then I will go back to Laurilee.

MR. GRINER: Thank you. Well, I'm not real comfortable sitting here negotiating moving the line. We've already approved the line, and that's not what we're here to talk about. What we're here to talk about is to address the points that were in the letter, and, really, the only point that I see any discussion needed on is does mud put a sediment plume in a ripping current that's going to do damage a quarter-of-a-mile away, and I don't -- I just can't see that happening.

The other part of it is you're never going to know any of that until you get in there and start doing some shrimping, because we're not going to do another research tow, and so, you know, I just think that -- You know, we've already approved the line, and not we just need to address the points that were in the letter and move on.

MS. MURPHEY: Okay. Thank you, Tim. Laurilee.

MS. THOMPSON: I just wanted to reiterate that this area that we're talking about is basically a half-a-mile wide, and so, if you move the eastern boundary by a quarter-of-a-mile, and then they

do the self-imposed quarter-of-a-mile, they are literally then starting their drags where they're starting them now anyway, and you haven't accomplished anything, and I agree with Tim. I think I did the best job I could, in trying to illustrate how the -- By using this quarter-of-a-mile self-imposed boundary that the shrimpers use, they're going to be, you know, over a half-mile from the edge of the coral, and I thought that Mike did a good job, and I don't know why those drawings can't be submitted when you send the new amendment in.

Use those drawings, and put those pictures of the bycatch in, you know, so that the reviewer can see how little bycatch there is. I mean, those pictures are worth a thousand words. I mean, you could go back and -- I know that they did have some observers on some of the trips, and so you can go back and look for that, but I think we've done okay there.

As far as providing a coordinated management regime for the conservation of coral and coral reefs, we've got deepwater coral HAPCs all over the place, and there has been multiple amendments to the Coral Fishery Management Plan, and so I think this council has done a pretty good job, you know, with a coordinated management regime for the conservation of coral and coral reefs.

Increase public awareness of the importance and sensitivity of coral and coral reefs, again, between NOAA and the South Atlantic Fishery Management Council staff, you guys have done a really good job on making the public aware of the importance and sensitivity of coral and coral reefs, and all you have to do is look at the emails of objection, you know, when this went out before, and there were 34,000 comments, and, of course, 33,700 of them all said the same thing, but, you know, there was an awareness from the public that something was going on, and so --

We've designated all kinds of HAPCs, and what else? We've talked about minimizing the human impacts, and the first one, optimize the benefits generated from the coral resource, while conserving the coral and coral reefs, well, that's defined in the need statement for Coral Amendment 10, and I don't think you need to go any further than that, and then you could point out too, back under minimizing the adverse human impacts, that they don't fish in this area all the time.

It's a difficult area to fish in, and, if they can make trips on the inshore side of the reef, they're a lot happier doing that, and most of the boats simply can't fish on the offshore side of the reef. They're not big enough, and they can't put enough cable on their drums, and so it's a very -- It's only a handful of boats that are working on the offshore side of the reef, and that's more, you know, points that you could add in your document. Thank you.

MS. MURPHEY: Clay and then Jessica, and then we'll try to wrap some of this up.

DR. PORCH: Just a couple of points to clarify. One, with regard to the survey that we did, it's true that we did not see any coral in that survey, but it was only a tiny fraction, like less than 1 percent of the area, and so we can't fairly say that there's no coral in that area, but we did not see any in the part that we were able to survey.

The second point that I wanted to make, because it's been mentioned about the currents there, is, yes, there is strong currents, with a strong north-south component, but there is quite a bit of cross-shelf motion. There's been, you know, a number of studies that have shown that, and that's what your own Coral Advisory Panel was worried about, that there may in fact be substantial plumes

that could smother the coral, and, as Captain Thompson mentioned, a lot of that area is mud, and that is going to get stirred up, and so I think what's missing is some good, quantitative studies to say how much the mud would move around, and that's outside the expertise of my staff, and we would need physical oceanographers to do it, but I don't think we want to dismiss it out-of-hand, and it would make some sense to have a bit of a buffer that's greater than what we have now, what's being proposed that is.

MS. MURPHEY: Thank you, Clay. Jessica.

MS. MCCAWLEY: I was wanting to understand the next steps here, and so we've listed out some points here, to try to get at the points that were in the letter, and are the next steps that then the IPT goes back and kind of elaborates on all of this and then brings something back for us to look at, and we talk about it again, and then we approve a resubmission, and then my question for -- So that's one question, but my question for Monica is, if this gets resubmitted, can the Secretary send another letter that says this still isn't good enough, and try again, or, after two resubmissions, are we done, and so I guess I'm just wanting to understand more about the process.

MS. MURPHEY: I will let Monica answer that question.

MS. SMIT-BRUNELLO: Well, the act doesn't say how many times you can resubmit it, but it says, if the Secretary disapproves a plan or amendment, the council may submit a revised plan or amendment to the Secretary for review under this subsection, and so that's what the act says. I wanted to say that nothing precludes you from adding in another alternative, and I understand what people have said here about, you know, just addressing the points in the letter, but perhaps one of the ways to address the points in the letter is to add, potentially, another alternative in there.

Coral Amendment 8, that we've talked about, which expanded the boundary of the Oculina -- I know the history that Laurilee brought up, and I recall that from the meetings, but the document also says that bottom trawling is considered the most ecologically-destructive fishing method. This gear type, used to target shrimp species in the South Atlantic living on, or just above, the seafloor has been shown to severely impact deepwater coral ecosystems, and I'm reading from the letter, the disapproval letter, that the Secretary sent back to you all, or the Fisheries Service sent back.

You're kind of arguing against what the council did previously, right, and so the council expanded this boundary, and, to support the expansion in Coral Amendment 8, they used -- The council used those kinds of words, right, and so, if you want to explain why -- That's essentially what you're trying to do, right, and you're trying to explain that of course that's true, perhaps, but, in this area, we think that there is very -- That particular gear won't affect coral in the way that was discussed in Coral Amendment 8, and, I mean, it's kind of a balancing, right, and a weighing, and maybe you should consider another alternative.

MS. MURPHEY: That was kind of where I was going, when I was -- When we threw out the discussion of boundary versus the access area, and I think we're to the point where maybe we need to start either looking at these objectives, and see if what we -- If we resubmit the access area or if we submit, or add to the resubmission, a boundary modification, as another alternative, and how those would -- If that would meet the objective, or better meet the objectives, of the Coral 10.

You all can shoot me down that I'm kind of thinking out loud here, but just, again, trying to get that balance of the history, the importance of the coral, and does sound like we need to go ahead and get to the letter, like everyone else has been saying, and let's look at these objectives, and it sounds like bycatch is probably not going to be a big issue, and you're going to do an analysis between VMS, and it's a limited fishery as well, and, I mean, you've got all those other things, and I'm going to guess that the bycatch piece is not going to be a big-deal issue, and so is everybody good with maybe just looking at each of these objectives, or is that too much time, or -- I will let Kathleen --

MS. HOWINGTON: I have to answer so many people right now, and so, Jessica, the plan, right now, is that the IPT will meet one more time, and we'll bring a revised amendment to you guys, and hopefully -- The game plan is September, but, like it says on the slide, we need data from the permits system to be accessible before we can do that, and so there's a chance that that's going to cause delays, and I will communicate that, if that's the case. Monica, if we add in a different alternative, and it's within this region, it's within the already-identified shrimp fishery access area, do we still have to go out for public hearings?

MS. SMIT-BRUNELLO: Is your question to me -- What kind of alternative are you talking about? Are you talking about a smaller buffer, because, right now, the alternative range is you're not going to make any changes, out to you're going to make some changes, right, within the alternative, and so are you talking about somewhere in between there, or what are you talking about?

MS. HOWINGTON: Somewhere in between the already proposed alternatives. If we pick a compromise somewhere in there, do we still have to go out to public hearings?

MS. SMIT-BRUNELLO: Well, I think you would -- You could hold a public hearing in September. You could hold a public hearing at the council meeting. I don't think that's a problem. I think that this would probably get into John and Myra's area of, you know, what do you feel comfortable with, and how much information, or when do you want to bring this out to the public, and is it sufficient, and, look, this row has already been plowed quite a bit, and so I think the public is well aware of what's going on in Coral Amendment 10, and so I'm not sure -- You know, it's not the kind of situation where you've never brought this out to the public before, and so I think they're probably well aware of what's going on, and so you could do a public hearing, whatever you want to call it, at the council meeting, and that's fine.

MS. HOWINGTON: All right, and then, finally, to Trish's point, yes, I think that we could go through the list that I have on the summary slide, and I think we've addressed well a few of these, and, like I said, the bycatch, we're going to do an updated analysis, and I'm still -- This goes back to the reason why I'm bringing this to you, is my biggest concern is that rationale between creating a shrimp fishery access area under the Coral FMP, not meeting the goals and objectives of the Coral FMP, and so we've identified some of that, but I would love just any help, any kind of language that you feel like would help strengthen our argument.

MS. MURPHEY: Go ahead, Kerry.

MS. MARHEFKA: I mean, I thought we already determined that we're not creating a shrimp fishery access area, and we're doing a boundary modification to an HAPC.

MS. MURPHEY: Yes, and I think we were talking about -- That was the alternative that I was talking about, if we just go to a boundary instead of the --

MS. HOWINGTON: All right, and so maintain Coral 10 and add in an alternative that just changes the boundary.

MS. MURPHEY: Yes, and that's what I thought we were talking about.

MS. HOWINGTON: Okay. I apologize, and I missed that jump.

MS. MARHEFKA: Because you're saying -- I'm sorry.

MS. MURPHEY: That's what I was talking about, and that's what I thought that Monica was talking about, when she said adding an alternative.

MS. SMIT-BRUNELLO: It wasn't what I was talking about, but that's okay. You can talk about it, and, if you want to add that as an alternative, or an action or whatever, in the document, you can, and you can do a number of things, change the buffer, change the, I guess, boundary of the Oculina. If you change the boundary of the Oculina, so that that area would no longer be part of the Oculina, are there any other kinds of fishing that we prohibit now in there that would be allowed? That's something to look at. I don't know, and I think the snapper grouper restrictions are in another part of the Oculina, and not particularly that part, but that's just something that we would need to look at.

MS. MURPHEY: Okay. Have I totally confused everybody then? I thought I was -- Kerry.

MS. MARHEFKA: Is this semantics at this point, because what we're -- On the amendment that we submitted, the PDF amendment, when it says "Coral Amendment 10", is there a subtitle under that that says "Coral Amendment 10 shrimp fishery access area"?

MS. HOWINGTON: (Ms. Howington's comment is not audible on the recording.)

MS. MARHEFKA: So then what I am hearing from you, Kathleen, is that, if we change the name, as we all think we want to do, to a border modification, I mean a boundary modification, then we are essentially creating an entirely new action item, because it's not called the same thing.

MS. HOWINGTON: Yes, and I would propose, if you are proposing that, to do a farmwork amendment, as is allowed in the Coral FMP for adjusting or modifying the HAPC, and the big concern would be what Monica highlighted earlier, and there would still be a modification to the Coral FMP, but it would not be establishing a shrimp fishery access area, and it would be modifying a coral HAPC under the Coral FMP. That's a framework.

MS. MURPHEY: Okay. I'm sorry that I confused everybody. Monica.

MS. SMIT-BRUNELLO: I was just going to say that, even if you're doing a framework action, it doesn't need to -- You don't need to keep it as a framework action, and the council always has the discretion of making it a fishery management plan, because you get extra comment, and you get all those kinds of things, and I'm -- I don't know that you would want to do that, if you change to

a framework action, but this has received a good bit of attention from the public, and so, you know, you may think about wanting to keep it as a fishery management plan amendment, as opposed to a framework action, if that's the direction you're going.

MS. MURPHEY: Thoughts on that? Jessica, you look like you're thinking.

MS. MCCAWLEY: I don't know. I'm wondering if we could get back to the IPT, and they talk this through, and maybe come back with some pros and cons on changing it to a framework, et cetera, and it just still seems like it would be easier if we're modifying the Shrimp FMP. I know that we would still have to list out some of these other -- The ways that it's affecting this, but, also, it's confusing, to me, as to why this isn't a modification to both the Coral FMP and the Shrimp FMP. Like I never understood why it was only one, and not both, and so I'm still confused on that, and that's why I can't help decide which one is the best one to move it, because it was always confusing, to me, as to why -- I guess because the original boundary was in a coral amendment, but it seems like it should be modifying both FMPs.

MS. MURPHEY: Kerry.

MS. MARHEFKA: If we decide that the most expeditious route is to not just resubmit Coral 10 as the shrimp fishery access plan, and let just say for a minute, and I'm not arguing that, and, for a minute, let's set that aside. I think then the next best course of option would be to create a new thing that is called Amendment 10 to the Coral FMP and Amendment XX to the Shrimp FMP, a joint amendment with both of those FMPs, which we've obviously done a million times.

The benefit of that -- The reason I was thinking is because, in that document, we would have the ability to really lay out the rationale for why it's a pro to the shrimp fishery, without it necessarily being a negative to the coral HAPC, and I think we can really get into a lot more of the sort of the way it meets the shrimp fishery goals and objectives without -- With having, I would personally say, no impact, little impact, you know, unknown impact, to all the Coral FMP objectives, and so, if we have to start a new one, then that's personally what I would do. I think that's -- My frustration with that is we just took a process that we've been now doing for longer than my children have been alive, and we just made it a little bit longer, but, if that's what we have to do --

MS. MURPHEY: Laurilee, and then we'll talk about the pleasure of the committee and what we're going to do.

MS. THOMPSON: Well, I'm questioning why we -- I mean, I understand that you might want to move the border, but we're talking about a half-a-mile-wide piece of bottom that you're going to maybe shift the boundary a quarter-of-a-mile further to the east, or make the boundary a quarter-of-a-mile east of where the western side of the shrimp fish access area is now, and, if you do that, then the boats are basically going to be fishing in the same place where they are now, because of the quarter-mile self-imposed --

MS. MCCAWLEY: That's not what we're saying.

MS. THOMPSON: That's not what we're saying?

MS. MCCAWLEY: That's not what we're saying. That's not at all what we're saying.

MS. THOMPSON: So you're going to move the boundary to the western side of the shrimp fish access area?

MS. MURPHEY: What I'm hearing is we're going to go the seventy to 100-foot contour line, correct? Yes, and so what is the pleasure of this committee, as far as Kerry's suggestion of a joint -- Jessica.

MS. MCCAWLEY: I agree with what Kerry is suggesting, that you're going to technically amend the Coral FMP and the Shrimp FMP, at the same time, but, before we make a final, final decision, let's send that decision over to the IPT, and let them have that discussion, but that seems to be the best path forward for this process, as well as it gives us the ability, like Kerry was saying, to address all of these items in the letter, and you're kind of going to address them from both perspectives. You're going to address it from the coral perspective and you're going to address it from the shrimp perspective, and so, yes, I agree with Kerry that that's the best way to do it at this juncture.

MS. MURPHEY: All right, Kerry. You saved the day. Andy, and then let's wrap this up, and I think I've heard some good discussion, and we've got some stuff that can go to the IPT, and so Andy.

MR. STRELCHECK: I guess two comments. One is, with regard to the joint FMP, I think it's a good idea to have the IPT discuss it with General Counsel. I think the reason why we didn't have to amend the Shrimp FMP with Coral 10 is because we were modifying the coral HAPC to allow for shrimp access, which then automatically opens up that area for shrimping, and, therefore, there's no regulatory change for the shrimp industry, right? Regardless, I think it's a good idea, and good discussion.

What I will emphasize, because there's been a lot of confusion about move the border, or don't move the border, right, and I want to focus on how do we achieve that balance between the Coral FMP objectives and the Shrimp FMP objectives, and so I just want to read out of Coral 10 something, and so one of the concerns, obviously, the Fisheries Service identified was sedimentation, and the area east of the Oculina mounds is high in fine sediments, and 29 percent, essentially, of the muds are fine sediments, right, and so there is issues there potentially, not with just the direct effects of trawls, which I think Laurilee has done a fantastic job, and the industry knows where they're trawling, but what are those indirect effects, right, and so then you have your Coral AP, and your Habitat AP, making recommendations that maybe the buffer should be as much as 1,000 meters.

Other studies have indicated that sediment travels as far as 700 meters in areas being dredged that are adjacent to corals, and we have, essentially, the boundary lines that are anywhere from 750 meters from the coral to 310 meters from the coral, right, and so I think the point I'm trying to make there is you could draw the line exactly where it is, and we just need the rationale for that and how that's going to protect the corals.

I think there is conflicting, you know, information here that would essentially argue against that, and that we probably need to then have the IPT working with some coral experts, and habitat experts, give us some further input, and maybe bring it back to us at September as well. Thank you.

MS. MURPHEY: Kathleen, have you got all that? Kerry.

MS. MARHEFKA: Real brief, just some direction to staff, if the committee pleases, and, Kathleen, when you pull the permit data, if it's possible to also pull -- To find out anything you can about violations, because I think one of the things, as we move forward, that we're really going to want to play off is that this is a -- I think I would argue it's our most heavily-regulated fishery, and that it's our only one with VMS right now, and I'm curious. You know, I would like to make the case that it's also our most responsible, and, from what I'm hearing, there's not even been violations, and I think that would be important. Thank you.

MS. MURPHEY: Anything else? I am going to read the direction to staff, just so that everybody is clear on what poor Kathleen is going to take back to the IPT. Bring discussion of potential options, including move forward with Coral 10, add in an alternative in between no action and the proposed Coral 10 shrimp fishery access area, modify the boundary as a framework, or having a joint FMP amendment for shrimp and coral, and so those are lots of options for the IPT to discuss and then bring that feedback to the council in September, and is everybody good with that? We've got lots of options, and I think the IPT has got a lot of stuff to play with here, and is everybody good with that?

MS. HOWINGTON: I did add a modification of feedback listing pros, cons, and timelines to the council, and so give us a to-do list.

MS. MURPHEY: I think that's good. Anything else on this one? Okay. Cool. Then let's go to -- What are we doing? The other part of coral.

MS. HOWINGTON: The other coral presentation.

MS. MURPHEY: The expansion discussion. Thanks.

MS. HOWINGTON: Right, and so, just to remind everyone, this was something that you added to the workplan for me to bring back to you in this meeting as just a discussion, and it was prompted by the discussion that you had in September of 2023, and you received a report from the SSC Chair, Jeff Buckel, on this modeling distribution predictive modeling paper that was published, and then, again, in December of 2023, you directed us to bring it back in June of 2024, to discuss potential next steps.

Why is this something of interest to the council? Well, the initial creation of the CHAPCs didn't actually have any model input, and that's because the first predictive models were a little bit more coarse. They used regional scale, and they used coarse bathymetric data, and they presence only, and so they only used where we knew, visually, corals existed.

Recent models, the one that we just saw in that study, that you have already reviewed, that the SSC already called BSIA, are way more targeted. They integrate presence-absence, they integrate abundance, they integrate more sampling methods, and different bottom types, and this integrated predictive modeling could make our CHAPC boundaries way more accurate. Now, this doesn't necessarily mean larger, and it could mean smaller, if now we're predicting that areas that we were looking at before, that we thought had coral, maybe, we're not seeing it all.

While I was doing research on these maps, and why this was important, I came across two other studies that I think would be of interest in this discussion. The first one was a paper that was published in January of 2024 in *Geomatics*, and this map appears to most the expansive cold-water coral mound province thus far discovered, and it's right off of our coast. If you look here, the minimum extent of this cold-water coral mound area is in the white, and what they predict could be the maximum extent is in this dotted black line.

Now, I do need to clarify that what they did in this study is they took a lot of this bathymetric data and they identified different geomorphic classifications, and what this means is they went and found the mounds, the peaks, the valleys, and then they went through all of those and they determined where cold-water corals are most likely to be, and so, while I was talking with the author of this, and this is his quote, that the class peaks does a good job in identifying the tops of coral mound features. Not every single peak feature will be a coral mound, but, given what we know about this region, the vast majority of them appear to be formed by reef-building corals, and so this is a very good surrogate for identifying cold-water coral mound features across the plateau. It could be useful to see what is within, versus outside, of the CHAPC boundary, but his analysis -- They have identified 7,782 peak features that are outside of our identified coral HAPC boundary, which you can see right here in this straight black line, and so they have identified a bunch of stuff outside of that.

All right, and so that's one interesting study. Good to know, and the next interesting study is actually a NOAA Technical Memo. This was published in December of 2021, and, if you want to go look at their mapping, you can do so here at this website, and they have also done habitat suitability, and this is not predictive.

This is actually visually pinpointing not only coral, but what species of coral exists, and the map that they have come up with looks like this, and so, like I said, you can go online, and you can see exactly where these are, and there are huge working groups that go into what kind of data goes into these maps, and this was 2021, I believe was the last time it was updated, but they're planning on doing more studies, and they have already contacted council staff, to try and figure out what our priorities are for cold-water coral identification and mapping.

I know that we're tight on time, and I actually did -- I have all of these maps, and so, if you're interested in looking at it, you can come, and you can look over my shoulder, unless you all really want to see it right here, and I'm offering it to you right now, but, ultimately, my question is this. Do you want to pursue modifying our CHAPC boundaries based on not just these studies, but other studies that could potentially inform us of new potential areas or areas that we now know probably don't have coral? If you do, what is the timeline on this? Where do we need to add this into the workplan, and, like I said, I have all of these maps, and so, if you want to just go into a corner, I can click them up, but it's going to be a lot, and we're tight on time.

MS. MURPHEY: Okay. Thank you, Kathleen. Laurilee.

MS. THOMPSON: Can you go back to the map, please?

MS. HOWINGTON: This one? Which one?

MS. THOMPSON: Well, actually, the one before. That one. So the dotted line is where they think the coral is, but the northern part of the HAPC -- There is no dotted line, and does that mean there is no coral up there, but I think, if you go to the other map, it does show coral that's up there, and so what's the difference between this map and the one that has all the little colored dots on it?

MS. HOWINGTON: Like I said, this is their predictive model for where they believe the cold-water coral mounds are, and this is not a visual survey. They're not going out and identifying these. They used bathymetric data to try and predict where these peaks are, and they feel very confident that where they have identified peaks are where coral, or reef-building coral, areas could be or have already been.

MS. THOMPSON: So go back to the other one, where the little colored dots are. Those go way far north, and so these are like just individual coral things, and they're not on mounds, or this stuff that's north of, you know, what's identified in that other chart?

MS. HOWINGTON: These are just completely different studies, and so this is one of those where all three of these are coming out with where they believe coral -- Well, the first two are where they believe coral is, and this one is they see coral in these areas, and so there is going to be a discrepancy, because one of them is looking at, you know, bathymetric data, and geomorphic locations, and this one is specifically saying where is the coral, where do we know it is, and let's put it on a map.

MS. THOMPSON: But you've got a study that doesn't say there is going to be coral in areas where there is coral, and so how do you know what to believe?

MS. HOWINGTON: I personally would go with the one -- I would feel more confident with the visual survey, but that's why I'm bringing forward all of the studies for you, and these are all of the current -- Well, that I have found, the more prevalent, and not necessarily all, but region-wide studies that could be of interest if we're going to have this conversation.

MS. THOMPSON: I just find it interesting, the difference between the two maps. Thank you.

MS. MURPHEY: Carolyn.

DR. BELCHER: Kathleen, I guess I'm just wanting to make sure that I'm interpreting this right, because, if you go -- So we're looking at the right map, and the dotted line is the maximum extent that they're saying includes corals, correct, and so, relative to our current coral protection area, there is not a whole that falls outside out of it, and do know what the actual like numerical amount is, and like I'm just -- Superimposed, this shows me that little off-tick to the east, and most of it is pretty much all along the edge, and there's a little bit to the south there, but, I mean, what are we gaining to actually do the modifications to make it fit more to their --

MS. HOWINGTON: So this is -- This boundary that they have here is their continuous cold-water coral mound that they have discovered, or nearly continuous, is what they're mapping here. They did identify other peaks outside of these dotted zones, but this was their big -- We believe it is continuous from start to finish, here to here.

DR. BELCHER: So I guess that was my one question, is what isn't contained currently? What percentage isn't contained currently in our coral protection area, because it looks like the bulk of it is in there, and am I not understanding that right?

MS. HOWINGTON: They identified 7,000 other potential peaks that they have determined -- That they believe have cold-water coral that are outside of our protected area.

DR. BELCHER: I guess the disconnect, for me then, is what I'm seeing is the outline of their min and their max, which their max is contained, the majority, within our coral protection area, and I understand that there is 7,000 outside of that, but where? I mean, that's -- Do you know what I'm saying?

MS. HOWINGTON: I think I picked the wrong visual aspect, and this was the big picture that they put on the front, and do you want me to pull up the map, because I actually have only the peaks, and not this. I have their identifications of each peak, but it's going to -- I mean, I was trying not to do that, because it's going to take a little bit of time, but I can do it.

DR. BELCHER: I guess -- Like I said, with just trying to look at this picture, I guess the modification is -- What's the old adage, about is it worth the squeeze, is the juice worth the squeeze, because it doesn't look like there's a lot in their maximum boundary that falls outside of what we currently protect.

MS. HOWINGTON: Maybe not with this paper, but I think this predictive model that, again, was BSIA, according to the SSC, and I think integrating the NOAA and NCOS southeast deep coral information, and I think both of these could potentially cause -- I mean, I have not personally done the analysis, because I do not have direction from the council to do the analysis, but I do think that it could be interesting to look at, if you're interested.

MS. MURPHEY: Okay. I think Chip, and then Robert.

DR. COLLIER: I just want to point out that some of these deepwater corals aren't mound-forming corals, and they might be individuals, and so that's why you could be seeing a different distribution for these, and there is -- A lot of the coral mounds that were seen off the coast is *lophelia pertusa*, and that has been -- It seems like that species might be moving northward. There's been some northern occurrences that hadn't been observed before, and I'm trying to remember the paper, and I know Steve Ross was one of the coauthors on that, and so that might be one of the reasons that you're seeing several of these species outside of this.

The other thing is, down in that southern portion that Kathleen had indicated, that is around the Million Mounds area, and so those are some of the largest coral mounds in the world, and so that is why there are -- Even though it looks like a very small area, it is a lot of mounds, and they are very densely packed down there.

MS. MURPHEY: Thanks, Chip. Robert.

MR. SPOTTSWOOD: Kathleen, for my benefit, what activity -- I mean, it just appears really, really far offshore, and what activity would we be looking to protect against that would be harming these corals?

MS. HOWINGTON: You're right that that is very far offshore.

MR. SPOTTSWOOD: I assume there is no trawling or traps or --

MS. HOWINGTON: Once you get far enough offshore, you're correct, and we would not be protecting from activity, but I'm not just saying as far off -- Well, first off, I am not saying anything. I am presenting information. However, you could be modifying the boundary really, really far off, or you could be modifying it closer in, and you could be making it smaller, and you could be making it bigger. This is all the information that I have found, and these are the most prevalent studies. How you all want to handle that is up to you. You asked me to bring this information back, and I am doing so.

MR. SPOTTSWOOD: Thank you for that.

MS. MURPHEY: So any -- Tom.

MR. ROLLER: I am just -- For those who maybe haven't followed this, the Blake Plateau discovery has reached a lot of news outlets. It's been well covered in the last few months, and a lot of that was in regard to, you know, these -- I think it's manganese nodules, and is that correct, and the idea that there is going to be deep-sea mining in these areas in the future, and that's not something that is profitable currently, but, at the same time, if you would have said, ten years ago, we were going to have offshore windfarms across the east coast, you would have said it was crazy, and so who knows what it's going to be looking like in the future, and so we just have to be aware of some of these things and the protections that we need to put in place.

MS. MURPHEY: Chip.

DR. COLLIER: To Tom's point, you know, coral is EFH, and so, even if we were to have -- Regardless of whether it's a CHAPC or not, if coral is in the area, and there is going to be some kind of operation that could impact it, it would still be classified as EFH, even though it might not be mapped as EFH, and so it's the -- Within EFH, it is the designation, or the written description of it, that is important, more than the maps of it.

MS. MURPHEY: Any further discussion? I guess the question is are we interested in adjusting these areas at this point in time? Robert.

MR. SPOTTSWOOD: Based on what I heard, I would say no. I think we need to focus on other things, and so I would suggest that we move on from this one.

MS. MURPHEY: Thank you, Robert. Any other -- Andy.

MR. STRELCHECK: I will say that I think it's important to work on this, but this needs to be factored into our schedule, and so this would probably be a lower priority, given other things that we're working on, but I would hate to just drop it entirely.

MS. MURPHEY: All right. Thank you, Andy. Any other comments? I think I'm hearing -- Any other comments? So am I hearing, around the table, that we'll put this off, and it's a lower priority,

and not fall off the table, but it's a lower priority, and we've got so many things to do, and I guess -- So we just move on with that in the future, and we'll have a discussion in the future about this, at another time, and is everybody good with that? Tom.

MR. ROLLER: Absolutely, and I just think it's important that we just keep it somewhere on the radar, because this is becoming a bigger issue going forward, and we need to be forward-thinking on some of this stuff.

MS. MURPHEY: Thank you, Tom. All right. I think we're done with that, and I think the last thing is Other Business. I'm sorry. Approve agenda topics, and did everybody see the agenda topics at the back of the agenda here, and I will let Kathleen run through those.

MS. HOWINGTON: All right, and so this is the workplan that we've been working on with the Habitat AP, and a lot of this you've already seen, and so we have, at the upcoming fall meeting -- The tools and partner evaluation work is still ongoing, and our goal is to finish that by the spring of 2025. Our EFH review, specifically with the food web subcommittee, work is ongoing, and they actually are going to be meeting in the next couple of weeks, and our goal is to finish that in the fall of 2024. We don't really have a choice in that one, because that's when the EFH review is due, and so we need to get that finished by then.

The website transition from the previous website to the current updated one, work has been ongoing, and we have actually updated the website wording, and we have added in a bunch of old historical documents, and so, if you want to go look at the habitat website on the South Atlantic Council web -- Or webpage on the website, please feel free to do so. I'm still working on a few - - I'm moving over some mapping, and a few other tweaks, but I think we'll be finished with that within the next year.

The communications strategy development, I have already given a presentation to the Outreach and Communications AP, and we are going to be starting this, as a conversation, in the fall of 2024, of who do we need to do outreach for, and what do our goals need to be, and what projects can we start, as an AP, to try and communicate the importance of habitat and ecosystem projects, and so we're going to be starting that up in the fall.

Then, if there are any EFH recommendations that need to be implemented, that will be ongoing as well, after the five-year review is completed. Two of those working groups have already been approved by the council, and they have already been implemented, and so we only have one more working group to go. It probably will not last two years, but I gave myself a buffer, to be nice to me, and so, if we need to, then we will discuss that in the spring, but most likely we will not.

Other things that the council has requested of us is discussing the space program impact, and we're still waiting on the FOIA information for that. Right now, we have that discussion scheduled for the fall. If we do not receive the FOIA information, it will be bumped until the next meeting, and then the next, and it will stay on there until we get that information.

Like we said before, the energy policy is almost complete, and we were hoping to complete it during this spring meeting. However, after the decommissioning and long-term windfarm impacts presentation, we have moved to add in a little bit more wording, and that should be complete as of this fall.

The HEAP has requested that the Indian River Lagoon -- Well, honestly, I would request -- Can I change this to updates to the current flow policy, in reaction to not just the Indian River Lagoon, but also the living shorelines and the tide gates and all the other upcoming issues that are going to be impacting flow, and so we have requested that that get added in. We are estimating that that's going to take about a year-and-a-half to be able to tackle.

We have requested a tide gate, living shoreline, beneficial use projects, and impacts on habitat presentation. When we receive that, we will be able to come back to the council with these are increasing in number, or what the impacts could be, any kind of recommendations, or maybe we just receive that presentation and it drops.

We have requested an update on the CVOW, which is the Virginia offshore wind project, and that should be coming out by fall, and so we'll be receiving that, hopefully, and then one thing that the HEAP has added in is timeline for all these major projects, because they keep coming up, and so, with the council's permission -- Right now, the plan is, in the fall, we say, hey, here's a major project that's coming up, and we don't know anything about this, and we would like to request a presentation, and we then, in the spring meeting, receive the presentation, and we're able to come to you guys with we received this, and here's a summary, and here's recommendations. Then, the next fall, what other major projects are coming up?

Then workplan update we're going to be having every single meeting, and the annual report will be happening every spring, in accordance with the blueprint, and we'll be receiving citizen science updates regularly now, as well as EFH consultations, and then, as of this fall, we're going to be beginning conversation, and this was from last December, and this was a council request, to identify higher-abundance locations for EFH clarification, and this will be meeting the next five-year EFH five-year review, but, since it is such a huge lift, we need to get started on it now.

With all of that in mind, the HEAP actually has requested that we have two other presentations added to this list. There is an Army Corps of Engineers project for reefs that is upcoming, that should be releasing a report in time for our fall meeting, and we would love to be able to receive a presentation on that, and that was a request by Kevin Spanik, and then, on top of that, there is a study on offshore wind infrastructure coverage and artificial reef footprint by Brendan Runde and his fiancée, whose name escaped me when I wrote this down, and so I put "the Rundees", and I forgot to delete it. I am just admitting, and so we would also like to request that we are able to receive these two presentations, as we think that they would be of interest to the council.

UNIDENTIFIED: (The comment is not audible on the recording.)

MS. HOWINGTON: Paxton. Avery. Okay. Thank you, and so Brendan Runde and Avery Paxton. My bad.

MS. MURPHEY: Any comments on the big list of things for the Habitat AP? So I have one comment. I kind of questioned the -- I know it's probably not a big deal, but I question having the CVOW updates, because that's Virginia, and it does have an impact to North Carolina, but really we'll be commenting on consistency, and probably on the EIS and all that, and so I am not really sure -- Especially with the long list, and I'm not sure how valuable that is to this group, since, you know, that's basically a Mid-Atlantic area, and so, you know, that was just my input. Laurilee.

MS. THOMPSON: I wanted to thank Kathleen for allowing Daniel to come up from the Indian River Lagoon National Estuary Program. He did a really good job on his presentation, and I have learned a lot, you know, in the three years that I've been here, and I thought that I knew a lot, but it wasn't until last month, at the habitat meeting, that I finally understood that part of the reason that I think that there is a disconnect between the three states to the north of Florida and Florida is that Georgia and South Carolina don't really have seagrass, and then the seagrass in North Carolina is different than the tropical seagrass we have in the Indian River Lagoon, and I've been blathering, for three years, about what's going on the Indian River Lagoon, and you all -- It's just a different -- It's a whole different world than what you all are used to up here.

I think that the Habitat Committee saw that, and I appreciate the fact that you're now looking at stormwater discharges into the Indian River Lagoon and Florida's -- It's all of Florida's estuaries, and there is a big problem with stormwater, and I really appreciate you dogging the space program impact on habitat too, and good luck on getting the answers to the FOIA, and you will probably die of old age before you get them, but I appreciate you staying on it. I really do, but it means a lot to me that you have added the Indian River Lagoon as a priority, and I know that all my lagoon supporters at home appreciate it too. We really do, and so thank you.

MS. MURPHEY: Anything else? All right. Any other business?

MS. HOWINGTON: So can I add those two presentations that the AP has requested? I am seeing heads nod, and so I will add those in. If there is no time, Trish, then I can decrease CVOW as a priority, and I can agree with that, and then do I have permission to change the Indian River Lagoon discharge flow policy to adjusting the flow policy in reaction to not just the Indian River Lagoon, and then name all the other issues that are currently coming up?

MS. MURPHEY: Carolyn.

DR. BELCHER: I was just looking at the presentations, and I was just curious, because of the SMZ stuff that we have coming on, and would that be of higher priority than potentially the offshore wind infrastructure coverage and artificial reef blueprint? I mean, the Army Corps thing, I kind of know there's stuff out in the ether on the projects, and the permits and all of that, for stuff offshore, but I am just thinking about, with SMZs, and the fact that we've got things sunseting, and I wonder if that should be moved up sooner than the other. Just a thought.

DR. COLLIER: So I am finalizing -- The chairs haven't seen this yet, but I'm trying to finalize the evaluation tool for the spawning SMZs, and so, once that gets finalized, I don't envision the report taking much time, just because it will be compiling the information in the report. Maybe it would be available by the fall, but it might be a bit of a stretch to get it there.

DR. BELCHER: Fair enough.

MS. MURPHEY: So do you have everything you need, Kathleen?

MS. HOWINGTON: I just need somebody to approve this list as it is shown on the screen, and I did add in those two things, and I made this a low priority, and I'm revising the flow policy in reaction to the Indian River Lagoon.

MS. MURPHEY: I think I saw heads shaking that this is approved.

MS. HOWINGTON: There you go.

MS. MURPHEY: All right. Any other business?

MS. WOODWARD: If you would like me to, Madam Chair --

MS. MURPHEY: Yes, Spud. Thanks.

MR. WOODWARD: Just to make everyone aware of the fact that, since we were just talking about deepwater corals and the Blake Plateau, that there is an initiative underway, being spearheaded by The Nature Resource Defense Council, to ask the administrative to afford protections to the Blake Plateau, and this is called Blake Plateau: A Southern Treasure, and there is an eight-page fact sheet. If you go to the NRDC website, you can find that fact sheet.

The only reason I know about this is because the Georgia Wildlife Federation, which I am on their board of directors, was asked to sign onto a letter, and it got sent to me by the executive director, and I immediately kind of went, oh, what's going on here, and that led to a video conference with some of the principals at NRDC, where I was able to ask some questions, and get some feedback, and my primary purpose was to just make sure that they were not ignoring the fact that there are fisheries prosecuted in the Blake Plateau, and that they're aware of them, and they do have a mention of commercial fishing in their fact sheet, and so I certainly encourage you to look into it.

The mechanism by which they wish to have protections afforded, and they were noncommittal, but it sounds like it's a marine monument designation, and so it's just something for everybody to be aware of and keep tabs on. They do recognize the protections that have been afforded to the deepwater coral, through the HAPC, but -- They at least vocalized that they had no intent to displace, or adversely affect, fishing activities, but, again, it's something that we need to be very vigilant about, and so thank you, Madam Chair.

MS. MURPHEY: Thank you, Spud. Robert.

MR. SPOTTSWOOD: Thanks for that, Spud. I would just add, in my brief looking into that, that means no public comment opportunity, and the administration can push this forward on their own, outside of a public process that we're used to, and so I view this as a pretty nefarious path, but thank you for bringing that up, Spud, and I think we should all take a little time to look into that.

MS. MURPHEY: Thank you, Spud. Any other business? Okay. Well, we'll adjourn. Thank you.

(Whereupon, the meeting adjourned on June 11, 2024.)

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Transcribed By
Amanda Thomas
July 18, 2024

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Actual Start Date/Time

06/11/2024 07:50 AM EDT

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