

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

JOINT ECOSYSTEM-BASED MANAGEMENT AND HABITAT & ENVIRONMENTAL PROTECTION COMMITTEES

**Hutchinson Island Marriott
Stuart, FL**

June 10, 2013

SUMMARY MINUTES

Ecosystem-Based Management Committee Members:

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Anna Beckwith
Dr. Roy Crabtree
Ben Hartig
Martha Bademan
Tom Swatzel

Dr. Michelle Duval, Vice-Chair
Tom Burgess
David Cupka
Dr. Wilson Laney
Charlie Phillips

Habitat & Environmental Protection Committee

Tom Burgess, Chair
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Mike Collins
Dr. Kari MacLauchlin
Amber Von Harten
John Carmichael
Anna Martin

Observers/Participants:

Monica Smit-Brunello
Dr. Bonnie Ponwith
Dr. George Sedberry
John Sanchez
Lt. Morgan Fowler

Dr. Jack McGovern
Dr. Luiz Barbieri
Dr. Marcel Reichart
Mike Merrifield

Additional Attendees Attached

The Joint Ecosystem-Based Management and Habitat Committees of the South Atlantic Fishery Management Council convened in the Plantation Room of the Hutchinson Island Marriott, June 10, 2013, and was called to order at 1:30 o'clock p.m. by Chairman Doug Haymans.

MR. HAYMANS: Okay, it is 1:30, so I would like to go ahead and get started on time with the Joint Ecosystem-Based Management and Habitat and Environmental Protection Committees, chaired by myself and Tom Burgess. You have the agenda that has been sent out. Are there any additions or changes to the agenda?

Seeing no changes to the agenda; we will accept the agenda as submitted. Next you also have the minutes from the Ecosystem-Based Management Committee sent to you. Is there any discussion on the minutes that were sent out? Seeing none; is there any objection to the minutes? Hearing none; the minutes are approved. I will turn the next portion over to Tom.

MR. BURGESS: The minutes from the previous Habitat and Environmental Protection Committee have been distributed from December 3, 2012. Are there any corrections to the minutes? Seeing none; those minutes are approved.

MR. HAYMANS: Next we have a series of AP reports from back in May. I'm going to turn this portion over to Anna.

MS. MARTIN: I want to review with the committee Attachment 2. This is a review of the Coral Advisory Panel Report; they met May 7th through 8th in Charleston. The session on May 8th was a joint session with the Habitat Advisory Panel, and that was specifically to review recommendations for Coral Amendment 8 and the finalized Vessel Monitoring System Analysis to provide input and recommendations to the council for your June meeting here today.

They also, in addition to the joint meeting, the day before they had a few informational updates. That was the Coral Advisory Panel meeting solely on May 7th. The AP did receive a report from Jen Moore. She is with the Protected Resources Division staff. She provided a review of the proposed Endangered Species Act listing determinations for 66 coral species.

This was something I reviewed with the committee back in March. Jen went into a little more detail with the Coral AP. Again, this is a proposed rule that published last December. In the proposed ruling, 7 of those 66 coral species proposed for listing are located in the Atlantic and Caribbean. Of those seven, five are proposed to be listed as endangered, two are proposed to be listed as threatened.

They have proposed upgrading the listing of staghorn and elkhorn corals from threatened to endangered. Again, a final listing determination on this proposed rule is anticipated to be submitted by December of this year. Jennifer Lee with Protected Resources Division staff will be at the council meeting this week. She will be presenting more information on this topic on Thursday during the Protected Resources Committee.

Dave Gilliam, who serves on our Coral Advisory Panel, updated the Coral AP on the collaborative work among many partners to develop staghorn coral nurseries along the Florida reef track. This is work that was initiated by Ken Nedimyer. He has presented this to the council before. He also serves on the Coral AP.

This was talking about work through his Coral Restoration Foundation in the Upper Keys. Project outputs from this work; to date over 30,000 staghorn corals currently reside in Florida nurseries on a number of platforms that Dave presented to the Coral AP, with over 5,000 staghorn corals reared in those nurseries having been out-planted from the nurseries with an end goal of enhancing reproductive capability and ultimate recovery.

The Coral Advisory Panel received an update on NOAA Fisheries Habitat Conservation Division activities. Jocelyn Karazsia provided an update to the AP on coral-related essential fish habitat activities. There are a couple of projects currently going on involved in an EFH consultation, and those include the Port Everglades Port Expansion Project, and Florida Atlantic University's Plan Hydrokinetic Technology Testing Project.

Again, this is something the committee has discussed before and heard about before at previous Ecosystem-Based Management Committees. With the port expansion project, this is an EIS being developed by the Army Corps of Engineers. The EFH consultation is attempting to quantify the impacts to affected habitats and develop a position on the types of injuries.

This is something currently in development. They don't have any type of position statement identified to date. Regarding Florida Atlantic University's Marine Hydrokinetic Testing Platform, this is something that BOEM is finalizing an environmental assessment on for issuing a lease to allow FAU to construct these platforms in the Outer Continental Shelf area.

Again, this is something that the committee has been briefed on before. In May of last year, the council submitted a comment letter on this proposed project. Regarding the Coral AP recommendations in Coral Amendment 8; again the AP met in a joint session on the 8th with the Habitat Advisory Panel to discuss final recommendations for Coral Amendment 8.

They did discuss that. Aside from incorporating the updated VMS information and analysis, there were no significant changes to the document since their last review of Coral Amendment 8, which was last fall in a joint session with the Deepwater Shrimp AP. The Coral AP did reaffirm all of their recommendations for preferred alternatives.

There were no new recommendations that came out of the joint Coral and Habitat AP session. Again, I will be reviewing those reaffirmations for preferred alternatives during our review of the decision document, so I'll save those details for that agenda item. There was one other item under other business. Jocelyn Karazsia was appointed as the Vice Chair of the Coral AP. That concludes the Coral AP report.

MR. HAYMANS: Are there any questions for Anna for that presentation on the Coral AP? Are we going to hold Roger until we go into the decision?

MR. PUGLIESE: I'm going to do the AP report.

MR. HAYMANS: Okay, Roger is going to do an AP report for us as well from the Habitat AP.

MR. PUGLIESE: The Habitat AP Report is Attachment 3 for the briefing materials. Habitat AP met May 7th and 8th. There were two major focuses of the meeting. The first day, since we were already scheduled to work jointly with the Coral AP on the 8th and to address Coral

Amendment 8 activities, we took advantage of having a day on the 7th to actually move forward with some of the activities the advisory panel had been addressing for a while.

Its focus was on the continued movement toward development and refinement of the policy statements the council has been developing. As a followup to last November's meeting where we initiated some initial review, one of the more substantive work that had been done was on the council's aquaculture policy.

They had a roundtable review and worked with all members to look at the existing recommendations. In response to Dr. Chris Elkins; he basically facilitated working with a whole group of individuals to refine, revise and update this policy statement. He engaged some of the expertise from the Beaufort Lab, and a contractor – specifically, Ken Riley did the presentation on the movement and the information, really updating a lot of the science and information on aquaculture integration into this latest draft.

The AP was able to further refine and develop the information for subsequent finalization. The idea is that these policy statements – this as well as a number of other policy statements are going to be refined, revised and reviewed over the summer and fall with the idea of having it finalized in November.

There will be a November – the first week in November I think is our next Habitat Advisory Panel meeting. We are looking at holding it directly at FWRI to have all these policy statements refined, revised and able to be brought back to the council for consideration at the December council meeting.

In addition to the aquaculture policy, one of the other ones that were done in roundtable was our Submerged Aquatic Vegetation Policy. Then we went into breakout sessions to really refine and begin to have some deliberations on the remainder of our existing policy statement; again setting the stage for the work that is going to be done in the long term for the council's refinement of this.

Now this is all really important, because it is setting the stage for a lot of this deliberation and work being done in advance of the council's continued work on the next generation of the fishery ecosystem plan. It is setting the stage for some of the policy statements being finalized, developed; and it really at least is going to be done in advance and provides us a good springboard to work on some of the other activities and issues for the update of that; as well as our essential fish habitat refinement that is going to happen some time in 2014.

One of the other discussions that occurred was also the development of a State of the South Atlantic Habitat. We had talked about this earlier on and really hadn't had a chance to do a lot of work on it, but there is continued work to coordinate with some of the other activities ongoing in the South Atlantic Region to begin to potentially have that also discussed, developed and refined both in the subsequent AP meeting and then into again the fishery ecosystem plan revision in the future.

That really pretty well took up most all the time on May 7th and has already been continued. We've already initiated the core people for the review and refinement of the existing policies.

That process is moving forward. The subsequent day on the joint meeting, the Habitat Advisory Panel essentially was working with the Coral Advisory Panel.

Ultimately after looking at the updated information on VMS as well as having discussions on the habitat drivers for the establishment of these areas; reaffirmed their Action 1, Alternative 2B for the northern extension; Action 1, Alternative 3 for the western extension; Action 3, Alternative 2 for the extension of the Stetson-Miami Terrace CHAPC; and Action 4, Alternative 2 for the extension of the Cape Lookout CHAPC.

Similar to the Coral AP, they basically reaffirmed their positions that have been developed building from the recommendations that came out of the October meeting, the subsequent November AP meeting where they had their first opportunity to look at some of the alternatives refined and the initial analysis, and then subsequent at this meeting; so they are basically reaffirming the habitat position that they have now. That pretty well concludes the report of the Habitat Advisory Panel.

MR. HAYMANS: Are there any questions for Roger? Mel.

MR. BELL: Mr. Chairman, I'm not on either committee, but just a quick question related to the Council Aquaculture Policy Statement. Is that stocking species on essential fish habitat or is that stocking species that are essential fish habitat or what is that about?.

MR. PUGLIESE: This is a policy statement that actually was developed a little while back in response to the move toward consideration of ocean aquaculture. There was concern about being ahead of the curve in terms of understanding what potential impacts there may be as we move into the ocean.

I think the aquaculture statement itself actually is intended to look at kind of the broader sense of potential impacts of offshore aquaculture, but some of the other considerations for inshore, et cetera. The driver is trying to look at what may be impacting EFH or EFH-HAPCs; but also really in the more recent review of this was to refine some of the information on science or the actual information on what may and may not be allowed in the ocean environment in terms of – we are trying to draw the line.

One thing that was going on with this move toward ocean aquaculture; we had the council taking a position of really almost more of a look and see and monitor point, which is basically our policy review at this point; saying that if something is moved forward, that these are the types of standards and recommendations there.

Where you have the Gulf of Mexico Fishery Management Council that actually initiated development of a comprehensive amendment that really established that idea that if you do aquaculture, it is going to be looked at under each of the FMPs. That actually has taken a step even further with them implementing it – just recently implementing that plan, so that if something moves forward they would look at any considerations under individual plans.

The South Atlantic has taken kind of that position. But one thing that came up in this discussion about that is NOAA General Counsel has made it very clear – and this was something that was kind of up in the air earlier on – is that aquaculture was considered fishing under Magnuson. It

did empower the ability of the Gulf of Mexico Fishery Management Council, if you're looking at offshore components, to look at how it would relate to production relative to managed species.

This is for the offshore consideration, but this is something that has been developing in the background; but right now that is kind of the origin of where we started. There was a lot of involvement early on with the Washington Office on Aquaculture, and very clear coordination of this, because we originally looked at nationally.

We had a big meeting by all the different councils and what the considerations were. This is where the South Atlantic is right now in terms of the review. But as I mentioned, the Gulf has taken a position that goes further, which does open the door if the council wants to have further consideration in the South Atlantic Region.

MR. HAYMANS: Are there any other questions for Roger? Ben.

MR. HARTIG: Roger, I'm not on your committee, but the Deepwater Shrimp AP came up with a couple more tweaks, and I wasn't sure if during this advisory panel meeting that those were able to be seen; or if the chairman from the Habitat and Coral went to the Deepwater Shrimp AP meeting. We talked something about we were going to have the chairmen be involved in some kind of meeting, and I can't remember what that was.

MS. MARTIN: I'll touch on that Ben. We had the Chair from the Deepwater Shrimp Advisory Panel attend the joint session of the Habitat and Coral AP. However, the Coral and Habitat AP Chairs were not involved in the Deepwater Shrimp AP. We will be reviewing those recommendations.

In fact, our next agenda will be Mike Merrifield's review of the Deepwater Shrimp AP Report. We'll also be asking the committee to make some decisions about those recommendations when we get into the decision document, because they are included in there right now as recommendations.

MR. HAYMANS: Ben, I don't know if that was Freudian or not or whether you didn't want to be on the committee, but you are on the committee. If there are no other questions, we will move forward with AP reports. I would ask Mike Merrifield to come up and give the Deepwater Shrimp AP Report.

MR. MERRIFIELD: My name is Mike Merrifield; Chairman of the Deepwater Shrimp AP. On May 8th I did participate in the Habitat and Coral joint meeting and did bring up that there were probably going to be some recommendations from the Shrimp AP that came out of our meeting the following day. On the following day; we met on the 9th. The first thing we came across was that we did not approve the minutes from our joint AP meeting, because they were incomplete.

There was a lot of discussion about that in terms of there was some disappointment amongst the group and a lot of people verbalizing their concerns about it. But at the end we just decided not to approve those minutes and to move on and try to get through the agenda. The first action that we had was regarding the expansion of the boundaries of the Oculina Coral HAPC, the northern expansion. Motion 1 is to oppose northern expansions, Alternatives 2A and 2B, and then the Deepwater Shrimp wanted to add some recommendations to that.

Everybody has received this, correct, so I don't need to read it. Basically if you look at some of the charts that I included in this document, you can see where those recommendations came from. Basically on the eastern boundary, especially towards the southern third basically of that boundary, there are a fair number of VMS dots that are within that 2B recommendation.

If you look at comparatively the shrimp trawl tracks, you can see that correlates perfectly. There was a recommendation basically to move that eastern boundary westward to release some of that trawl track area that would be closed under the 2B alternative. Actually there was at one point – probably back in November of last year after the joint meetings, there was a north to south boundary that was proposed, or it was brought up at that time.

It was created by the Deepwater Shrimp AP, and basically the idea was to follow the 100 meter contour, and there are differences in the data in the charts that we were using on the Deepwater Shrimp side versus what Roger has. Granted, what Roger has might be the most current and could possibly be more accurate, but the actual fishing area is the actual fishing area.

Especially in that southern side, there is a fairly large impact to the fishery by going with the boundaries of 2B. On the western boundary, there was an additional request to modify two points in order to release a small area that was right at the 70 meter line. This is one of the areas that were part of two areas that were the most productive in the last couple of years.

They were asking that we would release a little bit of that bottom on that western side. That is where there is a recommendation to change two points to basically spread them out a little bit more to take the angle off of that. It is easiest to see by looking at the charts that are included in this document. Are there any questions on those?

MR. HARTIG: When you're moving the eastern boundary west, how far is that moving; do you have any idea? I know it is based on depth and things. The lines are so close there you can't see how far it is really going to move.

MR. MERRIFIELD: Are you talking about what is that distance?

MR. HARTIG: Yes, what is the distance?

MR. MERRIFIELD: That distance is probably less than a third of a mile or a quarter of a mile.

MR. HARTIG: Just approximately.

MR. MERRIFIELD: Yes, I would say that. In fact, that distance there is probably less than a quarter of a mile, something like that. Basically, it took Points 2 and 3 and spread them out to take the corner off of that expansion. Okay, any other questions on the northern expansion area, what is being recommended there?

Okay, so then the next one would be the western expansion of the existing Oculina Coral HAPC. There was basically just a recommendation. There is an area just to the south of the southern satellite on the western boundary that was being requested just to move in just a little bit, and there is basically some historical drag area there.

This is actually the second area. This is part of the second area that was most productive in the last couple of years. Why that is I don't think anybody really knows the answer to that, but the fact is these are the two areas that there has been a lot of activity in the last couple years. The request was to move from the southern boundary; just to move and to release some of that bottom that is right on the 70 meter contour there.

That is a little bit further south there. It would just be moving – from the southern boundary, moving in eastward a little bit and then heading down from there. Now any of the tracks that are inside of that would be – those areas become closed areas; those tracks will be lost or will no longer be trawlable. It is just that area outside of the blue line.

MS. MARTIN: I just want to point out on the screen there; so what we have pulled up is the attachment that was circulated to the council towards the end of last week. What you see on the screen, the blue polygon, the blue line is what the deepwater shrimp – the southern portion of what the Deepwater Shrimp AP is recommending for the proposed western extension. The pink line is what is identified as Alternative 3, and the green lines there are the trawl tracks that Mike keeps referencing. I just wanted to clarify that for everybody.

MR. MERRIFIELD: That is correct. Are there any questions on that recommendation?

MR. BURGESS: Yes, Mike, could you speak briefly on the – going back to the northern extension, maybe that southwest corner that you were considering. I don't know if you were going to cover that.

MR. MERRIFIELD: Okay, that's it right there. That is the two points that we were just talking about prior to the western expansion. This is the northern expansion, but the southwestern border. In the slide we are looking at now – and colors I know are funny, because they are changed from how they display sometimes.

But basically the pink line, the western border basically is – and what I published, most of it has a blue line that overlay a pink line, which means that that is where Roger has drawn a western border for the 2B Alternative, which is the pink line. Basically the Shrimp AP has gone along with most all of that western border. There is no problem there.

We are asking for this small corner to be slightly changed to release some of those tracks that are right there on that 70 meter. It is just basically sliding two points further out to minimize the angle of approach there that is being taken with that Alternative 2B. There are some trawl tracks.

If you look at this slide right here, what you see is there are a few trawl tracks that are inside between the blue and the pink line; but as well as you look at the VMS tracks that are on the right hand side of the screen there, you can see the concentration of VMS tracks that are in that same southwest corner of that Alternative 2B, as well as you can see the VMS points that concentrate along the eastern edge at the same time.

That is basically the reasoning is that there is a fair amount of activity just right in that little corner right there. There is probably a bigger area that was actually productive in that vicinity,

but specifically that area there is what would be eliminated by Alternative 2B; thus the request to just slightly move it eastward.

I think we've done the western expansion as well; so next is the transit. We had long conversations with Otha over teleconference at our meeting, and he was recommending some things to us. Basically I tried to get those written down into a form that was understandable, but basically we came up with this motion as a result of our conversations with Otha.

That was to move the speed from a 6 knot requirement to a 5 knot; and this would reduce the amount of call-ins that might be required; and then also to take out the 24/7 call-in feature for several reasons. There is a commitment level that needs to be done on the law enforcement side that he wasn't sure about; plus the fact that if someone did go in and not call out, then you have got two violations; not just that they went in, but they didn't call.

There was a complication there; and then basically what he said was what is working now seems to be working fine, which is most of them will call in if there is a mechanical issue or some reason why they would drift into a closed area. That has been working fine to this point so he thought leaving it alone would be the best thing to do.

That is why the motion was changed to what it is in our report here. The next item is Motion 5, expanded boundaries for Stetson-Miami Terrace. We had a fair amount of conversation about this. Again as it is stated here, Alternative 3 was the preferred only because that is the easiest thing to work with out on the water.

The second alternative would be to use the Alternative 2, but to have some type of a fishery access area that allowed some area of drift northward to haul in and turn around. Our sort of second preferred on that would be to have – and Roger very graciously drew up a nice area for a shrimp fishery access area that would allow just for that purpose. That seemed to be very palatable to everybody. Are there any questions about that? Action 4; we really have very little input regarding the Cape Lookout. There is no shrimping activity in that area.

MR. HAYMANS: Are there any questions for Mike? Mike, thank you for your AP, and thank you for the work that the panel has done in trying to get us some good recommendations. We appreciate it very much. Okay, we will now take a quick five-minute break until we can get some technical issues worked out.

MR. HAYMANS: Okay, we will get restarted here with the decision document. Anna is going to lead us through that and Roger is going to give us some input as we go through.

MS. MARTIN: Okay, we are moving into the decision document for Coral Amendment 8. This is Attachment 5. There are four actions in Coral Amendment 8. What we are going to do is review the actions and alternatives that are in the decision document, inform the committee about the guidance we are looking for from you today.

We are going to transition over to Roger action by action to take a closer look at the VMS analysis before the committee is asked to make some of these decisions. The decisions we're talking about again are discussion and accepting the Deepwater Shrimp AP recommendations as additional alternatives, selection of preferred alternatives and approval for public hearings.

I did want to bring your attention to Attachment 1. This is an administrative record for Coral Amendment 8. We have received a number of requests for different pieces of information that are located in this Attachment 1. This contains AP minutes and reports, committee minutes and reports, and different versions of the document.

As you recall, these actions were originally included in Comprehensive Ecosystem-Based Amendment 3; and two years ago when those were approved for public scoping in December of 2011, and through that CE-BA 3 vehicle, it has taken on a number of different changes. They are now obviously included in a coral amendment.

We thought it would be helpful to include all of these administrative pieces of information in one attachment for ease of accessibility because of the number of requests we've received for different elements of that attachment.

MR. HARTIG: That's a pretty cool way to do that.

MS. MARTIN: Thank you, Ben, I appreciate that. Okay, the committee has developed a purpose and approved a purpose and need for this amendment. I will just review that quickly before we get into some more detailed discussion here. The purpose of Coral Amendment 8 is to increase protections for deepwater coral based on new information deepwater coral resources in the South Atlantic.

The need has been identified as the need for action in Coral Amendment 8 is to address recent discoveries of deepwater coral resources and protect deepwater coral ecosystems in the South Atlantic Council's jurisdiction from future activities that could compromise their condition. We'll move on to the action language.

This is found on PDF Page 4. Action 1 is pertaining specifically to the Oculina Bank Habitat Area of Particular Concern, HAPC, and a modification of the northern and also the western boundaries based on observations of habitat in these areas outside of the HAPC. Again, these surfaced as original recommendations from the Coral and subsequently Habitat AP.

That is why we are discussing this today, based on observations that have come forward from the deepwater coral scientists. In the northern area, the multibeam mapping, as you recall, was conducted off of Daytona and Titusville and in the western area primarily in the area surrounding the two existing satellite sites. Those observations and assessments served as the rationale for the original recommendations for these actions.

Under Alternative 2, the two subalternatives apply to a northern boundary extension. I think it would be most helpful if we display the spatial representations here, so you can take a look at what we're talking about. Subalternative 2 is depicted in Figure 1. This PDF Page 6. This was the original Coral and Habitat AP recommendation.

This tracks the 60 and 100 meter depth contour in a northern extension and would add approximately 430 square miles to the existing Oculina Bank HAPC. You can see the two areas of mapped habitat off of Daytona and Titusville in the blue polygon, which represents the proposed northern extension identified in Subalternative 2A.

This was also the option that was taken out for public scoping for a northern extension when this was included in CE-BA 3. Okay, Subalternative 2B is identified in Figure 3 here, and this represents a more recent version of a northern extension that both the Coral and the Habitat Advisory Panels have recommended as a preferred at their recent May meeting.

This was developed – actually before the May meeting, because this was developed in conjunction with the Deepwater Shrimp Advisory Panel during that joint meeting that the Coral and Deepwater Shrimp Advisory Panel had last fall in Cape Canaveral. This alternative follows the 70 and 100 meter depth contour in this proposed northern extension.

It annexes obvious hard-bottom features. This is the alternative that the Coral and Habitat APs have endorsed as preferred. This adds approximately 329 square miles to the existing HAPC. As Mike presented, the Deepwater Shrimp AP has revised their recommendation for consideration of a northern extension.

They no longer endorse 2B, and they have a new position, and we will get to that shortly again spatially. Okay, as mentioned, we are going to try to deal with these so everyone can stay on track here area by area. We are going to focus our discussion right now on the proposed recommendations from the Deepwater Shrimp Advisory Panel on a northern extension.

If there is no need for me to reiterate what Mike had to say, if there are questions the committee has, we can bring Mike back up to the table to talk about this, but again this does follow more closely the rock shrimp trawl track data and not a specific depth contour. Do we want to flip to Roger for a review of the VMS information for all of these areas? This is the suite of recommendations for a northern extension.

MR. PUGLIESE: Okay, if you would move to Attachment 7 – let me jump back; there are some figures in there that I want to highlight. In the previous deliberations we had been working with vessel monitoring information that included the timeframe from 2007 to 2011. There had been concern about getting additional historic information.

We worked very closely with the Southeast Fisheries Science Center, who worked with OLE to get the information updated back to the original establishment of the vessel monitoring system in the southeast. What we ended up doing is getting data kind of in a couple different chunks, historic back from 2003 through partial way into 2011; the data that we originally worked with, and then something even all the way up through March of this year; so we had combined those and presented – that is why in the information you do see vessel monitoring information that goes extension from 2003 through 2013.

As we finalize this, we will probably try to get it even more updated as we finalize and collapse it maybe into two areas. But what I would like to do is walk through the information that is shown in terms of the habitat and other information on VMS itself for specifically the northern extension.

As indicated earlier, the footprints that we are working with were both for 2A, the 60 to 100. Now this is even a modification from the original discussion, which was actually the true bathymetry; so this was one step down and a simplified version getting to this 60 meter to 100 meter to get to this level.

In addition, the subsequent Alternative 2B, as indicated earlier, two was developed in response to the October 2012 joint meeting. The Habitat Advisory Panel had the first opportunity to look at the actual translation of that into spatial information, endorse this as it moved forward again because of the high-relief bathymetry, as well as the available mapped information acknowledging those habitats in the area.

One thing I wanted to do was to be able to compare those two in terms of the transition from the original proposal, 60 to 100 meter to the existing 2B – from 2A to 2B. If you look at the figure here, Figure 3; what it does show is that there has been a change of approximately about 100 square mile reduction with moving that western boundary to the 70-plus additional high-relief habitats.

This is a snapshot. Figure 4 is a snapshot of the entire VMS suite of information. It very distinctly shows you the differentiation between the three fisheries that are actually being depicted, because these are being run constantly on the vessel, so you have the inshore penaeid shrimp fishery along the coast north of Cape Canaveral and south.

You have the rock shrimp fishery that has a very significant concentration on the eastern side of the existing Oculina Bank HAPC and south; and then to the north; and then on the other side of the area we're talking about and the deep area, a very concentrated deepwater royal red shrimp fishery.

This is the entire dump, including not only fishing activity but also the transit. If you look at the entire, you are looking at all the information of this 2003 through 2013. Now, in order to do the analysis, what we wanted to do was to look at the distinct nature of the fisheries. When we first looked at this, I looked at a larger kind of area for especially rock shrimp, because we were considering just at least getting a footprint of it to show where they were transiting.

But in doing this, we really focused on the core areas of both the inshore rock shrimp component as well as the offshore royal red shrimp fishery. That is where we came up with these specific polygons and presentations of what I would say are the core operations of these fisheries. That is pretty important to have some of this I think beyond just our deliberations, but also in looking at how other activities in the region may be affecting these fisheries.

Now moving on to the actual VMS information and VMS analysis, when you are looking at Alternative 2A, the presentations on Figure 6 specifically show what occurs in that area. Now this is all points so it includes transit as well as fishing points. The analysis was done based on fishing, which is defined as 2 to 4 knots.

If you look at the subsequent Figure 2B, the same is the case for Figure 7, it is showing the operations of the fishery, again both fishing as well as transit through the region. Let me jump past western and actually into the analysis. Now, in order to be able to look at this, there are about 1.2 million VMS points for this time series.

In looking at it; in Alternative 2A, for the time series we're looking at about 12.3 percent of the points were identified as fishing for rock shrimp. Now, again it was looking very specifically at just rock shrimp. You could also look at this as fishing for rock shrimp or fishing for deepwater overall shrimp, but the focus provided approximately 12.3 percent.

There was some discussion about in the past there may have been a higher percentage, and it did kind of show out – in 2003 to 2007, it actually had gone up to about 14 percent in the past. When you look at the Alternative 2B, that change in the western boundary really addressed the lion's share of the activity in this fishery, because it dropped it down to – for the entire time series, it dropped it down to 5.5 percent of the vessel monitoring points that were identified as fishing.

It did also show a little bit higher in the past, not quite as significant as when you looked all the way into the 60 meter contour, but in this case it was up to about 6.4 percent in the earlier time. Now I will state that the analysis that was done at 2 to 4 knots; there had been some discussion that really true activity potentially could be down as low as really 3.5 knots.

This may be almost even a liberal percentage just by using that – it is a little bit higher than what had been identified later on as operations. Now if we jump – I did want, while we were on this, talk about the Deepwater Shrimp AP's recommendation. The two components of those recommendations were a slight modification on the eastern boundary and then a carving off a small portion of the western boundary of the area.

In looking at those, what I did do is I took the coordinates provided by Mike and looked at what that meant for actual activity in the area specifically to the VMS information that we had. On the eastern revision, what it showed was that if you look at that entire time series – originally the Alternative 2B had about 5.5 percent of the VMS points – it dropped it down to about 4.2 percent, so you really were only looking at about 1.3 percent of the VMS points by that adjustment to the eastern boundary.

Now I know in the discussions of the AP and in the deliberations on this, there was some very specific desire to try to maintain the boundaries so that you would have a buffer or some type of thing that would keep the fishery at least away from the significant habitats enough. I think what you have got is the core recommendations of what the habitat – the most conservative habitat recommendation from the 60 to 100; dropping down with the compromise, dropping it to 100 square miles on that revised 70 to 100.

The question is how you balance the recommendation with that habitat guidance, knowing that we're talking about 1.3 percent of the VMS points. Looking at the other recommendation is on the western boundary.

MR. HAYMANS: It's all on the western boundary.

MR. PUGLIESE: No it's still – oh, but I was still on the northern.

MS. MARTIN: Western northern.

MR. PUGLIESE: I'm still dealing with the northern; western of the northern boundary, let me clarify myself. No, we're not moving to the other one. It really gets confusing with that. No, it is just the other tweak that was requested. I did want to double check it and look at what that potentially could mean.

Very specifically, in drawing that western boundary, it was specifically trying to capture other areas of high relief or at least keep the fishing activity away. This jog out to the west was actually brought in there very specifically to keep it away from those high-relief pinnacles. In looking at how much activity was involved in there; if you look at adding in that coordinate, it reduced the area by only about 9/1000 of 1 percent. It was very nominal.

Now, you may see some tracks there, but that may be just a vessel or two. I'm not sure exactly what Mike is presenting on these things; but when you look at that entire time series, there is very little activity with that change. Again, that is the question to tradeoff on how close you want to get to that to recoup some percentages on these. But that puts all the northern extension, the proposals for 2A, 2B, and the recommended revisions for both the eastern boundary and that slight western boundary into context.

MR. HAYMANS: Okay; and if it is not obvious, we're taking these actions an area at a time. With that, when we look at Action 1, Alternative 2; 2A, 2B, a modified 2B, and then an even more modified 2B; is there discussion amongst the committee on how you would like to handle this?

MR. PHILLIPS: Well, I guess my first question would be do we want to consider changing the Subalternative 2B as it is now written to a new Subalternative 2B as recommended by the Deepwater Shrimp AP or do we want their alternative to be Subalternative 2C? I guess that would be my first question.

MR. HAYMANS: I don't believe we want to change the wording of 2B as it is because that is the Coral and Habitat AP's recommended wording. If we want to accept the Deepwater Shrimp AP's, then I think we craft a second alternative or another alternative that is very similar to that with the slightly changed eastern and southwestern boundaries. Then there is also the issue of 2A, which neither committee has recommended.

MS. MARTIN: Charlie, if you look at the options that we have identified in the decision document, the first option that the committee needs to discuss would be this northern recommendation from the Deepwater Shrimp AP. Here we're talking about the eastern boundary and a proposed northern extension.

This is the tweak that Mike presented that modifies Subalternative 2B. This would be a new subalternative. It would not replace any of the alternatives currently in there. That is in my mind the first order of business; how does the committee want to handle this recommendation?

MR. HAYMANS: Certainly; and from what Roger showed us, we saved an additional – or it is a difference of 1.3 percent of the VMS points between those two eastern edges. Charlie.

MR. PHILLIPS: Mr. Chairman, I would make the motion that we add the Deepwater Shrimp AP's recommendation as Subalternative 2C.

MR. HAYMANS: Second by Ben. Is there any additional discussion?

MR. HARTIG: This was based on although, yes, it is a very small percentage, it has been important especially in the last couple years for rock shrimp productivity. To me, when we

require VMS on a fishery, we should be able to use it to the utmost to benefit fishery and the habitat. I think if we can allow them to fish a little bit closer based on the technology and they're not impacting any significant bottom, then I don't have a problem with it.

MR. PHILLIPS: I agree with Ben. I would like to also make a motion that we move –

MR. HAYMANS: No, hang on. Mike.

MR. MERRIFIELD: Might I just recommend that if we're going to make another alternative per the Deepwater Shrimp AP, that we go ahead and just do the eastern and western boundary at the same time as one alternative rather than have two alternatives; if you want to consider both of those recommendations.

MR. HAYMANS: Okay, that is what we were just sort of talking about here between us is whether or not to do the eastern edge and the southwestern corner as one motion. Charlie, is that what you intended, because the southwestern saves you an additional 9/1000 of the VMS points.

MS. MARTIN: This is your second question in the decision document. Taking a look at the informal recommendation, it wasn't made at the AP meeting, but it was something that they submitted through Mike afterwards. It is presented in the decision document as an informal recommendation. It is also talking about the northern extension, the eastern boundary and those two points that Roger reviewed with you. We can address those collectively or separately. I think that it would probably make the most sense if we handled them together.

MR. PHILLIPS: I agree; and that would be my motion to do both of them together.

MR. HAYMANS: Is that okay with the seconder; and I see a thumbs up with the seconder.

MR. HAYMANS: **Okay, so the motion is to add a Deepwater Shrimp AP recommendation for a northern extension including both the eastern and southwestern boundary modifications from the AP as Subalternative 2C. Charlie made the motion; Ben seconded it. Is there any additional discussion? Is there any objection? Seeing none; that motion carries.** Now we have Subalternatives 2A, 2B, 2C. Is there any additional discussion on any of those? Is there any desire to pick a preferred or to get rid of one? Charlie.

MR. PHILLIPS: Mr. Chairman, I would make the motion that we put Subalternative 2A in the considered but rejected appendix.

MR. HAYMANS: We have a motion to move 2A to the considered but rejected, and I assume that is because neither of the APs recommended it. **Is there a second for that? Ben. Is there any additional discussion? Any objection? Seeing none; that motion carries.** As we are intent to carry this out to public hearing, we typically like to have preferreds. It is not necessary, but probably a good idea for the public to know which way this council is going. Is there a motion to select a preferred? Wilson.

DR. LANEY: Mr. Chairman, I was just going to ask Roger a question. I think you probably already analyzed this; but in terms of the amount of protection that we are affording to the habitats that we intend to protect, what is the difference between our new Subalternative 2C and

Subalternative 2B? Did you say that earlier in terms of either the width of the buffer that the Coral and Habitat APs are recommending in that original Subalternative 2B or in terms of square miles, either one? Have you analyzed that difference yet?

MR. PUGLIESE: I haven't looked at the actual square miles that you were talking about. It is that entire boundary on the eastern side that is like a quarter mile up through that entire area and then that slight area. I put it into context of what the potential impact on the VMS information was.

DR. LANEY: Just so I understand; we're picking up an additional 1.3 percent of the trawl tracks of the VMS observations, but it is safe to say that 2C would be less conservative from the habitat protection standpoint than 2B. I would recommend, Mr. Chairman, that 2B be the preferred for the purposes of public hearing.

MR. HAYMANS: We have a motion by Wilson for 2B as a preferred; is there a second? Is there a second? Seeing none; I suppose that motion fails from lack of a second. Is there another motion?

MR. PHILLIPS: Mr. Chairman, I would like to make a motion we select Subalternative 2C as our preferred.

MR. HAYMANS: We have a motion to select Subalternative 2C; seconded by Ben. **Is there any additional discussion? Seeing none; is there any objection to Subalternative 2C as our preferred? Seeing none; that motion carries.** That takes care of the northern expansion. Now let's look at the western expansion, which is Alternative 3.

MS. MARTIN: Okay, I will flip over to Alternative 3; and this is PDF Page 12. Alternative 3 again is the modification to the western boundary of the HAPC. This alternative adds approximately 76 square miles to the existing HAPC. This has been a preferred alternative of the Coral and the Habitat Advisory Panels since the public scoping process.

Again, we will need to discuss the recommendation that has surfaced from the Deepwater Shrimp Advisory Panel; and the first order of business would be does the committee intend to consider this new recommendation from the Deepwater Shrimp AP for a western extension of the Oculina Bank HAPC as an additional alternative under Action 1? This is identified in Figure 8 in the decision document; PDF Page 17.

MR. HAYMANS: Okay, we'll turn to Roger for a discussion.

MR. PUGLIESE: On the recommendation for the revision of the eastern boundary, the southeastern boundary of the western extension, when you are looking at the vessel monitoring information, the addition or the moving of that line ended up in about a modification from a 0.5 percent reduction or to a 0.5 percent from 0.8; so it is about 0.3 of 1 percent change by moving that boundary to the east.

MS. MARTIN: In the decision document, Figure 8, the blue line in Figure 8 is what is proposed under Alternative 3; and the red line there is the Deepwater Shrimp Advisory Panel's recommendation.

MR. HARTIG: Roger, from your informational capacities; moving this line, does it impact any significant habitat feature; moving this line?

MR. PUGLIESE: Yes, I think the consideration was that this was put in to attempt to keep the fishing activity not right up to the edge of the pinnacles. If you look at some of the bathymetry, actually the moving that line that far in at least does go either right up to what those bounds are; or actually in the case of the most southern portion, it goes over some of that area.

In this area, this had been the recommendation of the most significant habitat occurring east of what is the blue line right now. I would say from just understanding this, it is moving it directly right up against it. If you look at the trawl track areas, other than the northern portion of it and the southern half of this area, there essentially was no trawl activity.

Again, this is the tradeoff on how close – and if you look at some of the areas where you have analyzed these bathymetries, one of those bathymetric shots could potentially be hundreds of pinnacles. We are working with the amount of information we have; and I think that is why you have gotten the recommendation from both the Habitat and Coral in terms of what the original boundary was. This is a more recent discussion about potential for modification.

MR. CUPKA: Based on the fact there is potential there for impact and that you're only going to pick up a couple of tenths of a percent; I would be inclined not to add that as an alternative. It must be important to them, because they wouldn't have brought it up if it wasn't, but still it seems to me that you are not gaining that much for the risk you are taking on being right on top of some of those pinnacles.

MR. HARTIG: The bathymetry on these charts, Roger, now that was done by whom? Do you remember where the original bathymetry came from on these?

MR. PUGLIESE: Yes, it was work that originally in John Reed's analysis he had been able to get this. They scanned and geo-referenced these bathymetric charts. I think the original ones were done through NOAA at some level. It is one of the only areas that have this high resolution.

They were able to get those incorporated in the original analysis and then even repositioned, because these ones that we have included in the most recent maps have been tweaked a little bit to even geo-referenced them a little further. It is from where John had accessed original NOAA high-resolution bathymetry, geo-referenced it and then provided it for this analysis.

MR. PHILLIPS: We are using the VMS data and I really am inclined to add it as an option, but maybe not make it as a preferred, just to take it out to public hearing. That way the public and we can study this a little bit more when it comes back. I think I would be kind of inclined to do it that way.

MS. BECKWITH: I won't support this. I certainly supported the previous, but I think the bathymetry data is quality enough where we do have to balance the habitat considerations with the fishery. I won't be supporting this one.

MR. HAYMANS: We have an inclination but no motion.

MR. CUPKA: If you want a motion; then I'll move that we adopt Option 2, which is no action, in regard to this particular action.

MR. HAYMANS: I'm sorry, Mr. Chairman; would you say that again, please?

MR. CUPKA: Well, we've got two options. One is to adopt it and the second one is to not essentially, or no action. **My motion is to not include it as an alternative, which is Option 2.**

MR. HAYMANS: Based on the motion, which is to adopt no action option for the western extension recommendation from the Deepwater Shrimp AP, we would be left with Alternative 3 as it exists, is that correct; and nothing else there. Okay, is there a second to that motion? Anna. Discussion; and Mike Merrifield has come back to the table. Mike.

MR. MERRIFIELD: I have two things about that. If you look at the VMS analysis, there is a substantial increase in the amount of activity within that area in the last two years, which shows up in the VMS analysis. Secondly, during the Habitat Committee, I think John Reed had actually spoken on public record that Roger and he had come up with some kind of a modification underneath that southern satellite that could be made in order to release some of that activity that occurred below that southern satellite.

MR. HAYMANS: Thank you. Roger, do you have any reply to that?

MR. PUGLIESE: Other than we had discussed some of the possibilities, but the directive that came out of the joint meeting that the AP was going to look at that potentially and see if there was specific activity that needed to be addressed; so the ball was kind of in the court of the Deepwater Shrimp AP to really look at where their activity was. Then we were going to look at the VMS to see what that meant in terms of those, because I think the Habitat recommendation was maintained from the last time, October, November and beyond.

MS. MARTIN: I'll add a little further to that point that Mike has raised. The Coral and the Habitat Advisory Panels have since reviewed this again and stand behind their endorsement of Alternative 3 as a preferred recommendation to the council.

MR. HAYMANS: Is there any additional discussion on this motion? Michelle.

DR. DUVAL: Just a question for Mike; so really this modification would encompass recent activity; it would allow for recent shrimp activity?

MR. MERRIFIELD: Well, it is historic. There has been activity there before, but the patterns that move the shrimp around have come back around to where it moved them into that area. That is why this last couple of years there has been more increased activity in those two areas, but that has been an area that had been accessed before. It has just renewed itself again in the last two years. Does the Habitat and Coral APs; do they get the opportunity to relook at these alternatives?

MR. HAYMANS: Well, as part of the public hearing process individual members will get to look back at them, but there won't be another meeting of the AP prior to that, but they can certainly submit comment through the public hearing process. Tom.

MR. BURGESS: I guess I am going to mention the VMS analysis and the so-called impacts that will have on the industry. It seems according to those that it would be extremely low. I'm not sure or I think there could be the possibility even though that does come out in the VMS analysis; it might not be completely clear or accurate as far as the impact it will have to the industry and the importance to it. Of course, we all have to have good data, reliable data, and timely data; but also the term appropriate data to actually make a clear-cut decision on the impacts to the industry in reference to the low numbers associated with the VMS analysis.

MR. PUGLIESE: I think at least I would like to put something into context in terms of recent activity relative to the VMS specifically. What we're looking at is the rock shrimp fishery activity during that timeframe, the overall timeframe of approximately 81,000 points. You have 90 points in the timeframe existing within that western extension modification.

But it is not two years; it is actually – the 2011 is half of the fall and only through March, so it is really almost one year within this, one and a half years, maybe. I think what is a better representation ultimately, and the way this would be looked at is to use the 2003 through 2007, 2007 through 2013 ultimately to really be able to capture those two big timeframes of the fishery. This tweak; I was a little concerned about putting it this way, because it does almost over represent the way some of that fishing activity is from the VMS side.

MR. HAYMANS: We have a motion; and on Page 17 of the PDF document, it is basically you see Option 1, Option 2 there. I think that was it, and basically the motion is to adopt the no action Option 2 for the western extension recommendation. Basically what we'll be left with then is only Alternative 3.

If there is no other discussion, is there any opposition to this motion? Seeing none; that motion carries, and we're left with Alternative 3 with regards to the western boundary. Is there anyone who would like to make that the preferred to take out to public hearing so the public knows the intention?

DR. LANEY: I guess I would ask, Mr. Chairman, if that is the only one, do we still need to designate a preferred.

MS. MARTIN: That is correct, Wilson; the committee selected 2B and that dealt with your discussion about the northern extension of Oculina. The only alternative we have looking at a western extension is Alternative 3. It is up to the committee if you would like for that also to be a preferred under Action 1.

DR. LANEY: Then, Mr. Chairman, I would move that be a preferred under Action 1 as well.

MR. HAYMANS: Thank you, Wilson, and I see that Chairman Cupka has seconded that. Is there any additional discussion? Is there any objection? **The motion was to select Alternative 3 under Action 1 as a preferred. That motion was made by Wilson and seconded by Chairman Cupka. Is there any additional discussion? Is there any objection? Seeing none; that motion carries.** That takes care of Action 1. We have seven minutes until the end of our assigned time, so I think we might be running over by a couple of minutes, but let's try to move on through Actions 2 through 4.

MS. MARTIN: Action 2; this is the action that considers implementation of a transit provision through the entire Oculina Bank HAPC. Again, the reason this is included in the document is because of the large area proposed for expansion under Action 1 that the committee just discussed.

The rock shrimp fishery representatives have come forward to discuss concerns about accessibility of the areas where they are currently fishing off of the eastern boundaries. That is why Action 2 is included in the document. Alternative 2; this refers to a transit provision that is currently in place for the existing marine protected areas.

This alternative was suggested by the Law Enforcement Advisory Panel back during the public scoping phase when these actions were included in CE-BA 3. However, as it was discussed earlier, Otha and some other representatives from the Law Enforcement Advisory Panel have been involved in the discussions of the Deepwater Shrimp and the Coral and Habitat Advisory Panel meetings.

They have been instrumental in development of Alternative 3. Alternative 3 was developed during the joint Coral and Deepwater Shrimp Advisory Panel meeting last fall; again with input from Law Enforcement AP representatives. This was previously the recommendation for a preferred alternative from the Deepwater Shrimp AP.

This alternative would allow for transit while in possession of rock shrimp within or coming from the HAPC. Vessels must maintain a minimum speed of 6 knots while transiting through the HAPC, determined by a ping rate acceptable by law enforcement, and that has been identified as 5 minutes with gear stowed appropriately to mean doors and nets out of the water.

That is a significant difference between Alternative 2 and Alternative 3, the definition for stowage of gear. Alternative 3 also includes a call-in specification in the event of an emergency. Again, just to review what the Deepwater Shrimp Advisory Panel has recommended for Alternative 3, that is to decrease that minimum speed requirement from 6 knots to 5 knots and eliminate the call-in specification language that is currently identified in Alternative 3.

The recommendation the committee needs to discuss is to accept the revised language for Alternative 3. This would replace what is currently identified there as it is described in the Deepwater Shrimp AP recommendation.

MR. HAYMANS: Page 20 on the PDF would be the optimal page here. Wilson.

DR. LANEY: **I would be willing to move that we adopt the Deepwater Shrimp AP recommendation for revised Alternative 3, which is specifically to specify transit provisions through the Oculina Bank HAPC**, with the understanding that recommendation would replace the current language of Alternative 3; and also if appropriate I go ahead and move that that be our preferred as well. This is because the other APs had no objection to it. It sounds like all the APs are in accord on this one.

MR. CUPKA: I will second that.

MR. HAYMANS: I've got numerous seconds so I will give that one to Chairman Cupka. Roy.

DR. CRABTREE: Anna, just so we're clear; in this area we prohibit various gears and things, but we don't prohibit possession of snapper grouper or things that affect other fisheries in this area. Transit provision wouldn't apply to the snapper grouper guys?

MS. MARTIN: That is correct. Currently the Oculina Experimental Closed Area has certain prohibitions in place for the snapper grouper fishery, not the HAPC. We are specifically talking about the prohibition of possessing rock shrimp on board a vessel.

MR. HARTIG: That is a problem, because we have MPAs that we have a transit provision for and we have now, if we approve Alternative 3, that snapper grouper fishermen will have to abide by the old transit provision that is in place currently for the Oculina, right? What I'm saying is if this Alternative 3 is specific for rock shrimp and we were trying to make our transit through the Oculina HAPC for snapper grouper vessels in Alternative 2 as well be the same – no, okay.

MR. HAYMANS: It is only if you have rock shrimp on board.

MR. HARTIG: The provisions for transit through the Oculina HAPC now as it reads are the same as for our MPAs; that is the question I am asking. It was not before, and I thought this was going to do that, but maybe I'm confused.

MR. PUGLIESE: It never was other than the experimental closed area. The experimental closed area is specific to a snapper grouper action. These actions are with regard to the impact of the shrimp fishery and only address shrimp possession in the extended HAPC areas. Right now I think it has been said a number of times you can possess snapper grouper but you just can't anchor or use grapples.

MR. HARTIG: All right; let me put another wrinkle in it. Allow for transit through Oculina Bank HAPC with possession of rock shrimp on board; what if you are going out and you want to fish on the other side of the zone to start with and you don't have any rock shrimp on board?

MS. MARTIN: There is no –

MR. HARTIG: You would have to go around the entire area if you wanted to fish offshore?

MR. HAYMANS: I think you simply transit it at 5 knots or better.

MR. HARTIG: It is not worded that way. That is what Brian was telling me, and he has a point, because it says “allow transit through Oculina Bank HAPC with possession of rock shrimp on board? Do we allow to transit without rock shrimp on board as well if you are trying to fish the offshore area of the rock shrimp grounds?

MR. HAYMANS: What would be the issue with that? If his gear is not deployed, if his gear is stowed, he's got no rock shrimp, what is the issue with transiting then?

MR. HARTIG: I didn't have an issue with it. I just don't want this to come back at us at some point that a vessel isn't going to be able to transit the area to go fish an area he wants to fish without rock shrimp on board.

MR. HARTIG: Take one with him – I mean, does the Coast Guard; do you guys have any heartburn with that the way it is worded?

LCDR GIBSON: From an enforcement side of the house, it is going to be difficult if we can't interpret exactly what you're looking for. The way I understood it was that at over 5 knots that you were able to transit.

MR. HARTIG: If you understand it like that, I don't have a problem.

MR. HAYMANS: To me, the way the first sentence opens up, this really only deals when there is rock shrimp on the vessel. Any other time you can be in the closed area, but the issue is whether you've got shrimp on the vessel or not. Clear as mud?

MR. HARTIG: I would like to hear Mike – Mike, did you have something to clear up on this?

MR. MERRIFIELD: I was just going to say you can transit now; but if you have rock shrimp on board, then you are in trouble. Really, it should just say you can transit any time as long as you have these provisions, which is 5 knots and gear out of water.

MR. HAYNANS: Very well; so we have a motion on the board and also Anna part of that motion was to accept it as our preferred all in one swipe. **The motion is to adopt the Deepwater Shrimp AP recommendation for revised Alternative 3 with the understanding that this replaces Alternative 3 and to accept this modified alternative as our preferred. We had second from Chairman Cupka. Is there any additional discussion? Is there any objection? Seeing none; this motion carries.** Action 3, the Stetson-Miami Terrace. Anna.

MS. MARTIN: Okay, Action 3, here we're moving further offshore. This is PDF Page 21, if you are following along. This deals with a western modification to the Stetson-Miami Terrace HAPC. Again, it is based on observations that have come from the Coral and subsequently the Habitat AP, based on observations of a shallow water lophelia ecosystem occurring in these areas outside of the existing boundary.

Alternative 2 is depicted in Figure 9. Alternative 2 was the scenario for modification that was developed during the joint Coral and Deepwater Shrimp Advisory Panel meeting last fall. The Coral and Habitat APs have reaffirmed Alternative 2 as their preferred for the council's consideration.

This alternative modifies the southern boundary of a proposed western extension of this HAPC in a manner that releases flat-bottom region in this southern zone here to the extent possible, while maintaining protection of coral habitat based on the mapped areas that the scientists have come forward with.

In Alternative 3, the other scenario we have identified under Action 3; this is Figure 10 in the document. This scenario modifies the original Coral Advisory Panel recommendation that was taken out for public scoping. This Alternative 4 expansion would include that area of mapped habitat within the expansion, while excluding the areas of royal red fishery activity based on the VMS data.

This is the alternative that the Deepwater Shrimp Advisory Panel has endorsed at their recent meeting as a preferred alternative. They do have that additional recommendation. I guess they have called it a secondary recommendation for a preferred alternative. That is identified in Figure 11 in the decision document.

This Figure 11 is their recommendation. It is not currently an alternative right now. This is their back-up recommendation for inclusion of a shrimp fishery access area in the southeast corner of the proposed extension of the HAPC. This figure is a modification of Alternative 2. I think now Roger will talk about the VMS information associated with this action, and then we'll come back to the AP's recommendations.

MR. PUGLIESE: What I want to do is jump back to Attachment 7 to kind of connect both the Habitat and the VMS information; and look at what is presented as Figure 9. Some of the original origin of this discussion had to do with the high-resolution mapping and characterization that was provided through collaboration with the Navy.

As you know, we have Navy representation on our Habitat Advisory Panel, and they provided information to the researchers that have been involved in the discussion. What this showed was the first origin – the footprint that was brought to scoping that captured that entire area. If you scroll down to the next figure, what you are seeing is the alternative that was brought to scoping.

Really, the alternative that we're at now in terms of deliberation between the advisory panels, all three of the advisory panels, Habitat, Coral and Deepwater Shrimp; originally out of the October meeting; and it provided a reduction in the northern boundary of the area, the real discussion with the modification of the southern boundary to try to make sure it retained the habitat that was mapped, plus also adjusted somewhat north to capture additional fishing operations and adjust the habitat also.

If you remember the high-resolution bathymetry, this was trying to really track that even clearer. When you look at the original Alternative 3; that actually extended all the way to northern extent of that original proposal that was brought to hearing but used that notch in it – the notch in it used the historic information we had on the royal red.

What we did is when we first worked with this royal red information; we had it processed so this was the bound of any point, period. It had nothing to do with fishing operations; it really was the entire distribution of the fishery operation. When we first went to scoping, this is where we used that; created this, and that is what came up with this alternative as first proposed.

When you look at these both in context, you can see how the two alternatives actually – for the refinement what it did is it cut off the northern area where there was not mapping that was available. In the southern area it adjusted to try to capture more of what really was the habitat map.

Now, you do have a notch in the center of this area that had some fishing operations that have occurred; and really from the industry it is very clear from Mike and the industry discussion; they are not fishing in this area at all. What it is, is the pullback and haul back area is what is happening is to slow down and pull back.

The points you actually are seeing and are being identified as fishing really are not fishing within the area. Now, when you look at the actual numbers; in the first discussion when we went to scoping, we did not have the actual VMS point information. As I mentioned, we had the processed data that was used in the original amendment.

Now we have the actual VMS information, and what we showed in the revised new Alternative 2 that has been discussed; when you look at the entire timeframe from 2003 through 2013; that alternative had approximately 0.7, like three-quarters of 1 percent of VMS points that occurred within that area.

Again, some of the historic was up to 1.7 in the past; but if you look at the entire time series, it is less than 1 percent of the VMS points in the entire alternative that has been addressed. Now when you look at the original Alternative 2 – and again it was to try to capture that entire fishery period; it did drop it down to 0.1 percent of the activity in the area.

Now if you flip over to the decision document itself, the discussion was very specific about this area not being fished but there being this activity, and the opportunity to look at potentially creating an area that would eliminate all of the gears, but would allow the vessels to be in there because of the haul back.

When I looked at the actual numbers in the area, what creating this small notch in the southeastern corner of the HAPC proposal for Alternative 2 reduced – I mentioned it was 0.7 percent of basically 1 percent down to 0.1 percent. It kind of brings it all the way down to almost zero impact on it. What we do have is a slight modification, less than 1 percent of the actually operations fishing activity for the royal red shrimp fishery occurring within this new added in shrimp alternative area.

MR. HAYMANS: What we have then is Alternative 2, which is recommended by the Habitat and Coral; Alternative 3, which was recommended by the Shrimp AP; and then a possible new alternative, which is a modification of Alternative 2. We believe that increase is simply haul back not actual fishing activity. Is there a preference by the committee to either add or to select a preferred? Would anybody like to make a motion?

DR. LANEY: In the interest of efficiency, Mr. Chairman, and with the understanding that there is no fishing going on, it is an access area that it is haul back and so forth and so on, I don't have any objection to adding it. I would just move that we would add the Deepwater Shrimp AP's recommendation for additional alternative to the document. That would become, what, Alternative, 3 I believe – excuse me Alternative 4.

MR. HARTIG: Second.

MR. HAYMANS: Second by Ben. **The motion is to add the Deepwater Shrimp AP's recommendation for an additional alternative similar to Alternative 2; and with the inclusion of a shrimp fishery access as an alternative for further analysis. Is there any additional discussion? Is there any objection? Seeing none; that motion carries.** Is there a preference here for a preferred?

MS. BECKWITH: **I move we select Alternative 4 as our preferred for Action 3.**

MR. HAYMANS: There is a motion to select new Alternative 4 as preferred; second by Charlie. **Any additional discussion? Any objection? Seeing none; that motion carries.** Our final action then has to do with expanding the Cape Lookout HAPC. There are two alternatives. The Deepwater Shrimp did not weigh in on this one. The Coral AP and Habitat AP did; they selected Alternative 2 as their preferred. Charlie.

MR. PHILLIPS: **Mr. Chairman, I make the motion we make Alternative 2 as the preferred.**

MR. HAYMANS: Thank you and Michelle with a second. Anna, you had something?

MS. BECKWITH: Yes, just for clarification; under the social, I think it was not meant to say the proposed extension of Cape Lookout would have potential negative effects on royal red and rock shrimp. It should probably say snapper grouper. Is that accurate? So, just to make a note under Alternative 2 in the social.

MR. HAYMANS: PDF Page 31. That is direction to staff to review that particular paragraph and decide whether that should be changed or not. Okay so we have a motion; we have a second. Roy.

DR. CRABTREE: Can you all just for the record; I mean it is always a little bit of a red flag for something like this when there is only no action and one alternative. Why is there no other reasonable alternative for this?

MS. MARTIN: We have discussed this before. The Coral and Habitat AP came forward with this recommendation based on areas of observations of lophelia habitat north of the existing HAPC. The reason why there aren't additional recommendations; none of the other advisory panels have commented on this particular action, and the Coral and Habitat Advisory Panel couched their recommendation in terms of the area where they knew habitat to exist. There were no other scenarios that those APs recommended for an extension.

DR. CRABTREE: It is kind of like the habitat is either there or it is not there, and so this is the area that it is in, so that is the only alternative. Is that kind of it?

MS. MARTIN: That is it. I think the catch there is the ability to get out there and conduct this deepwater coral research and the bottom assessments. That is what is known.

MR. PUGLIESE: Yes, just as a follow-up comment, Roy; as you notice it also is fairly kind of straight. It doesn't line up. Why didn't we adjust it? It very specifically is following the bathymetry, that high-resolution mapping that was available. That made the most sense to keep it in that boundary; because if you did start realigning it, it would reduce based on the bathymetry. This is the best information on what we know relative to those habitats.

MR. HAYMANS: **Is there any additional discussion? Very well, we have a motion to adopt Alternative 2 as preferred. Is there any objection? Seeing none; that motion carries.** Do we now need to make a motion to take this out to public hearing?

MS. MARTIN: The next order of business is committee discussion on consideration of Coral Amendment 8 for public hearings. These would be held in August and the council would then consider final approval of this amendment during your September council meeting.

MS. BECKWITH: **I move that we approve Coral Amendment 8 for public hearings.**

MR. HAYMANS: Thank you; second by Michelle. **Is there any additional discussion? Seeing none; is there any objection to moving Coral Amendment 8 out for public hearings? Seeing none; that motion carries.** Okay, the next item on the agenda is ecosystem activities from Anna and Roger. Realizing the time, is there any burning desire there?

MR. PUGLIESE: I'll distribute anything. There are a lot of activities with regard to our partnership with SECOORA, South Atlantic Landscape Conservation Cooperative, SARP and our continued developing fishery-independent information. I think the only footnote I would say is with having the Habitat Advisory Panel meet one more time, we are going to have some real opportunity to really refine some of the tools that have been developed that actually have some training to access.

What will hopefully provide the representation of fish, fish habitat, and to a degree we can fishing operations for our region; so that a lot of these other partners can start using that very specifically in any of the deliberations in addition with our other groups such as Governors Alliance, et cetera.

MR. HAYMANS: Thank you Roger. Is there any other business to come before this committee? Seeing none; I will thank Anna, Roger and the rest of the staff for this document. We are not quite across the goal line yet, but we are getting pretty close. I also want to thank all of the APs for the work that they have done. This is several meetings they have come to.

(Whereupon, the meeting was adjourned at 3:20 o'clock p.m. June 10, 2013.)

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19	holiman, stephen	stephen.holiman@noaa.gov 201 min
17	sandorf, scott	scott.sandorf@noaa.gov 79 min
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