

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SHRIMP ADVISORY PANEL

Webinar

January 18, 2023

Transcript

Shrimp AP Members

Gary Exley

Bryan Fluech

Deepwater Shrimp AP Members

Mike Merrifield, Chair

Jason Vogelsong

Council Members

Mel Bell

Laurilee Thompson

Trish Murphey

Council Staff

Myra Brouwer

John Hadley

Kelly Klasnick

John Carmichael

Kim Iverson

Roger Pugliese

Attendees and Invited Participants

Leann Bosarge

Beth Dieveney

Matt Freeman

Frank Helies

Danielle Schwarzman

Joanne Delaney

Rick DeVictor

Amy Freitag

Corky Perret

Steve Werndli

Additional attendees and invited participants are attached.

The Shrimp Advisory Panel of the South Atlantic Fishery Management Council convened via webinar on January 18, 2023, and was called to order by Mr. Roger Pugliese.

MR. PUGLIESE: Okay. Well, let me go ahead and make you a presenter, Beth, and, right now, we only have, for actual Shrimp AP members, Gary Exley, and we do not have a chair. The members are Janie Thomas, Gary Exley, Bryan Fluech, who is probably not going to join until two o'clock, and I got a note from him. Then Jeffrey Milliken, who was online, and I don't see him, and Marilyn Solorzano and John Woods. Okay. Well, I'm going to make you a presenter right now, Beth.

MS. DIEVENY: Okay. Can you see my screen?

MR. PUGLIESE: Yes, I can. It looks good on this end, and so, without a standing chair, and this is a newly-constituted Shrimp Advisory Panel, and I'll go ahead and try to help move things along, and this is the agenda, as shown, and let me go ahead and at least go back to the agenda first, before we jump in, and what we wanted to do is go ahead and welcome the advisory panel, and, at this point, and let me double-check again right now, but the only standing member of the standalone Shrimp Advisory Panel was Gary Exley.

MR. EXLEY: Roger, I have lost my screen, and all I've got is a "let's get started page" on my computer.

MR. PUGLIESE: Okay, and the screen disappeared?

MR. EXLEY: Well, I've just got a "let's get started", and I'm looking how to get back to it, and I haven't touched anything, and it just went to this.

MR. PUGLIESE: Kelly, are you seeing the presentation screen right now?

MR. KLASNICK: I am.

MR. PUGLIESE: Okay. What you might want to do is -- I hate for you to go and go back in, but I will --

MR. EXLEY: I will do that. Just X out of the screen that I'm in?

MR. PUGLIESE: Yes. Go out of it and then join the webinar again, and we'll wait.

MR. EXLEY: It's asking me if I want to leave the webinar, and I guess yes, and then click back on?

MR. PUGLIESE: Yes, and then you'll have to just join again. Okay, Gary, and I've unmuted you.

MR. EXLEY: Okay. It looks like I'm back, and I see the Florida Keys National Marine Sanctuary Restoration Blueprint.

MR. PUGLIESE: You're good.

MR. EXLEY: Okay.

MR. PUGLIESE: Okay. Good. Well, what I'm going to do is let me come back to -- Make sure that you mute yourself too, Gary, when you can, and hopefully you can figure that one out.

MR. EXLEY: Tell me exactly how to do that. My dog may start barking or something.

MR. PUGLIESE: Well, what I can do is I will mute you on this end, and then raise your hand. That's the simple thing, I will mute you on this end, and, when anybody needs to ask questions or whatever, you just raise the hand, and I can see that, and I will proceed with that. Okay, and so let me go back to the agenda, real quick, because today's agenda is laid out with welcome introductions, and you have the approval, and two areas, major areas, to cover are the Florida Keys National Marine Sanctuary Restoration Blueprint, and the issue of increasing frequency of rocket launches, and then any other business.

The first order of action is welcome and introductions, and, Gary, as I said, at this time is the only standing member of the Shrimp AP, specifically, and so, Gary, welcome today, and I guess we have the agenda, and you're the only one to approve it, and so I assume that, with your approval, we will move forward.

MR. EXLEY: I've still got that blue screen with the Florida Keys National Marine Sanctuary.

MR. PUGLIESE: How about now?

MR. EXLEY: Now I've got just a white screen with January 2023, SAFMC Shrimp Advisory Panel Meeting, and that's it. I haven't touched anything, and so I don't know what's going on.

MR. PUGLIESE: You didn't do it, and so I'm not sure what is --

MS. DIEVENEY: Roger, I stopped sharing mine.

MR. PUGLIESE: Okay, and so it defaulted back.

MR. EXLEY: Well, that makes sense.

MR. PUGLIESE: Yes, because I made you presenters, and you're not going to see the agenda or anything at that point, and so let me -- Now you should be seeing the --

MR. EXLEY: Yes, I see it.

MR. PUGLIESE: I had to jump back and forth, because I kind of jumped a little bit with getting her as the presenter right off the bat.

MR. EXLEY: Okay.

MR. PUGLIESE: So we're good, and so, Gary, if this is good with you, we'll move forward and move from the approval of the agenda, and we do have two points for public comment today, at

the beginning and end of the session, and so I guess the first -- That is beyond the advisory panel members, and public comment -- This would be public comment beyond the Shrimp AP members, if there is other public comment that people would like to add. I will open it now, but what we'll do is we'll have another session, at the end, for public comment, also. What you do is raise your hand, and you click that little green hand button, and that will identify you as having a question or comment to make at this time. Mike, I'll go ahead and open it up to you for the first public comment.

MR. MERRIFIELD: I just wanted to make sure what you're saying there is that other than Shrimp AP members can comment now or at the end, either one.

MR. PUGLIESE: Yes, and we have two timeframes.

MR. MERRIFIELD: Got it. Okay. That's fine.

MR. PUGLIESE: Got it?

MS. BROUWER: Roger, this is Myra, and I'm so sorry to interrupt, but I just want to make sure that we acknowledge that the invitation to attend this meeting was extended to the Gulf Shrimp Advisory Panel as well, and so those folks are more than welcome to provide comment.

MR. PUGLIESE: Yes, and those are some of the other ones that I think that are definitely online, and so any of those members that -- As I indicated, it was public comment, but it does include, very specifically, the Gulf members that have been invited, and a lot of hands went up at one time, and so, first of all, Mike, did you want to make comments now or later?

MR. MERRIFIELD: I will make comment at the end.

MR. PUGLIESE: Okay. Sounds good. I will move on to Laurilee. Laurilee, did you want to make comments now or at the end?

MS. THOMPSON: I am sorry, and I just have a clarification, a couple of questions, and so I assume that, since I'm the representative from the council, you know, in charge of the Shrimp AP, that I'm in the same boat as Gary, and that we can comment and ask questions at any time we want to, but we have several members from the Gulf Shrimp AP that are at the meeting, and we also have several members of the South Atlantic Deepwater Shrimp AP that are on the call, and what are the -- What's the rules of the game for when Beth is doing her presentation, if they have questions? Are they allowed to ask questions, or are Gary and I the only ones that can ask questions?

MR. PUGLIESE: Well, actually, you're a council member, and so we have a number of council members online right now, and so members can ask questions, or clarifications, but this is for public comment primarily so all of those could make comments now. The times we're doing public comment is before the session that we go into and after the session, for anybody but the AP member, which, at this point, really is only Gary, at this point, and so, if there are other comments from, as we indicated, any of the Gulf AP members, or the Deepwater Shrimp AP members, or the general public, anybody who wants to make comments now, you can do it.

What I can do is we have a couple other hands raised, and I can move on to those, and I'm sure those are both categories that we've mentioned, the Gulf and our Deepwater Shrimp member, and I will go ahead and move on to the first one that I see is Corky Perret.

MR. PERRET: Thank you, and this is Corky Perret, the chair of the Gulf Shrimp Advisory Panel, and, at one of our recent Gulf Shrimp Advisory Panel meetings, we recommended that the South Atlantic Shrimp Committee meet to discuss this Florida Keys Sanctuary proposal, and so I just wanted to say thank you for getting your group together.

MR. PUGLIESE: Thank you, Corky. Okay, and, Jason, and it looks like you got sorted out with the thing, and so you're up. You will need to unmute yourself. I have unmuted you on this end. Jason Vogelsong.

MR. VOGELSONG: I was off the screen there, and I had to get back into that, where it was at there, and, no, I just wanted to make sure that you call could hear me.

MR. PUGLIESE: Okay. Yes, we can hear you fine.

MR. VOGELSONG: All right. 10-4.

MR. PUGLIESE: Okay. With that, make sure that you guys mute yourselves afterwards, and what we can do is I don't see any additional hands raised, and let me double-check one more time. If not, what we'll do is move on to Beth and the presentation, and so, Beth, I will go ahead and make you a presenter again.

MS. BROUWER: Roger, this is Myra again, and hello, everybody, and sorry to interrupt your meeting, and I was going to turn back to Laurilee's question, and I guess, you know, we would like to make sure that everybody's questions are answered, and so I guess it's up to Beth if, while she's giving the presentation, if she's good getting questions answered, or doing it at the end, but absolutely all questions should be -- Feel free to raise your hand and ask a question. Thanks.

MR. PUGLIESE: Okay. Thanks. The only problem is I have lost -- There she is. Beth, you can go ahead, and let me make sure -- Let me make you the presenter again. Okay. The ball is in your court now.

MS. DIEVENEY: All right. Okay. Thank you, and good afternoon, everyone. My name is Beth Dieveney, and I am with the Florida Keys National Marine Sanctuary, within the Office of National Marine Sanctuaries, and I have a few colleagues with me today, Joanne Delaney and Steve Werndli from the Florida Keys National Marine Sanctuary, and we also have Danielle Schwarzman, from our headquarters, our chief economist, and Amy Freitag from another NOAA office, the National Center for Coastal Ocean Science, and she's a spatial ecologist, and so a big team that has supported this work, and they are here in case there are questions that I am not able to answer.

To that question about taking questions, Roger, I will look to you on managing the bigger picture time of this, since we only have two hours, and we do have additional agenda items, but I will pause, at key points in the presentation, to allow time for questions during the presentation, so that folks don't forget, and, with that, one last thing.

Because you guys, the South Atlantic Fishery Management Council, have seen this full presentation, and it was also in the briefing book, and knowing that we only had two hours, I took it upon myself to remove some of the intro slides, to just dive right into the actual proposal, but I'm happy to answer any questions related to any part of the presentation for the proposal.

This slide just shows the presentation outline, which is really to focus on the content of the proposed rule and highlights that are specific to the South Atlantic Fishery Management Council and those items that were included in the council comment letter when we released the draft environmental impact statement, and then I will provide some quick updates on the updated socioeconomic analysis report and management plan.

Just as a reminder, this is a notice of proposed rulemaking for our restoration blueprint process, and our restoration blueprint process began with a long scoping period that then resulted in a draft environmental impact statement that was released in 2019, which had four proposals, status quo, no change, and three action proposals, and, within that, we had proposals for sanctuary boundary modification, sanctuary-wide regulation modifications, and specific marine zone and zone-specific regulations.

The proposed rule, that is out right now for agency and fishery management council comments, is informed by all of the comments that we received on that 2019 document, and this proposal does reflect what we heard from the public, our agency partners in the state, other federal partners, and fishery management councils, and we have also included updated socioeconomic and environmental data that informed our decision-making.

One other piece is the draft environmental impact statement had four alternatives, and the proposed rule has one proposal, and that single proposal pulls from all of the proposals in the DEIS, and so there's not a one-for-one from the draft environmental impact statement to the proposed rule, but, rather, it pulls from all of them, and we also have a draft management plan, that I will touch on later in the presentation, and that is a separate document.

This slide shows the topics in the South Atlantic Fishery Management comment letter that are not carried forward and not included in the proposed rule, and so, for example, the fourth line down there, new large contiguous areas, in the draft environmental impact statement, we did include several areas, shore to deep-reef area, in the Upper Keys region, at Carysfort, in the Middle Keys region, at Tennessee Reef, and in the Tortugas region, between the national park and Tortugas South. Those three proposals for new large contiguous areas are not included in the draft proposal.

However, the South Atlantic Fishery Management Council commented on a whole other range of items in the proposed rule, or in the draft environmental impact statement, and sorry, and these are included in the proposed rule, and I will be going through each of these in more detail, for how they have been reflected in the proposed rule. The bottom two, on this slide, water quality and the sanctuary's role in impacts of climate change and coral disease, those were highlighted in the South Atlantic Fishery Management Council letter, and I would just like to note that those are largely included in the draft management plan, and so they're not included in the regulations, and regulatory action that we're proposing to take, but more so in the management plan.

To dive right in, our sanctuary boundary, we are including, in the proposed rule, a boundary expansion, and we propose to expand the boundary in three areas. Of greatest note for the South Atlantic Fishery Management Council is this area to the east and south of the existing boundary, and so the existing boundary is in the salmon color, and the proposed boundary is in green, and this boundary here is proposed to align our existing sanctuary boundary with an area that we regulate, and have regulated since the sanctuary was designated, as the area to be avoided, and so keeping the area to be avoided keeps large vessels off and away from the reef line there, and so the proposal is to create consistency with this boundary and across the regulations. One other piece, for the sanctuary boundary, in this proposed boundary expansion, is sanctuary-wide regulations would apply, and I'm going to touch on a few of those in the new few slides.

The few that were commented on, and of greatest interest by the fishery management council, is an updated regulation for temporary regulations for emergency and adaptive management, and this is updated regulation is really intended to provide us the ability to act quickly to respond and to protect the resources of the sanctuary, and this is, as I noted, an update to an existing regulation, and the proposed update takes the regulations from sixty days, with one sixty-day extension, to 180 days, with an optional 186-day extension, and so this allows the sanctuary to have a temporary, or emergency, regulation in place for up to a year, and I will just note that this timeframe aligns with the emergency regulation as it is done through the Magnuson-Stevens Act.

In addition, in the proposed rule, we clarify, and articulate, three categories where this regulation could be applied, primarily minimizing resource impacts, initiating restoration, and facilitating timely research, and this is really, as noted by the title of this regulation, temporary for emergencies and adaptive management. Then, finally, the proposed rule sets out a process for how we would implement this, including how we would coordinate with our state and other partners.

Traditional fishing is another item that is updated in our sanctuary-wide regulations, and, specifically, this is updated in the definition section, and so we regulate traditional fishing, and we define traditional fishing as those commercial or recreational fishing activities that were customarily conducted within the sanctuary prior to its designation, and, as part of this update, we are updating our cooperative agreements with our state partners, and there is -- One of those cooperative agreements is the cooperative fisheries -- Protocol for cooperative fisheries management, and that agreement is with NMFS, with FWC, and it engages the Gulf of Mexico and South Atlantic Fishery Management Councils.

Our proposal is to use that agreement to both clarify traditional fishing activities and to develop a transparent process to evaluate new fishing activities, other relevant changes in fisheries management, gear innovations, and the like. I will stop there, and that's a good stopping point for any potential questions on the boundary or the regulations that I highlighted.

MR. PUGLIESE: Okay. We do -- The first question we do have is from Jason Vogelsong.

MR. VOGELSONG: What I was going to ask, on the south boundary, is, I mean, we used to work over there a lot, a hundred years ago, it seems like, but I haven't been down there in a while, but, when we did work, and I would have to look at my charts and stuff, to see where the line would be at on the boundary there, from where we worked at, because, just looking at it, I mean, you can see where I guess it would be the ledge, to speak, and I noticed that the line would be just south of it.

MS. DIEVENEY: I will just note, Jason, and for everyone else, that the boundary expansion -- Traditional fishing activities are allowed within the overall sanctuary boundary expansion.

MR. VOGELSONG: Okay. All right. Well, then I will mute myself.

MR. PUGLIESE: Thank you, Jason, and the next -- We did have one more question from Mike Merrifield.

MR. MERRIFIELD: Does the temporary regulations and the emergency regulations and adaptive management, does that override the traditional fishing?

MS. DIEVENEY: Not necessarily. However, and I may invite my colleague, Joanne Delaney, to provide some more context as well, but, for example, if there was a need to initiate restoration in an area that had either been impacted by a vessel grounding, or was an area identified for say coral restorations, that small area may be temporarily closed for that restoration activity to take place. Joanne, do you have anything to add?

MS. DELANEY: I do not have anything to add, but I can try and clarify, if that isn't sufficient.

MR. MERRIFIELD: Well, it just sounds like, to me, it can, and the potential is there, and, typically, in the case of like the shrimp fishing, there is no coral there, and so there should be no restoration there, and so there should be no need for any temporary regulation and emergency and adaptive management measures.

MS. DELANEY: The ability for traditional fishing to occur, and continue to occur, within the sanctuary boundary, as it has since the sanctuary regulations became effective in 1997, and that's not going to change. The temporary regulation for emergency and adaptive management is an additional resource protection tool that exists currently in sanctuary regulations with a shorter timeline, and it can be used, if necessary, and, again, in three specific categories that are shown on the slide, to regulate any number of activities, commercial fishing, recreational fishing, visitor use and access, kayaking, paddleboarding, and so there's not a direct nexus between the two, except that the temporary regulation could affect traditional fishing activities, if it was warranted, based on the extent of the emergency.

MR. MERRIFIELD: Right, and we're extending that regulation, in time and in space, and the other question I have is to Roger, and that is, Roger, have you taken a look at this boundary change, to see if there are any VMS coordinates, or, basically, historical tracks that are within that area of the old boundary and the new boundary?

MR. PUGLIESE: I haven't specifically looked at VMS.

MR. MERRIFIELD: VMS for the South Atlantic, which is more common, or the logbook, regarding any of the Gulf vessels.

MR. PUGLIESE: Yes, and I have not accessed the Gulf log too much in the past.

MR. MERRIFIELD: Okay, and so we have not looked into this area, to see if it's impacting historical fishing grounds? I guess I will take that as a no.

MR. PUGLIESE: I haven't looked at specific datasets, no, not myself.

MR. MERRIFIELD: Okay. I am muted.

MR. PUGLIESE: We had one more question from Jason Vogelsong.

MR. VOGELSONG: I was just following-up on Mike's there, because, you know, the VMS -- If you're going by VMS, I mean there's -- Like I said, we just have it over here on the east coast for rock shrimping, and the guys in the Gulf, that don't have to have the VMS, are not going to have a pinpoint on it, and they work a lot down there, more so than what we do, or have in the past. Before this, you know, we worked numerous times down in that area, but, yes, I was just kind of chiming-in on him. I mean, if you are going by VMS data, it's probably going to be wrong for you, but I will go ahead and mute myself.

MR. PUGLIESE: Leann.

MS. DIEVENY: Do you have any more questions or comments on your end, or I can continue to do the next portion.

MR. PUGLIESE: We have one more from Laurilee, and I think there was a second one from Leann. Laurilee.

MS. THOMPSON: Thank you. Beth, can you please go back to the slide where it triggers the -- There. If it's determined that the plume from shrimpers could be impacting coral, and that's, you know, a lot of discussion that we have further north, around the Oculina HAPC, could you -- You know, conceivably, if there's a bunch of shrimpers down there working, and it's determined that the plume, from the dragging, could be impacting coral, is that an example of where it says minimize resources impacts, because, obviously, you're not going to be doing restoration of coral out in the mud, on the other side of the rolldown, and nobody is doing research, and so I can see where that phrase "minimize resource impacts" -- You know, that could be -- That could be used to shut down fisheries. Then so, once that occurs, we can only shut the fishery down for a total of 180 days, plus the 186-day extension, and so, by the time that 186-day extension is over with, what happens then?

MS. DIEVENY: Joanne, I heard you jump in, and do you want to respond, or would you like me to?

MS. DELANEY: The proposed rule, related to this specific regulation, outlines that NOAA could only enact such emergency, or temporary, regulations if we're compliant with the Administrative Procedure Act, which is a federal law that basically tells agencies how they have to carefully explain to the public, and interested parties, what their actions are proposed to be, and so we would have to make what's called a good cause finding, under the Administrative Procedures Act, to promulgate such emergency regulations. Otherwise, we would have to go through the standard federal rulemaking process that includes public notice and comment, and so I do not foresee, off

the top of my head, a situation where we would potentially target a specific industry, or user group, with specific emergency regulations, unless there was an urgent threat to resources.

I can't say, for sure, that an emergency regulation would never, ever affect traditional fishing activities, but we have to be held, under the Administrative Procedure Act, to this finding of good cause, which means it is impracticable, unnecessary, or contrary to the public interest for us to follow normal rulemaking procedures, and so a long way of me saying, in a situation like you described, I suspect that we would be going through a regular rulemaking procedure, if a rulemaking was even necessary.

In response to the second part of your question, after 180 days of the temporary action, and a potential optional 186-day extension, any temporary regulation would automatically sunset, and go away, or we would go through the standard notice and comment rulemaking procedure to create the permanent regulation, and I hope that helps.

MS. THOMPSON: So would that rulemaking process be done through the South Atlantic Fish Council, you know, if it was on the eastern side of the Keys, and would that go through the South Atlantic then?

MS. DELANEY: If there's a temporary rulemaking, related to sanctuary threats, it would be promulgated by the NOAA Office of National Marine Sanctuaries. It would not be a rulemaking by the councils.

MS. DIEVENY: In the case -- Two things that I will add to that, and one is that, in the case, just like we are doing now with this rulemaking, with this proposed rule, we are consulting with the fishery management councils on that rule, and so, if there are issues related to fishing regulations, through our National Marine Sanctuaries Act, we have a requirement to consult with the relevant fishery management councils, and so, if a rule were affecting fishing, fishing regulations, we would consult with the relevant fishery management councils.

The other piece, to provide a little bit more context to this regulation, in the history of the sanctuary, since the regulations were put into place in 1997, is we have used the emergency regulation on two separate occasions, one to close an area for a large-scale coral restoration, from a large vessel grounding, and so we needed to close that area, to keep people out, keep people safe, and to allow the work to go on, and, in another case, we closed two small areas that were impacted by coral disease, to limit any access, to give that area a little bit of relief from human interaction, and so those are the two examples. In the interest of time, I think, because we're not the only agenda item, I will move on.

The next section, which is the marine zones and associated regulations, and, in the proposed rule -- So we have used marine zones, as a management tool, since the first regulations were put in place in 1997, and so, within the overall sanctuary boundary, we have a suite of more targeted marine zones that are designed to achieve particular goals.

In the proposed rule are either proposed new or modifying the existing marine zones, and they're really focused on protecting sensitive habitats and ecological function, facilitating ecosystem restoration, and, where possible, simplifying the regulations and creating consistent regulations within our own marine zone regulations and with other relevant partner, managing partner,

regulations, and I'm just going to touch on a few, and these were all the specific marine zones that the council commented on in 2019, and how the council comments informed our draft rule.

The first zone type, sanctuary preservation areas, the pictograph on the side, over here, shows that this is an existing zone type, and we currently have 6.4 square miles in this zone type, and we're proposing to expand to 12.1 square miles, and we have -- We are proposing to combine two of many existing, proposing two new, and proposing to eliminate two of the existing, and sanctuary preservation areas were originally designed to separate conflicting uses, largely fishing from other non-consumptive uses, and, through the proposed rule, we are proposing to create no anchoring in all sanctuary preservation areas, to provide additional protection to the habitats in those areas, and we're proposing to eliminate some exceptions in existing sanctuary preservation areas, to provide consistent regulations throughout.

Just a few examples is Alligator Reef SPA, and this is an existing sanctuary preservation area that is 0.03 square miles, and the proposal is to expand this zone to include more offshore deep reef habitat, and so this is proposed to be expanded to 0.5 square miles, and this would be no anchor, no take, no discharge.

This is a proposal that I'm showing several overlapping things here, which I will -- The existing marine zones, here and here, these are the existing Key Largo Dry Rocks and Grecian Rocks Sanctuary Preservation Areas. Our draft environmental impact statement proposes to expand to this larger hatched area. Based on public comment and comment we received from the South Atlantic Fishery Management Council -- They did not support this larger expansion, and we're proposing, in the draft rule, a smaller, more focused proposed expansion, to focus on connecting these two marine zones and protecting the area between. Sombrero Key Sanctuary Preservation Area, we are proposing to expand the zone to encompass a little bit more habitat area and make consistent regulations throughout.

The next zone type that I will highlight are conservation areas, and this is, again, an existing zone, and the existing zones have different terms, ecological reserves and special use areas, but we are proposing to combine those into one zone type called conservation areas, and these are the most protective of our zone types, and they are, from this pictograms, no discharge, no take, no anchor, and transit only, and we have -- Of the conservation areas included in the proposed rule, all are existing marine zones, and we are proposing to eliminate one, and we're proposing to expand from 194 square miles to 213, and I include two examples here. Tennessee Reef is one of the existing marine zones, here in the Middle Keys, that is proposed to be expanded to include offshore and deep-reef habitat. Again, no discharge, no take, and transit only.

Finally, and this is more of interest for your Gulf Council colleagues, but, at Tortugas South, and this is an existing marine zone that we're proposing to expand one mile to the west, to capture additional habitat here that is shown to support fish spawning aggregation activity, as well as deep-reef and other habitats in the southern region, and, again, conservation area is an existing marine zone type, and the most protective, to support ecological function throughout large contiguous areas, as well as to facilitate research.

This next zone type is a new zone type within the sanctuary, and it's specifically focused on facilitating restoration, and the proposed rule includes thirteen restoration areas, and they are all

quite small in size, but this shows existing, and we have zero square miles in this zone type, and we're proposing to include 1.4 square miles total in this zone type.

For our habitat restoration areas, no discharge, no take, no anchor, and these are areas to protect where coral out planting is taking place, and we have nine proposed nursery restoration areas, with no discharge, no take, no anchor, and transit only. These are the sites where the nurseries are in the Florida Keys and providing the greatest level of protection for those types. This just gives an image, an example, of the habitat that is being protected, and being restored, as well as, and it's difficult to see here, but the small size, and these are in the Middle Keys area.

Finally, wildlife management areas, and this is a zone type that we have had in place since 1997, and is the current zone type that has the most number of zones and, in the proposed rule, the greatest number of proposed new wildlife management areas. These are generally small, nearshore areas designed to protect and minimize wildlife disturbance, as well as the habitats that those wildlife depend on, and these are very targeted and resource specific, and, therefore, the regulations that apply in each location are dependent upon what those resource protection goals are, and so the regulations could include no motor, no anchor, idle speed no wake, and no entry.

These images here just show some of the examples of the resources that these wildlife management areas are designed to protect, and so, in the case of these roseate spoonbills, potentially a no motor, or potentially even a no entry, to reduce disturbance, vessel disturbance, to nesting and roosting birds, and so that would be a wildlife management area around an island that is used by these birds. This is an example here with nesting sea turtles, with potentially a buffer around, or offshore, of a nesting sea turtle beach.

This is the image of, throughout the Florida Keys, of all of the wildlife management areas that are included in the proposed rule, and, while I'm sure this is a small view on your screen, it really does show that these are largely nearshore, and fairly small and targeted in size, and the different colorations, shown here on the legend, and red is no entry, orange is no motor, and it's difficult to see, but the black hatched marks are idle speed no wake, and we have no anchor in some of the other areas, and so these are also all primarily within state waters, which is the white-dotted line.

The socioeconomic analysis, as I noted, we did do an updated socioeconomic analysis for the proposed rule, and this updated analysis included updated data, as well as updated methodologies, and, in general, the outcomes of this analysis showed that the proposed rule would be beneficial in maintaining the services supported by a healthy marine ecosystem, and there were costs, and the costs assumed the maximum potential loss and assumed that there would be no replacement, and so, if one of those proposed marine zones that I showed earlier expanded into the deep reef that is no take, it's assuming that, if someone fished in that area, that there was no replacement of that activity in another location, and it's less than 1 percent of annual revenue for all affected fisheries, both commercial and recreational, excepting the lobster fishery, which had an appropriate 2 percent annual loss. I think I just have two more slides, and then we'll open for questions.

Finally, as I noted, the management plan is a separate document, and this really does highlight the non-regulatory actions that the sanctuary, with our partners, have, and so it focuses on understanding and improving the condition of sanctuary resources and reducing the threats of those resources. There are five goals, several objectives, and many activities around these themes, and

the draft that is out for comment, at this time by the state partners and fishery management councils, does include six priority themes, and these were really informed by public comment on our draft environmental impact statement of the area of the greatest interest and importance for action, and so management effectiveness and adaptive management, water quality, restoration, visitor use management, enforcement, and stewardship and engagement.

We have a lot of resources on our website, and we've had a lot of public comment. Public comment officially closed on October 26. We do have opportunity for our state cooperative management partners and fishery management councils to provide final comment letters in February. Roger, I will open it for questions.

MR. PUGLIESE: Okay. Thank you, Beth, and the team. I appreciate all the input through the entire presentation and answering the questions up to this point. We do have one question from Laurilee.

MS. THOMPSON: I just wanted to make sure that, when you say no take, that means absolutely no fishing activity, period, and it doesn't mean that you can do catch-and-release, and it means that you literally cannot fish in this area, and is that correct?

MS. DIEVENY: Correct, and, as I noted on this slide, with sanctuary preservation areas, one of goals, in the proposed rule, is to create consistency, and so we have four -- Of our existing eighteen sanctuary preservation areas, four of them allow catch-and-release by trolling, and we are proposing to eliminate that exception, so that all sanctuary preservation areas have the same regulations throughout, to enhance public understanding, compliance, and enforcement, but, in essence, yes. If a specific marine zone is no take, it is no take.

MS. THOMPSON: Thank you.

MR. PUGLIESE: We had a question from Corky.

MR. PERRET: Thank you. You just mentioned, for the first time, enforcement, and how will you enforce all this additional acreage that will be impacted to numerous fishermen, and how will you enforce these no-take areas and so on? From what I understand, the sanctuary program has no law enforcement officers, and so I assume that you're going to count on state, the Coast Guard, and federal NMFS agents to enforce this myriad group of enforcement actions. Thank you.

MS. DIEVENY: Yes, and I may turn to my colleague, Steve Wernkli, but, first, Corky, and everyone, just to acknowledge that, yes, enforcement is a key area, and we have -- That has been something that we considered throughout this rulemaking process, is that enforcement piece, and how do we create consistency, ease of understanding, ease of compliance, to enhance compliance with the regulations, but enforcement is one of our management plan priority themes that was identified throughout this process, and, Steve, I don't know if you want to provide any context of, more generally, the enforcement landscape.

MR. WERNDLI: Sure. I will just touch on what Mr. Perret said about the Office of National Marine Sanctuaries, and we do not have sworn law enforcement officers within our program, and so we do in fact depend on our partners at NOAA's Office of Law Enforcement, and so both their uniformed officers and special agents, our partners at the Florida Fish and Wildlife Conservation

Commission, their Division of Law Enforcement, and the U.S. Coast Guard, to provide law enforcement services for us, and so we will be looking to them to enforce any and all proposed and final regulations that move forward with this process.

MR. PUGLIESE: Thank you, Steve. We do have a question from Leann Bosarge.

MS. BOSARGE: Thank you. Just so everybody will know who I am, I am also on the Gulf Shrimp AP, and I am also a former council member for the Gulf Council, for the past nine years. I just rolled off the council, and I actually had my hand up for the first break, and I was just going to give some color to that emergency rule discussion, and the Gulf Council AP, Shrimp AP, we did oppose this idea of the emergency rule, for two reasons, and one, which is, to me, quite important, is that an emergency has not actually been defined. What would the definitive parameters of an event that would qualify as an emergency be?

You know, I say that, because we've dealt with that on the Gulf Council side, and have been sued for it, for using an emergency rule for something that was reasonably foreseeable, and so, therefore, we couldn't do that, and I think that's important, and so there seemed to be very few, if any, parameters on what an emergency is, you know, and there was some discussion that there would have to be a finding of good cause. However, if you look at that proposed rule, it says, in there, that NOAA believes that all three of the temporary regulation categories will satisfy the good cause requirement, and so I have hesitation there that it might be rubber-stamped.

However, the other reason that we opposed it was this idea that an emergency action could now have the potential to be enacted for not just six months, but an additional six months after that, and so for a full year, and so that was the comment that I was going to make. Mr. Chairman, I do have one question though, from that first part of the presentation, on the "traditional fishing" definition, if you could go back to that slide. That is the first time I think I've really seen this idea.

There we go. Okay, and so it doesn't tell us there what traditional fishing is, and I would like to see, in writing, that it is shrimp trawling, that that's part of the traditional fishing definition, so that we know that, in this boundary expansion, that we'll still be allowed to shrimp, and I've never seen that in writing, but then, that next part in the box, I don't understand -- I guess there's a traditional fishing definition on the books right now, even though it's not in the proposed rule, but then you're telling us that you're going to go back and make changes to the definition of traditional fishing activities, and what is that bullet of clarify traditional fishing activities mean, because that could have a big impact on the shrimping industry, if there is the potential for us to be red-lined out of this definition, after this proposed rule is enacted.

MS. DIEVENY: So I will provide some context, and then Joanne can add, if needed, but there is a proposed definition, in our regulations, for "traditional fishing", and what the text in the box indicates is that we would use the protocol for cooperative fisheries management to develop a process to evaluate, if there are no innovations, or gear types, that change how a fishing activity is done, to evaluate those to consider them as traditional fishing activities.

MS. BOSARGE: My concern is the first bullet, where it says that you're going to clarify traditional fishing activities, and what do you mean right there? The next bullet is where you're talking about new, or modified, fishing activities, and what about the old, traditional fishing activities? What are you clarifying?

MS. DELANEY: Right now, the regulatory definition for traditional fishing points to the 1996 final environmental impact statement for the sanctuary, and, since that's going to be usurped, when we have a new final rule, and final EIS, the regulatory definition will still point back to the 1996 environmental impact statement, which does include shrimping. However, that 1996 EIS is kind of messy, and it's basically multiple pages of description of fishing activities that were occurring at the time that the sanctuary was designated, and so we're suggesting that we're going to clean that up. We're going to, you know, do our best, working with NMFS, the state, and the councils, to make sure that we've got an accurate list that is inclusive of what the 1996 baseline of the final EIS intended.

MS. BOSARGE: Okay. Mr. Chairman, can I follow-up with one last question?

MR. PUGLIESE: That's fine.

MS. BOSARGE: When is that going to occur? My worry is that we're being told that we are traditional fishing activity, but that definition is going to be usurped, and it's going to be cleaned up, or changed, at some point, and is it going to -- Are we going to be considered part of traditional fishing in the proposed rule now, and then when will you change the definition?

MS. DELANEY: I apologize, and this is not the cleanest way that a regulation can be written, and so we're dealing, a bit, here with the way the regulations were written in 1996, and still working with those, but the definition is in the rule, and it's what is at the top of this slide, outside the box, but, as you can see, it points to another document, which is the 1996 EIS, but, as I just said, in response to your previous question, the 1996 EIS is very narrative, and it's not like a bullet list, and so we're going to use that protocol for cooperative fisheries management to try to be more clear on what is and isn't traditional fishing, but, currently, shrimping is in there, and it will stay in there.

MS. DIEVENY: Leann, to your question about timeframe, FWC has initiated the process to review that protocol for cooperative fisheries management, and we have just begun to work cooperatively, internally, with NOAA, with FWC, and we will be engaging the fishery management council staff, and councils, in the coming months, and so there will be -- There is time, and opportunity, for both council staff, as well as the council, to engage in this process.

MS. BOSARGE: Thank you.

MR. PUGLIESE: Okay. Thank you. One last question from Mike Merrifield, and then we may need to see if Gary has any specific South Atlantic comments.

MR. MERRIFIELD: Okay, and so I have a concern with the temporary emergency and adaptive management process, because it is strictly a National Marine Sanctuaries process that doesn't include -- Or, if it does, it's not straightforward that it includes the council process. We all pay attention to the council process, and we're participants in the council process, and I would be concerned that this takes place without council or advisory panel input, and that we're just kind of stuck with this, and there's no way to really have input to it, and so that's a concern.

My overall -- My biggest concern here is that, Roger, as you know, we have gone through iterations of the Oculina Bank boundaries, and we did that by utilizing the fishing data that's available to us, in VMS, and, on the Gulf side, the electronic logbooks, and so, I mean, I would think we would look at that, because how can you assess socioeconomic damage, or impact, without knowing what areas exist that you're closing off, potentially shutting down, to fishing, in putting these new boundaries in place, as well as some of the other --

Not the socioeconomic impacts, but just, I guess, impacts in general, and why haven't we seen that data, or looked at that data, just to say this is the impact of these boundary changes? Can we look at that type of data? I did notice, in the 2019 advisory panel meeting, the Gulf advisory panel meeting, that there was a request to look at that data, and I thought that we were going to see that, but I don't see it anywhere.

MR. PUGLIESE: I can't speak for the Gulf development, or the Gulf activities, but, in the South Atlantic, we have primarily looked at the data, on VMS, specific to the requirement for rock shrimp fishing in the area, and so we have not looked at anything that far south, relative to anything other than rock shrimp, as it impacted the Oculina areas.

MR. MERRIFIELD: A lot of these are the same fishermen, and most of them have VMS, and so there will be -- If there is activity going on down there, you're going to see VMS points on the charts, and so I would think that would be something that we could see, you know, how it's being impacted. Has the Gulf had the opportunity to look at the electronic logbook data in reference to the boundaries?

MR. PUGLIESE: I am not seeing any hands up, from any of our Gulf representatives, relative to that, and I don't know, personally. Leann.

MS. BOSARGE: We did get to look at the -- We have ELBs, electronic logbooks, in the Gulf of Mexico, and it tracks the boats, but not in real time, and we were able to look at that data, in aggregate, over a number of years, and show it overlaid with the boundary expansion, so that we could see where the sanctuary, the expansion, is actually taking in grounds that are historic shrimp fishing grounds, and so a lot of that data is what the Shrimp AP used for many of their motions that you may see, where we opposed the sanctuary boundary expansion, and so you could ask Matt, and he's on the call, from the Gulf staff, Dr. Matt Freeman, and I don't know if he can pull that up on the fly though, but some of the Gulf staff does have access to that.

Just FYI, the boxes don't quit recording data when we cross the South Atlantic boundary line. Like Mr. Merrifield said, it's the same boats fishing both regions, a lot of times, and so there should be data, some data anyway, for the South Atlantic as well.

MR. PUGLIESE: Okay. Thank you. I think one thing we need to do is go ahead and see if -- Again, it looks as if Gary is the only South Atlantic rep, and, Gary Exley, if you have any specific comments, or recommendations, that you would like to provide right now, it would be great.

MR. EXLEY: No, I'm good, and that's kind of way beyond my expertise in shrimping, up here on the hundred miles of southeast Georgia coast, but I know what's going on with the South Atlantic fisheries, with the snapper fishing, and I just don't want to get too deep into imposing regulations that may be not needed so bad that it interrupts the commercial fishery, and the

recreational fishery, but, anyway, I guess I don't have a lot of input on the south Florida shrimp fishery, and so, anyway, it sounds good to me though, and it sounds like we've got a lot of experts.

MR. PUGLIESE: Thank you, Gary. Okay. I think we've got pretty far into everything. Mike, did you have a quick last question, because that was the South Atlantic comments time right now, and we need to move into the last area. Otherwise, we're not going to have a chance to talk about some of the rocket issues.

MR. MERRIFIELD: I was just wondering if -- Are you taking motions?

MR. PUGLIESE: This is for the South Atlantic members.

MR. MERRIFIELD: Right.

MR. PUGLIESE: We're not doing comments or -- You can't provide motions from non-AP members.

MR. MERRIFIELD: Got it. That's what I was asking.

MR. PUGLIESE: No, you cannot, and this is specifically a South Atlantic AP meeting, and we do have the openings for provided comments and questions and everything for our partners in the Gulf and any other public comment that's been added. Corky, did you have one quick question?

MR. PERRET: Just a comment. If your members of your advisory panel, and council, as well as staff, have not received a copy of the Gulf Shrimp Advisory panel meeting of December 2022, a number of motions were made in opposition to these proposals, and rationale is provided, and so, as Leann mentioned, you might want to get with Matt, Dr. Freeman, to get ahold of a copy of those minutes, and it will provide rationale on our actions, but thank you, and thank you for letting us be part of your meeting.

MR. PUGLIESE: Sure, Corky. It's good to hear you again, and it's been a little while, but thank you, and, yes, and I think there's been a comment provided that has links directly to that information, and so we can make sure that it's part of the record, or gets to the members too, and so thank you.

Okay. I would like to thank Beth, and Joann, and all the other NOAA representatives that really provided the foundational information that helped this discussion today, and comments and questions and everything, and so I think it was a full review of everything, with excellent input, and that's going to provide us opportunities to advance our council's comments, as we move forward. Let me go ahead and shift over, back to the agenda, and we will pick back up from there, and, again, thank you, Beth, and all the other representatives from the sanctuary and other NOAA partners.

MS. DIEVENY: Thank you, and we're happy to follow-up, if needed, Roger.

MR. PUGLIESE: Sure. Take care. Thank you very much. Gary, that moves us from the sanctuary discussion into the other area that was identified on the agenda, and it was raised at the last council meeting, and our council actually did -- If you look at Attachment 2, we provided a comment letter

on the safety zones, and that kind of brought the whole issue up about -- I think one of the biggest things that the safety zone comments on were what some implications were, and one of the concerns that was raised was the increased frequency of rocket activity in the region, and what the implications may be there, as well as the issue of debris and what the implications are of debris from any of the different activities associated with rocket deployment or materials that have fallen back to Earth, or into the ocean.

Subsequently, in some cases, they're recaptured by some of the shrimp fishermen in the region, and I think Mike Merrifield did provide some images of some of the different materials that have been encountered, over time, in some of the areas, and so, with that, I want to go ahead and let -- Gary, I don't know if you've had anything on this, because the ball is kind of in your court right now, and I don't, again, see any other South Atlantic AP members at this time, of specifically the Shrimp AP, and so did you have any thoughts, or concerns, as the consideration starts moving up toward your region, because they're already starting to talk about a spaceport off of Georgia.

MR. EXLEY: We see a lot of the launches off of the Georgia coast, especially at night, but, yes, I mean, it's going to only get worse, and so what does worry me is the debris that is coming into the ocean, and I don't know, as far as safety-wise, how it will affect someone that's out there in the ocean fishing, and so I don't know what the future is going to bring, whether there's going to be regulations on when and where you can fish in those areas, where their activity is really high, but, anyway, that's about all I've got on it.

MR. PUGLIESE: Okay. Thank you, Gary. Laurilee.

MS. THOMPSON: I don't know at what point you want me to weigh-in, or if you want to see if anybody else at the meeting has anything to say, but I'm ready whenever you are.

MR. PUGLIESE: Yes, and I think it's fine for you to, because we only have Gary in the group, from the actual AP, and so, from a South Atlantic perspective, it's probably good if you want to go ahead and weigh-in now, and that's fine.

MS. THOMPSON: Okay. Thank you, and so I appreciate you putting this on the agenda. We really do, and this is something that it's impacting our rock shrimpers, and there is two issues here. There is the space junk that is raining out of the sky at an ever-increasing rate, and, because of, you know, the location where we fish, which is basically inshore and offshore of the Oculina Reef, we believe that this space junk is also falling down into the HAPC, and so it seems odd that we are going through, you know, draconian measures to protect the coral from fishing impacts, and recreational impacts, and we're doing everything we can, and, yet, there is no accountability, at all, for space debris that is falling into essential fish habitat, and so I sent you pictures, late last night, of a very large piece of space debris.

We had a meeting, and two representatives from Space Florida came to the Wild Ocean Market Dock, and they met with Sherry McCoy and Mike Merrifield and myself, and, you know, they poked around, and they took pictures, and they cut samples off of this debris, and they never, ever once said that this isn't space junk, or how do you know this isn't space junk, but their suggestion was that we need to make a case that these incidences are occurring, and the best way to make our case is for the shrimp boats to bring the rocket parts back to the dock and pile them up, you know, next to the fence at our facility.

Well, you know, that's just not possible, and, if you look at the pictures of what I sent last night, this piece of space debris covered their entire back deck, and there's no way that they could lash the thing down and continue to, you know, do their three-week fishing trip with this thing crashing and thrashing around on their deck, and so they threw it back out into the ocean, after it had torn their net in half, and caused them to lose a quarter of their catch, and it took them two hours to repair their nets, and this is happening more and more frequently.

It seems like the government agency that is responsible for these launches -- They should be accountable for the -- You know, for the result of these launches that is going into the ocean, and I don't think that the burden should rest on the shrimpers to have to bring this stuff to land, but, you know, one of the problems is that, if they throw it back out into the ocean, then, three days later, the next shrimper might catch it, and so we've got to figure out how to get that stuff off the bottom out in the ocean.

The other big impact is for the closures for the rocket launches, and they shut down large swaths of the ocean, you know, six or eight hours before the launch, and it's still closed two hours after the rocket has gone off into the stratosphere, and the fines are very large if you get caught in those closed areas, especially if your presence causes a launch to get scrubbed, and we feel like, you know, those closures are -- Here's an example.

You have a closure that goes halfway down the channel at Port Canaveral, and so, on the north side of the channel, it's closed, and, on the south side of the channel, you have thousands of people at Jetty Park to watch the launch. Well, what's the difference between the north side of the channel and the south side of the channel? We don't understand, and those people that are standing at Jetty Park probably have just as much chance of a rocket part falling on them as they do if they were on the north side of the channel, and so those closures -- They also are -- They're not communicated very well, and it's hard to get information. They don't do a very good job, at all, of announcing if a launch has been scrubbed, and so, you know, you've got a guy that's been out swordfishing for a month, and he's coming back to the dock, and he has no idea there is a launch going on.

We've had instances where folks have anchored their boats up, you know, and waited for hours and hours and hours for the rocket to go off, but it never goes off, but they were never told that they could now traverse the closed area, and so it's creating a lot of confusion, and this doesn't have anything to do with shrimping, but I believe that those closed areas -- Those are time/area closures, and they absolutely should count towards a reduction in bottom fishing effort off of the Cape, and we need to be looking into that, too. I am going to stop for now, and let Mike chime-in, and anybody else, and, I mean, you've got some captains on the call that have experienced this phenomenon, I think.

MR. PUGLIESE: Thank you, Laurilee, and the first thing I would like to do is welcome Bryan Fluech, and I just unmuted you, and so you should be able to talk, an additional South Atlantic AP representative, and we've dove into the rocket issues, relative to debris and closures, and I will kind of give Bryan the first shot, and then we'll go down to Mike.

MR. FLUECH: Hi, guys. I'm Bryan Fluech, and I'm with UGA Marine Extension Georgia Sea Grant, and so I'm down in Brunswick, and so this is my first AP meeting for the shrimp industry, but what I was going to mention, for the Camden Spaceport, and I will put it in the link, but Ian

Rossiter, who is now I think with NOAA, but he did his master's thesis on looking at potential spatial conflicts between the shrimp industry and, if and when Camden Spaceport opens, and so, you know, we connected him with our local shrimpers down here, looking at, you know, where they go in and out, because, you know, as the previous speaker said, when they have closures, that's absolutely going to impact, particularly for those that even are on the south side of Jekyll Island, off of Cumberland, and it's absolutely going to have an impact on that.

I will put the link to that, if anyone is interested, and, like I said, he interviewed a number of shrimpers, and looking at where they go and how that might impact, and I know Spaceport Camden -- I mean, it's still going forward, but that is something that a lot of the fishermen -- I mean, we do hear questions, every once in a while, about that, and so, unfortunately, I can't stay long today, and I just wanted to introduce myself, and I apologize, since I had a previous engagement, but I look forward to working with everybody.

MR. PUGLIESE: We'll go to Mike, and one thing I can do, Mike, is let me see if I can open up the images, and maybe you can put context to those, if that sounds good.

MR. MERRIFIELD: That's fine, and I think that's great that they're bringing you in on the -- Prior to opening up the spaceport in Georgia, that they're bringing you into this conversation, and we did not have the luxury here. We were an afterthought, and so it came up, in a meeting with the Coast Guard, that they were going to be enforcing these areas, with up to a \$250,000 fine, and up to six months in prison, for a violation, and so that's great that they're bringing you in early.

I would advise that you make sure that you understand all the impacts of that, in terms of time, lost fishing time, in terms of debris, in terms of toxic substances, because there has been a lot of talk of -- There was talk of there being hydrazine toxic oils and toxic substances released during these recovery procedures, and, to me, it's fine, and space is the new industry now, and so this is the new industry, and they are bulldozing ahead, and with little regard to existing industries that also share the ocean, and utilize the ocean, and are dependent on either the waterways, or the resources in the ocean, and so, you know, we've got to get to be a part of these conversations.

I think it's not unreasonable to ask them to quantify, by launch, or by recovery, what is actually being released, or discharged, and these are pictures of cones from booster rockets, I'm assuming, and I don't even really know a lot of what they are, but they're from the space industry, and they've just been dumped out there, and I don't think that anybody has an idea how much has been dumped out there, how often it gets dumped out there, and, with the increase in the number of programs that are coming, and they're coming leaps and bounds, and I think they want to put on four new programs this year, and already we're dealing with not just NASA, but also SpaceX and Blue Origin and, you know, military activity.

We're going to see a lot more of it, and it's not like it's going away, but I just think we need to be in on the conversations and talk about, you know, what is being dumped in the ocean, not just debris-wise, but also chemical-wise, and what those impacts might be to essential fish habitat or to coral bottom, where these things are rolling around on the bottom, and the Oculina is -- We've been told how delicate they are, and one of these things rolling around on the bottom, as you can see, could create a lot of damage.

MR. PUGLIESE: Thank you, Mike. Jason, did you have a question or an additional comment?

MR. VOGELSONG: That is one of the things now, and like we're working straight off the Cape, and we're going to have to move twenty miles of so, one way or the other, to get on the other side of the line there, and then you can't drag back through there, because they do -- You know, like he was saying, they never let you know when it's back open again or if they've scrubbed it and you can go to work, and, you know, it's causing us to lose some time to it now.

I mean, as far as debris goes, I mean, we've caught tons of it in the past, and just some of the stuff will be pretty heavy, and I have lost rigs on things, and, like she said, trying to get something and bring it in, it's a little bit harder to do, or easier said than done, I would say, but that's about it on that.

MR. PUGLIESE: Okay. Thank you. I think that's all the hands that I see, and our AP members don't have any additional comments. Laurilee, I guess you can wrap up some things with this, and it's to you.

MS. THOMPSON: Okay. To Bryan's comments, I wanted to -- I sent pictures to Cindy Cooksey, who I with NOAA Fisheries, and she said that -- Her comment was that NOAA Fisheries had always suspected that there might be impacts to the fisheries from rocket parts, but they had never been able to verify it, and then she also said that, when they did the study for the Camden site, that the FAA looked at the input and deemed that the impact to the shrimpers was negligible, and I think, if you talk to any of these guys that have caught this stuff, that have lost thousands of dollars -- If you lose a rig, like Jason just said, that's \$5,000, and, you know, I don't think that they feel like this is negligible, and I think that was kind of a slap in the face.

Like Mike said, we were never consulted, and nobody ever asked, and it's like, you know, they've been launching rockets here since 1949, and that was the first, you know, official launch here at the Space Center, and it's a way of life here, and it's something that we've lived with, but it's -- Just because we've been doing this, you know, for sixty years, it doesn't make it right, and it certainly doesn't make it right to have increased impacts, in the future, that are going to impact, you know, all of the users at Port Canaveral, and it's not just the fisheries, but it's the cruise ships, and it's the recreational fishing, and everything at Port Canaveral is being impacted by this space industry, and I don't think it's fair that they're just bulldozing everybody.

MR. PUGLIESE: Thank you, Laurilee. Mel and then Mike.

MR. BELL: Thanks, Roger. I just wanted to weigh-in, and it's obvious that the shrimpers do have a legitimate concern, fishermen in general, and there's a couple of things going on. One is communications could certainly be improved, with some sensitivity given on the part of the government, or private industry, to the impacts of when you close these areas down for the launch, and the hours that that takes, and that can certainly be improved, and that's not rocket science. That is just simple communication, and so, you know, that is definitely something I think that needs to be pointed out and can be worked on.

In terms of the impacts of the debris on the bottom, you know, this stuff is -- Looking at that picture there, you go, well, what the heck is that, and, I mean, the stuff that is falling out of the sky is typically identifiable. You know, a lot of it is serialized, and so there are serial numbers, and there are manufacturer numbers, and there is ways of determining that, and there's also just basic

descriptions of pieces and parts, and so, you know, to pretend like -- You know, well, certainly the stuff just didn't come out of nowhere, and it fell out of the sky, and, as Laurilee said, you know, rocket launches have been going on for a long, long time down there, and they're important to the nation, and they're important from a national security statement, from space exploration, from being able to put satellites into space, and all of that is important, yes, but I think the problem is that, due to the growth that's been described since 1949, you have an increasing amount of stuff out there.

Whether it's impairing, you know, other uses of the bottom, like shrimping, or it's falling on areas where you would rather it not fall, perhaps, and doing damage to habitat, because, depending on the depth of the water, and the material, you know, stuff can move around in storms, and, you know, we know, from other things, that it can do damage to essential habitat, and so it's a growing issue, and I think it needs to be given proper attention, and I think people need to have a sense that they're not just being brushed off, and so, yes, the what is going on is important to the nation, but folks can be good neighbors, you know, and that's what this is.

I think there needs to be some improvements made in, one, communication, and, two, how we deal with the other things, the impacts on the fisheries, and I know, in other areas where -- Just speaking from a DOD -- Looking at a DOD picture, when damage is done, and people have property damage, and things happen, from things that go on that DOD does, and there is financial accountability, and so, whether it's private industry or the federal government, I think there needs to be some accountability from this, and I certainly agree that, you know, you have to document what it really is, and assign the accountability properly, but I think Laurilee has brought up a good -- A good topic for us to kind of not just let fall through the cracks.

I'm not sure, you know, whether it's the AP, or the Shrimp Committee, or we can talk about this at the council or something, but I think there's got to be some way of doing a better job, because our fisheries deserve better. The folks that are all involved in this can -- We can work this out, and it's just folks have to be willing, and I know part of it is the government, and part of it is private industry, but they are accountable to the government, just as fishermen are, but I appreciate Laurilee bringing it up.

I was trying to get my mind around, well, what is all this stuff, and I appreciate the pictures that were just displayed, because you can see it's quite a variety of things, and I know, from other fisheries, in other areas, where, again, DOD does things, or has done things in the past, like, you know, drill minefields and things, where a lot of stuff is going in the water, pieces and parts of drill weapons and things, and, you know, shrimpers would drag these up, and they're quite identifiable, but this stuff that we're talking about here is an order of magnitude larger in size and potential impact.

Because of the way that the rocket launches work, it's just going to continue to rain from the sky, and that's just how rockets are launched, you know, the stages, or whatever this stuff actually is, are going to do what they do, and they're going to fall into the water, and so I do appreciate Laurilee bringing it up, and I think it's something that the council, you know, should pay some more attention to, because it's not going away, and it's only going to -- As has been described, whether it's off of Georgia or Florida, it's only going to increase, and so I think the government, private industry, owes it to be better neighbors, perhaps, and try to work this out in a manner that has less impact. Sorry for running on, but I do appreciate Laurilee bringing it up.

MR. PUGLIESE: Thank you, Mel. I think it's important, given the change over time, and I think that's one of the significant issues. We did have Jason, Mike, and then Laurilee again.

MR. VOGELSONG: What I was going to say is, first off, I was hearing about the Georgia one, and we work a lot around there as well, but, I guess, on the notification part, I mean, they do put it out on -- (Part of Mr. Vogelsong's comment is not audible on the recording.)

I didn't know what the impact would be off of, like you said, Jekyll and stuff like that, and you've got to take into consideration that some of the guys are working on top of the reefs there, and, if they have to clear out of an area, I mean, you've got shoals offshore six or seven miles, and they've got to get around them, and they can't really move that fast, and then the other one, on the rig deal, was I think somebody mentioned something about \$5,000 for a rig, and I wish that was the case, because it's more than that. I mean, at any time, we've got \$40,000 worth of equipment on the bottom, and, when you lose a rig in the deep water, on something heavy, it usually breaks on the main cable, and you lose it all, and not just a piece of the net or the doors, but you've got tickler chains and the cables and the whole works.

MR. PUGLIESE: Thank you, Jason. Mike, did you have anything else, or was that an old hand-raise?

MR. MERRIFIELD: That was pretty much it. Thanks, Mel. I appreciate your comments there, and I think that, if we could get NMFS, or the council, or somebody involved in this, it's going to be a lot more -- I think they should be involved in this conversation, and they should be requiring some accountability, and, to this point, they have not been at the table, and so I think that, if we can make that happen, it's a lot better than me, as a small company out of Cape Canaveral, trying to be at the table with these guys, and they're just looking at me and saying, how do you know that's my junk, you know, and it's just -- I think, if we can get NMFS, or NOAA, at some level, the council level or whatever, involved in this, it would make a big difference. Thank you.

MR. PUGLIESE: Thank you, Mike, and I think it's really important that both Laurilee provided material directly to NOAA, on, you know, clarification of the fact that there is some documentation of this, and material that we've already been able to -- That you've provided, and we've been able to at least document it and put it on the record, as we're discussing it now, and Laurilee can wrap-up some things here. Thanks.

MS. THOMPSON: Okay. Thank you. I guess I should have done this at the conclusion of the Florida Keys Sanctuary part, but I do have a couple of proposed motions, and I don't know how this works, since Gary is the only real member of the Shrimp AP that's on the call, but, as a council member, am I allowed to make motions on behalf of the Shrimp AP?

MR. PUGLIESE: No, not really. This is the AP's meeting, because they are making motions to provide to you. You can bring this up at the committee or the council level, and advance it, and I think Mel was pretty targeted on the types of things that we need to -- You know, more engagement, or direct work, and I think the fact, as he indicated, providing material directly to NOAA, also, is pretty important on this, and so we're going to be discussing -- You know, we have a council meeting coming up, and, if the intent is to bring it forward so that it comes to the council, you can bring it forward at whatever level, at the council level.

MS. THOMPSON: Okay, but the council meeting is in March, and we have to respond to our national -- The Keys National Marine Sanctuary letter is due sometime in February, and so we're not going to be meeting before our council letter, you know, has to go out.

MR. PUGLIESE: Well, as I indicated, this is the AP, and, unless has the Gary has the motion, and plus he's one individual, and I'm not sure how we proceed with that, and I might defer to Mel, and I think he's got his hand up right now. Mel.

MR. BELL: I was just going to suggest, if Laurilee -- You're right that this is the AP's meeting, and the way this would work is the AP would be telling us stuff, but, if Laurilee has some things, as a council member, that she feels need to be taken into consideration for the council, you know, before the letter is written, then that input should really come from her, and, you know, the mechanism for doing that -- You know, I don't know if that has to be done in a public setting, or if she can just simply -- If the council can -- You know, because, when we write letters for other things, we ask council members, look, if you've got --

If you've got something that, you know, needs to be brought up in this particular letter, about this particular subject, you know, have it in by a certain date, and so I'm not trying to interject myself into the letter part here, but, if Laurilee has some valid things that she would like to bring up, that would really be from her, as a council member, for the council -- For consideration in the drafting of the council letter, I would think, and does that make sense, Roger?

MR. PUGLIESE: Yes, and that's exactly what it is, and so, I mean, the simplest thing is you could provide those directly to the office, directly to the chair, however you want to do it, but it just can't come as a motion from the AP, and that's the only thing.

MS. THOMPSON: Okay.

MR. PUGLIESE: It will definitely get into the consideration, and you can send it directly to John, to the chair, to members, and, I mean, in the past, when issues come up on these, it gets -- You know, you put together the ideas and then forward it -- You can forward it to us, and we can forward it to the members, or however, and it will definitely get into the consideration.

MS. THOMPSON: Okay, and so will you guys draft a letter and then send it to us for comments? Is that how that works, since we're not having a council meeting before the final letter has to be sent?

MR. PUGLIESE: Yes, and the timing was that we came up with the core of some of the recommendations, and the letter was going to be -- We wanted to have the rest of the AP input into this, and have this discussion, the opportunity, and then a draft would be developed, and the intent, I think, is to get it distributed out to members, and then submitted, and so, yes.

MS. THOMPSON: Okay. Well, I will get these motions out to you. I don't think I will get to it this afternoon, but I will get them done tomorrow.

MR. PUGLIESE: Okay. That's fine, and they don't necessarily need to be motions.

MS. THOMPSON: I meant suggestions.

MR. PUGLIESE: They're recommendations. Yes, and they have the same weight, but it's just not in a meeting, and so it's not a motion in a meeting, but it's the recommendations on what needs to be refined in the letter that gets submitted.

MS. THOMPSON: Okay. Thank you.

MR. PUGLIESE: Thank you. A last comment from Mike.

MR. MERRIFIELD: I mean, I would be happy to suggest to Gary possible motions, since he's the only one here on the Shrimp AP, and I'm not so sure that we shouldn't be -- I don't know why we have a Shrimp and a Deepwater Shrimp AP, and I understand there is different issues, but, given the resources that we have, and they're kind of spread kind of thin, and maybe we need to think about joining those two committees, those two APs. I mean, is it something that, you know, Gary would entertain?

MR. PUGLIESE: I think Mel has a comment.

MR. BELL: I was just going to say, Mike, I mean, basically, I think it could be called into question whether the AP actually has a quorum to conduct business, honestly, and, when you've got one person -- I mean, that would just be, I think, problematic, and I think, you know, there is other ways to work input in, or definitely communicate, but, in terms of formally, in an AP meeting, you don't really even have a quorum, and so it wouldn't be necessarily deemed, process-wise, perhaps valid.

MR. MERRIFIELD: Okay. That's a good point, and so, basically, just write-in comments is basically the best way to get the points across.

MR. PUGLIESE: Okay. Well, I think that brings us to the end. Are there any Other Business issues that any of the members, that either Gary or -- I think Gary is the last, because our other member has stepped away. Gary, anything else you would like to raise for this afternoon?

MR. EXLEY: No, and, like I said, this was my first time on the committee, and how many members are on the AP, the Shrimp AP?

MR. PUGLIESE: Right now, we have six.

MR. EXLEY: Six, and I'm the only one that attended the meeting today?

MR. PUGLIESE: Well, we had Bryan for a short period of time.

MR. EXLEY: Yes, I heard that. I'm just not sure how you get it through without the quorum of the AP.

MR. PUGLIESE: Okay. Well, I was just was seeing if there were any other issues regarding the shrimp fishery, or shrimp issues, that you would like to raise that needed to be addressed at this time, but you're the only one, and so it's kind of a tough one to do, but, given that, I think that

brings us to the end of the agenda, and what we can do is open it back up for public comment that could be made now, and so what we'll do is open it back up for public comment, and we've got just a short period of time, and so I think a lot of people weighed-in, on a lot of things, as we were going forward, and there was full engagement in the entire process, and questions and answers and different things, and so a lot of the information is there.

Are there any things that haven't been stated, I guess, and that's probably one of the ways to approach this, for the public comment at this stage, but the door is open for that. Raise your hand if you do have any additional thoughts. I do not see any, and we are two minutes away from the end. Laurilee has I guess parting --

MS. THOMPSON: I just want to thank everybody. I thank staff for setting this meeting up, and I want to thank you for including the members of the Gulf Shrimp AP, and their staff, and we really, really appreciate it, and I appreciate all of the members, you know, that took time to take the call. Thank you.

MR. PUGLIESE: Thank you, and thanks to all the council members and our Shrimp and the Gulf Shrimp and other participants, and our presenters too, because I think it was really important to make sure that we had the right people to answer the questions that everybody raised, and, with that, I think we're coming to the end of the AP, and we will move forward from there. I thank everyone, and you all have a good and safe day.

(Whereupon, the meeting adjourned on January 18, 2023.)

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Amanda Thomas
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Shimp Advisory

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Attendee Details

Attended	Last Name	First Name
Yes	Bell	00 Mel
Yes	Bergh	Chris
Yes	Bosarge	Leann
Yes	Brouwer	Myra
Yes	CARMICHAEL	JOHN
Yes	DeVictor	Rick
Yes	Delaney	Joanne
Yes	Dieveney	Beth
Yes	Exley	Gary
Yes	Fluech	Bryan
Yes	Freeman	Matt
Yes	Freitag	Amy
Yes	Fulcher	Chris
Yes	Glazier	Ed
Yes	Hadley	John
Yes	Helies	Frank
Yes	Herring	Tony
Yes	Iverson	Kim
Yes	Klasnick	01Kelly
Yes	McCoy	Sherylanne
Yes	Mehta	Nikhil
Yes	Mendez	Natasha
Yes	Merrifield	Mike
Yes	Murphey	Trish
Yes	Schwarzmann	Danielle
Yes	Thompson	00Laurilee
Yes	Wernkli	Steve
Yes	perret	corky
Yes	vogelsong	jason
	<i>Pu gliese</i>	<i>Roger (Staff)</i>