

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **SHRIMP COMMITTEE**

**Savannah Hilton DeSoto Hotel  
Savannah, Georgia**

**MARCH 6, 2012**

### **SUMMARY MINUTES**

#### **Shrimp Committee:**

Robert Boyles, Chair  
David Cupka  
Dr. Wilson Laney

Dr. Roy Crabtree  
Doug Haymans  
Charlie Phillips

#### **Council Members:**

Ben Hartig  
Mac Currin  
Lt. Robert Foos  
Jessica McCawley

Tom Burgess  
Dr. Michelle Duval  
Duane Harris

#### **Council Staff:**

Bob Mahood  
Kim Iverson  
Roger Pugliese  
Anna Martin  
Dr. Kari MacLauchlin  
John Carmichael  
Julie O'Dell

Gregg Waugh  
Andrea Grabman  
Myra Brouwer  
Dr. Mike Errigo  
Dr. Brian Chevront  
Mike Collins

#### **Observers/Participants:**

Laurilee Thompson  
Martha Bademan  
Scott Sandorf  
Dr. Jack McGovern  
Phil Steele  
Anna Beckwith

Dr. Bonnie Ponwith  
Dr. Marcel Reichart  
Monica Smit-Brunello  
Andy Strelcheck  
Otha Easley  
Bob Gill

Other Participants Attached

The Shrimp Committee of the South Atlantic Fishery Management Council convened in the Madison Ballroom of the Savannah Hilton DeSoto Hotel, March 6, 2012, and was called to order at 4:20 o'clock a.m. by Chairman Robert H. Boyles, Jr.

MR. BOYLES: Good afternoon, everybody. My name is Robert Boyles. I'm Chair of the Shrimp Committee. I would like to call the Shrimp Committee to order. The first item on the agenda is the approval of the agenda, which was sent out in the briefing book. Any additions or changes to the agenda? Seeing none, any objections to adopting the agenda? Seeing none, the agenda is adopted.

Next is the approval of the September 13, 2011, committee minutes that were included in the briefing document. Any additions, deletions or edits to those minutes? Seeing none, any objection to the approval of those minutes? I see none and the minutes are approved as submitted. Next I'm going to turn it over to Kari for an update on the rock shrimp fishery, and just recall that the committee had asked for a couple of briefings with overviews of both the rock shrimp fishery as well as the royal red shrimp fishery.

DR. MacLAUCHLIN: This presentation is on the rock shrimp fishery and it's about – I focused on latent permits, which is something that the AP has discussed and other public comment how there are latent limited entry permits in this fishery, and there are people who would like to fish and can fish but they can't get to these limited entry permits.

I'm going to give a little background on the limited entry program, just a snapshot of the landings, and then get into the permit records and some other fun issues that came up when I was putting this together. Rock shrimp was added to the Shrimp FMU in 1995 and all these vessels are required to use VMS.

They have fishing access areas included in the Coral HAPCs that you talked about with CE-BA 3. There is also a rock shrimp dealer permit required, and there are about 43 rock shrimp dealer permits right now. Then there is an MSY proxy of 6,829, 450 pounds, and primarily a Florida fishery but there are some fishermen in the Carolina areas.

The limited access program was implemented in Amendment 5 and it included a requirement of 15,000 pounds in one of four consecutive years to be able to renew the permit and keep it. You also have an open access rock shrimp permit in addition to the endorsement. There were some hurricanes in 2004 and 2005 so there were some people who couldn't meet that 15,000 pound requirement, and then also some confusion about the rock shrimp permit and then the rock shrimp endorsement. They needed to renew both and so not everybody renewed both.

Amendment 7 allowed reinstatement of permits that were lost due to the landings requirement or the failure to renew and then also revised the system in that if you had a rock shrimp endorsement this was kind of translated into the rock shrimp limited access, RSLA, and that was just – I'm sorry, they also have a spatial requirement to them.

The Rock Shrimp Carolina Zone is in the North Carolina and South Carolina EEZ and those are open access. The limited access you have to – now you have to transfer from someone else and

so you have to find someone who has one and buy it from them. Here is just a snapshot of the Florida east coast landings in value.

This is from NOAA Fisheries Service on line. It goes up and down over the years and in the past few years it has been around – in 2009 it was around 4 million pounds. And then I wanted to show this. This is Attachment 1 that you were e-mailed this morning compared to the other shrimp fisheries in the South Atlantic.

And so rock shrimp is this orange one here; so compared to the penaeid, especially white shrimp, this is fairly small as far as landings go. Okay, so this is all permits and endorsements. I took the permits records and put them all together to show you guys how this has changed over time. This included open access and the limited access.

This done by the home port associated with the vessel associated with the permit, so it may not be perfect, but this is the best way I can kind of give you guys the distribution of it. This bottom part here, the orange, these are the Gulf states and mostly Alabama. Okay, these are the limited entry permits, so they were the rock shrimp endorsement of the RSLA, which is what it's called now. They have decreased over time.

Florida and Alabama have the highest; they hold the most proportion-wise. In general Alabama has stayed around about 40 permits. Okay, what the committee wanted to know the last time was where are the latent permits and how many latent permits do we have. I have been working to get this information; and with the rock shrimp fishery it's hard to be able to verify what permits actually have landings.

There is not a logbook program; so when I went to the Science Center I was sent to ACCSP, and I went to the states. And so this came from the Florida trip tickets. What I was able to get with – I'm not cleared for confidential data for some of the states and ACCSP, so what I could get was the number of permits that have reported landings in Florida.

I can verify that there were at least 23 limited entry permits that have landings in Florida. That doesn't mean that those other ones don't. We have some representatives from the rock shrimp fishery that may be able to talk a little bit more about it and give you some qualitative information.

I did ask the Science Center if at one point there was a landings requirement, which means that there had to have been some data base where landings were linked to a permit so that you could verify if the permit was still eligible for renewal during that time, and it was never explained to me if there was a data base that existed like that at some point or how they did exactly what I was trying to do this time around.

Just so everybody knows there is no central kind of data – place of data here to answer this question of how many latent permits are there. ACCSP also provided me with some information and it was kind of the same situation where they could tell me the number of permits in the South Atlantic that have landings of rock shrimp, but they couldn't tell me what type permit that was. This is the best information I can give you guys at this time. I can tell you the total number of

rock shrimp permits and then the total number of permits with landings for these years. That's it that I have.

MR. BOYLES: Questions for Kari? Wilson.

DR. LANEY: So, Kari, does that mean if you just subtract the number of permits that had landings from the total number, that gives you a presumptive number of latent permits; is that a valid assumption?

DR. MacLAUCHLIN: I can't say. I can just verify that these permits have landings. When I was talking to some of the rock shrimp folks, they said also that there are boats that just go out for a week and then they come back and that's it, so they're not contributing substantial landings. This kind of information – I really felt like the e-mail trails got longer and longer and more and more people got cc'd on the e-mail, because there is not a central place.

There is not a logbook program that is linked to the permits that I could access. I think that may be a good step to go, and then there are also permits in the Gulf, with home ports in the Gulf, and I'm not sure where they're landing. I talked to Gregg about this. There are just a lot of factors in this one without a central place for them to report.

MR. BOYLES: Further questions for Kari? Again, this came from some discussion among the AP, the issue of latent permits. Wilson, based on those numbers, if you take the simplistic approach that you've suggested, it does suggest that there is a lot of latent effort. My question to the committee is, is this something that we need to address or would like to address; any interest in addressing this at this time? Doug.

MR. HAYMANS: Would you repeat why the AP brought this up?

DR. MacLAUCHLIN: There are vessels and fishermen who would like to enter the fishery and they can't find the permits. I was talking to Mike Merrifield and he said that if you want to find a permit to buy, then you have to kind of put the word out, send out snail mail; and even so, it's kind of hard to find your sellers. There is also maybe an issue with the market for these.

MR. HAYMANS: And aren't the license holders public information on the NMFS Website; can't you pull all the license holders' names and addresses off?

DR. MacLAUCHLIN: Yes. Can Laurilee come up?

MR. BOYLES: Yes, Laurilee, come on up and give us some wisdom.

MS. THOMPSON: I'm Laurilee Thompson from Dixie Crossroads Seafood Restaurant. Mike and Richard had to leave and Richard and John had to leave so you are stuck with me. They tried to stay. The reason that we brought up the question in this Shrimp AP is a concern that as rock shrimp permits are retired they're not replaced. The number of rock shrimp permits started at 150. Years ago we felt like the fishery could sustain 150 boats.

I believe if you look now there are only 90 permits remaining. There is no way to get new permits added. Our fear is that the rock shrimp industry is going to disappear. Like he said, there are people that want to buy permits, but there is no way to find out who has them. We would like to keep the industry alive. Selfishly and personally my restaurant depends on rock shrimp, and we'd like to see more boats get into the fishery that want to get in. That's why we brought it up. You did help us out several years ago by removing the 15,000 pound requirement, but even that hasn't seemed to help keep boats fishing.

MR. PHILLIPS: Well, I can see a couple of ways that we might could handle this; one of which if 150 permits is the magic number, let those go out with a raffle or something or just reissue those in some shape, form or method or do away with the – have them have a permit and an endorsement. Is there a preference that you think that you'd have?

MS. THOMPSON: At the meeting I think it was Monica that pointed out that the 150-boat threshold was a request by the industry, and at that point in time there were too many boats that were trying to catch rock shrimp. We came to the council and asked for a management plan to try and help us because they were destroying everything.

Her advice was that if the fishery came back strong, if we removed the requirement for a permit and a bunch of boats came back, that if we came back to the council again and said, "Oh, my gosh, we need to limit the amount of boats again," that it would make a bad impression on you.

MR. HAYMANS: Ms. Thompson, I don't mean to sound callous, but in a minute and a half I pulled up what were 101 license holders. Now, I'm working on trying to reduce latent effort at one of our state fisheries now; but whenever an individual wants to get in, the Open Records Act, I supply them with name and addresses and they mail them all in order to find some. I don't know with 90 out there and maybe 20 of those or so being out there, I would think there is opportunity to get in the fishery. I would think that they would be contactable. You could find some of those 90 folks.

MS. THOMPSON: Yes, I would think so, too. I guess I would reiterate that our concern was that as these numbers of permits keep spiraling downward – like every year there are less permits – our fear is that eventually we won't have a fishery. I don't know why the people are holding on to their permits and not using them. That was our concern.

I think part of the problem was that there was no provision initially to provide for keeping 150 permits active. That's the problem. I don't know where they're going but that number keeps going down and it's not going back up again. Because there is no provision to keep that level at 150, that's our concern is that this continuing decline in the number of permits; it keeps going down.

DR. CRABTREE: I was just going to point out the way our limited entry programs are set up, it's a one-way trip. The number of permits can only go down. There is no mechanism for it to ever go up. In every commercial fishery and in the Gulf charterboat fishery where we have a permit moratorium in place, the number of permits goes down just about every year because

there is always somebody who doesn't renew their permit. You've got a year to renew your permits; and if you don't it's gone. They're all drifting down.

Now, I can't think of a case where there still aren't enough permits out there to catch the fish that are available. In most cases it's being caught up faster than we would like. I guess my question here is, is there really something magic about 150; is that really a number of vessels that we need?

If this is anywhere close to right, that only 20 or so vessels are actually fishing and there are 90 permits out there, then it seems to me there is plenty effort in the fishery. I think in all of these fisheries if enough time goes by we very well may get to a point where there aren't enough vessels left and we're going to have to think of some way to reopen to allow some new permits to come in, but I'm not sure we're there yet with any of them. I guess long after I'm retired you young folks might find out we are and have to figure something out.

MR. CUPKA: I was going to ask Laurilee a question along the same lines. I know over the years we've spent a lot of time working on this fishery. I remember when we had too many boats and we went through that whole process to restrict the number of boats. Then you came back and John Williams and all, and we spent a lot of time talking about, well, we've got to maintain certain level to keep a viable fishery.

I was just curious whether you feel like that 150 is still a good number. Obviously, if there are 90 now but there are only 20 fishing, it doesn't seem like you would need 150. Somehow you need to get people back into the fishery, but I don't know if 150 is a good number now based on everything that was going on or not. I don't know if you have a feel for that, Laurilee.

MS. THOMPSON: I don't think that there are 150 boats that would be interested in it; but like Roy said at what point do we really start worrying? It's not just our fishery; it's a lot of them. No, I don't think we'll ever see ever – I don't if there are 150 shrimp boats left. I don't want to see it just keep on going down; and then say we get down to 20 permits and then people do want to get in the fishery; what do we do then?

MR. HAYMANS: I would be interested in a future amendment somewhere down the line of setting a cap. It's just similar to what we do with some of our fisheries in the state now. It's at 90 now; and maybe when we get to 50, that's a cap. It may be that participation is less than 50 but that's where our maximum licenses would be; and if we ever needed to reissue new entrants, it would be through a lottery system or something like that. Maybe in the next amendment we can look at that or something of that nature.

DR. CRABTREE: Yes, just kind of along the lines Doug is talking about, unless we come up with some process to issue some limited number of new permits, no matter where you set your cap the number of people in it is going to drift down. I suspect what is happening in shrimp is just the fuel prices and shrimp prices and it's just not that profitable anymore and people have drifted out of it.

I guess you could set it up where every year or every few years, based on the number of permits that have been lost in that period of time and you auction them off to the highest bidder of whoever wants them. That's something I think we could look at; but just to look at this now I don't think there is an immediacy of a problem here. I think there are enough vessels still permitted that they could catch all the rock shrimp that need to be caught. I think in the long run it's something that we could think about.

MS. THOMPSON: And I agree with that. We don't see it as an immediate problem, but a lot of these boats are being sold out of the country and the permits just go with the boat when it's sold and then they don't get renewed. That is what is happening to the shrimp boats. We did see it as a possible problem a long way down the road. We're just trying to address it before it happens.

MR. BOYLES: In keeping with the discussion about workloads and things, I'm wondering what the committee wants to do. If we ask staff to go back and potentially document the issue that we're trying to work on here for possible inclusion in a future amendment, is that the way the committee would like to work on this one? Wilson.

DR. LANEY: One other question for Laurilee, I'd be interested in hearing from the AP. If you take again a real simplistic approach and just divide the MSY up by 150 and then by the number of active permits, which is 20, you can catch a whole lot more of the MSY if you only have 20 vessels in the fishery than if you have 150.

It would seem like the AP might want to consider what constitutes a profitable operation for an individual vessel or vessel owner and give consideration to that when you're thinking about how many vessels you'd like to see in the fishery as well. That's another factor I would think comes into play here.

MR. BOYLES: Great segue, Wilson. Kari just reminded me that we do have an AP meeting here in April, I believe. What I'm sensing from around the table is that we'll ask the staff to interact with the AP to scope out really what it is we're trying to accomplish here and come back.

I don't get a sense that there is an immediacy here to include this in Amendment 9 necessarily, but looking a little bit over the weather rail and across the horizon. If that's acceptable to the committee, then we'll move in that direction. I'm seeing heads nodding. Okay, terrific! Laurilee, thank you. Next we will have a presentation on the royal red shrimp fishery.

DR. MacLAUHLIN: Okay, this is Attachment 2. This was at the request of the committee. It had been on a list of potential items for an amendment to add royal red to the FMU. It's not in Amendment 9, but the committee did request just a briefing on what is going on with royal red. A little background and then how much are they catching annually and do some comparisons, where at, and then participation.

Royal red are not included in the FMU because there were no management measures necessary when the Shrimp FMP was implemented. Florida landings only – although there were some Georgia landings in the nineties – most participants also fish for rock shrimp. VMS was required

for rock shrimp so royal red VMS data are also available, and these were used in the CE-BA 1 Coral HAPC measures and in the CE-BA 3 HAPC.

Here are the landings and value; the most around 550,000 pounds and most recently around 500,000 pounds. Here is that chart that I used before to compare to the other shrimp that we have in the South Atlantic. It's the blue one right here; these are royal red. And then comparison some with the Gulf; the Gulf also has a royal red fishery; and so I just have Alabama is the purple and Florida east coast is this gold and the Florida west coast is the silver.

In more recent years the Florida east coast has had higher landings than the Gulf states. This is from CE-BA 3 scoping document that shows the royal red VMS data, and so it's right around here in Florida. This is from the Florida Trip Ticket Program. I asked them to send me the number vessels that reported any royal red shrimp landings for the east coast and then also for Monroe County. Those vessels could also be part of the Gulf royal red fishery. More recent years have been around six to ten vessels participating and the most in 2003 with eighteen vessels total. That's it.

MR. CURRIN: I think I know the answer, Kari, but I guess I would pose the question to the committee members and the council as to whether it's potentially a problem. I gathered from your presentation that most of the royal red fishermen also fish for rock shrimp. I assume then not all of them fish for rock shrimp; therefore, not all of them have VMS; is that correct?

DR. MacLAUHLIN: Well, I was going back through minutes from AP meetings and committee meetings, and someone on the record – maybe it's Laurilee – said that all royal red shrimpers are rock shrimpers. I don't have any data on that, and there is not a permit for royal reds.

MR. CURRIN: I understand that. We talked about that and that would be perhaps one of the values of that, is to make sure that everyone participating had VMS. We're running some risk there if in fact we have people out there without VMS fishing royal reds. Whether it concerns anybody else, but it gives me some concern.

MR. PHILLIPS: So if the royal red guys, if they weren't rock shrimpers they wouldn't have to have VMS, but we were using VMS dots to locate where they were working. I'm inclined to agree that all of them have VMS, but I'd like to know for sure.

DR. CRABTREE: Kari, there is a fishery in the Gulf, mostly the Alabama area, but how many of those vessels come around and fish royal reds on the east coast, and those guys may not rock shrimp and might not have VMS. I don't really know because there is not a shrimp VMS requirement in the Gulf.

DR. MacLAUHLIN: I don't know. There is a permit in the Gulf, right, for royal red?

DR. CRABTREE: Yes, royal red is managed in the Gulf and I think there is an endorsement on the shrimp permit.



MR. BOYLES: Further comments and discussion? Laurilee, can we borrow you again? Can you comment on what we have been talking about, the sets of royal red fishermen and rock shrimp fishermen?

MS. THOMPSON: Yes, to my knowledge all of the boats at least that are fishing on the east coast of Florida all have a rock shrimp permit so they all have VMS. I don't know of any boat that is fishing for royal reds that does not have a rock shrimp permit and therefore does not have a VMS. They could but there are only five or six boats and most of them unload with us.

DR. CRABTREE: So even liken the Bayou La Batre boats, Laurilee?

MS. THOMPSON: Well, that I can't answer to; I do not know. If it's a managed fishery in the Gulf, do they have VMS in the Gulf, Roy?

DR. CRABTREE: No.

MS. THOMPSON: If one of the Gulf boats came over, then you could have a boat out there without VMS. My personal opinion is that – and they may kill me when they come back, but I don't think that at least our east coast boats would have a problem with making VMS a requirement because they all have it.

MR. PHILLIPS: I think that should probably be part of that agenda and things that we can look at with this next shrimp amendment.

MR. BOYLES: I was going to suggest it as another topic for the AP to give us some guidance on; again the AP working with staff to define the issue. We will proceed that way, and I'm getting nods around the table. Roy, if we were to have a requirement for VMS, do we have to add it to the FMU?

DR. CRABTREE: Yes, you would have to, and that would mean you'd have to specify all the various parameters. Rock shrimp are not an annual crop so they have to have an annual catch limit – royal red, I'm sorry.

MR. PHILLIPS: And to that point, I think we may be shooting a goose that's already dead. If I had to bet money – and I lose occasionally – I think anybody that comes around out of the Gulf still is going to have a rock shrimp permit. I know a lot of those guys from Bayou La Batre, the only reason they came around here was to rock shrimp and they kind of royal red as a secondary thing.

DR. CRABTREE: There are less than ten guys who fish royal reds in the Gulf with any regularity. It's easy enough to figure out who they are, and I'm sure we could get the names and check and see if they have rock shrimp permits or find out if they have VMS on them. I don't think it would be that hard to figure it out.

MS. SMIT-BRUNELLO: Roy, do you recall why royal red was added to the FMP?

DR. CRABTREE: Well, that was done before my time and so I couldn't really tell you offhand. The endorsement was done I think at the same time that we set up the shrimp permit, but I'd have to go back and look at that. They were in the FMP as far as I know when it was originally set up years ago.

MR. BOYLES: Let's do some data collection and bring this back to the committee and see whether this is an issue to tackle; shall we? Is that reasonable? I'm seeing heads nodded yes; so, Laurilee, again, thank you for that. We will move on now and Kari has got a presentation on public scoping comments on Shrimp Amendment 9.

DR. MacLAUHLIN: For Shrimp Amendment 9, we just had two individuals that have commented; one in Charleston and one in Jacksonville. One commenter supported the action to modify the protocol for the concurrent closures because it protects the resource. Another commenter did not support this action to modify the concurrent closure protocol in the Florida EEZ and does not feel this action should be included in the amendment. That's it.

MR. BOYLES: Questions on the comments? Okay, Kari.

DR. MacLAUHLIN: Now we're going to move on to the Decision Document for Amendment 9. It just has two actions in it. The first one is to modify the process for a state to request a concurrent closure of the penaeid shrimp fisheries in the adjacent EEZ during severe winter weather. This is something that South Carolina has talked about and is very interested in.

We talked about it in September with the APs and with the committee. I've put together this so we could start putting together some alternatives. Part 1 would be use the criteria based on environmental conditions in addition to or instead of shrimp abundance criteria. We have Option 1, which could be a no action alternative; and then Option 2, use criteria based on changes in water temperature.

There actually was a motion at the September meeting that was very specific and said that the criteria to request a concurrent closure would be that if water temperatures inshore remained at 8 degrees centigrade or below for over one week during the months of December, January or February.

That's what I did with this table is I took it and broke that down into temperature, duration, time period; and then if you want to talk about another shrimp abundance criteria, we can. I just gave seven degrees, eight degrees, nine degrees for temperature and then a couple different durations, a week, two weeks; and then what time period you want to talk about.

In this Decision Document I have some of the tables that were included last March when South Carolina requested a concurrent closure, so you can look at these temperature ranges. Periods of low shrimp abundance have temperature from about 7 degrees to about 9.5 degrees Celsius. That is why I chose seven, eight and nine.

South Carolina on the record, looking at some old minutes, considers 8 degrees to be the critical temperature that would affect the overwintering population for white shrimp. This is last year

when South Carolina submitted information for this. You can see the number of white shrimp and then the water temperature during that time.

It was in January when the number of white shrimp was zero and it was around 7.8, 7.5. Also, the Georgia information that was submitted, they did not request a concurrent closure; but when there were low numbers on the surveys, it was about 8.5 degrees was the lowest and 9.26 was the high during that period. These are just some ideas I came up with. Do you want me to continue to Part 2 or do you guys want to talk about this part?

MR. BOYLES: Let's talk about this one because it has got some details in it. Doug.

MR. HAYMANS: Mr. Chairman, I guess Option 2 under Part 1 – I guess I'm confused by the fact that we added in shrimp abundance to the end of the table when we initially were going to discuss it as environmental parameters only. I think that the environment parameters are what would trigger one of the states to at least begin the discussion. I think maybe we need to drop the abundance portion off of that table.

MR. BOYLES: Doug, I tend to agree with you and make that in the form of a motion; right?

MR. HAYMANS: Certainly, but before I do I'll continue with my question here. I'm of the opinion that it's whatever the minimum amount of time would be, say one week. If we have a temperature that is 8 degrees or lower for a week's time, that would be a minimum trigger in which we could begin to talk about it; is that right?

**Okay, I guess I would make a motion to remove the shrimp abundance portion of Option 2, Part 1, and let's take it out to hear what the public has to say about the temperature duration and time period matrix.**

MR. BOYLES: Second by Charlie. Any discussion? Any opposition to that motion? **That motion carries.** Any further discussion on this Part 1? I think the question is, is the range of alternatives in the table – Monica.

MS. SMIT-BRUNELLO: Would you ask me that question again?

MR. BOYLES: Yes, I think the question is – Kari suggested that it would be nice to have the range of alternatives that are depicted in those tables for your alternative analysis.

MS. SMIT-BRUNELLO: I guess if your Option 2 is use criteria based on changes in water temperature, it makes sense to have them as options. It seems reasonable to me.

MR. HAYMANS: And it actually turns into quite a large matrix there; multiplying those three over the period of time.

MR. CUPKA: Well, you might delete the time period. Obviously, you're going to get low water temperatures in the wintertime; so instead of spelling out the months, it could just have a range

of water temperatures over a certain period at any time and that would simplify the matrix a good bit.

MR. BOYLES: David, is that a motion?

MR. CUPKA: So move.

**MR. BOYLES: A motion to remove the time period from the table to make this independent of the months. Second by Doug. Further discussion? Any opposition to that motion? Seeing none, that motion carries. Wilson.**

DR. LANEY: In keeping with the trend, Mr. Chairman, is there any need to keep three weeks and our weeks in there? At those temperatures there is going to be a lot of mortality, anyway, so maybe we could go with just one week or two weeks as alternatives.

MR. HAYMANS: My question is, is that enough to take out; just the two periods and the three temperatures?

MR. CUPKA: I could see where you'd have three alternatives, one for each temperature and then some suboptions or subalternatives under those – A and B – for one week or two weeks. I think that gives you more than enough for NEPA requirements.

MR. BOYLES: Monica's silence is going to be affirmation, right, Monica? Is there a motion?

**DR. LANEY: Mr. Chairman, I would make a motion that we remove the three-week and four-week criteria from the document.**

MR. BOYLES: Motion by Dr. Laney; second by Mr. Haymans. Further discussion? Any opposition to that motion? I see none and **that motion carries**. Any further discussion on Part 1? Okay, Kari, carry us on down to Part 2.

DR. MacLAUHLIN: Okay, Part 2 is to allow states to request closure directly from NOAA Fisheries Service. Option 1 is the no action. Option 2 is that the state requesting a concurrent closure would submit data to demonstrate that criteria have been met directly to NOAA Fisheries Service with two subalternatives. One would be a recommendation by the Shrimp Review Panel or just for review by NOAA Fisheries Service.

MS. SMIT-BRUNELLO: Kari, it is just assumed I think that part of the current as described in Option 1 would carry over to Option 2 in that a letter would be sent to the Regional Administrator or whatever and then the Regional Administrator then publishes the official notice of closure in the Federal Register. You're not intending that part to change, right? Okay.

MR. HAYMANS: But the letter is indeed from the state and not from the council?

MR. BOYLES: That's how I read this, right. I think that's again in keeping with – you remember the situation we found ourselves in last year. We needed to have the Shrimp Review

Panel discussion and recommendation to the council during the first week of March and the horse had been stolen by then. David.

MR. CUPKA: I was going to say that has been the hangup in the past, just the timing on this thing and having to wait for a council meeting. Certainly, if we do away with that we won't have that problem.

MR. HAYMANS: I think it goes without saying that we will coordinate. Whenever either state asks for a closure, we will talk about it.

MR. BOYLES: And I think, too, to clarify, I know earlier on there was some discussion about whether a state could unilaterally request its adjacent waters to be closed. In other words, was it a necessary condition for two or more states to be acting in concert, and that is not the case here. Further discussion on this part? Any further consideration of any alternatives we should put out for comment? I see none and I think we can move on.

DR. MacLAUHLIN: Okay, the next one is to revise the MSST proxy for pink shrimp. This has been bouncing around for a while. I got in touch with the Shrimp Review Panel but I think they need some more time to put some more options together. What I have now is Option 1 is no action, and this is using the MSST proxy and then it uses the SEAMAP Survey to approximate the biomass.

Option 2 would be to use another fishery-independent survey in addition to SEAMAP. The only option that the review panel gave me was the Pamlico Sound Survey, so there may be other surveys that come up. Option 3, which would be Alternative 3, use another fishery-independent survey in place of SEAMAP; and then 4 would add the Gulf pink shrimp MSST proxy in addition to SEAMAP; and then Option 5, others.

MR. BOYLES: Any questions for Kari on this one on Action 2? Wilson.

DR. LANEY: Mr. Chairman, I guess I would just ask if you've taken a good close look at the Pamlico Sound Survey. Mac and I were just talking. Pink shrimp are at kind of the northern end of the range in the Pamlico Sound, so I would wonder whether or not that might be a good substitute for the SEAMAP Survey.

I don't know, maybe Marcel might want to weigh in on that. I know we have them in North Carolina in the Cape Fear in fair numbers, but then the further north you go the less abundant they become. Like Mac said, it depends on the winter temperature. I would defer to the Shrimp Review Panel on taking a look at that and just determine whether or not that's a good substitute.

MR. BOYLES: Any comments? Everybody good with where we are on Amendment 9? I'm seeing heads nod. All right, that does it for Amendment 9. We will continue to move that ball down the field. One other agenda item; Florida and North Carolina have some information for us on the Shrimp Review Panel, I believe.

DR. MacLAUCHLIN: We have two vacancies on the Shrimp Review Panel; one from Florida and North Carolina. I would like to ask Jessica if they have someone to recommend and if someone on the committee would make a motion to appoint that person to the Shrimp Review Panel.

MR. BOYLES: Two vacancies; one from Florida and one from North Carolina on the Shrimp Review Panel. Are you prepared?

MS. McCAWLEY: This is the first I'm hearing of this.

DR. MacLAUCHLIN: You told me Aaron.

MS. McCAWLEY: Then Aaron Podey, yes, as the Shrimp Review –

**MR. BOYLES: All right, the Chair will entertain a motion to appoint Aaron Podey to the Shrimp Review Panel. Doug.**

MR. HAYMANS: So moved, Mr. Chairman.

MR. BOYLES: Motion by Doug Haymans; second by Dr. Laney. Any discussion of the motion? Any opposition to the motion? **That motion carries.** Michelle, do you have some information you'd like to share with the committee about the North Carolina nomination.

DR. DUVAL: Folks may be aware that Rich Carpenter, who recently retired, was our southern district manager, and he was our representative on the Shrimp Review Panel. In his place, Trish Murphy is going to sit on the Shrimp Review Panel, but I'm not on your committee, so I'm going to let somebody else.

**DR. LANEY: Mr. Chairman, I would move that Ms. Trish Murphy of the North Carolina Division of Marine Fisheries be appointed as a member of the Shrimp Review Panel from North Carolina.**

MR. BOYLES: Okay, motion by Dr. Laney; second by Mr. Cupka. Further discussion on the motion? Any opposition to the motion? Seeing none, **that motion carries.** Any further business to come before the Shrimp Committee? Wilson.

DR. LANEY: Mr. Chairman, I'll just ask the question now. I don't know whether we had planned to discuss it later in the week or not, but given the imminent listing of Atlantic sturgeon and given the likelihood of encounter of that species in the southern shrimp fishery, I was just wondering what the process would be to address that issue at some point in time. If that's something we should defer until later on, I'm fine with that.

MR. CUPKA: We've made a request, Wilson, for somebody from the regional office to make a presentation at the Shrimp AP meeting and then we'll move on from there.

Shrimp Committee  
Savannah, GA  
March 6, 2012

DR. CRABTREE: And we are in the process of working on a new biological opinion for the shrimp fishery that will take into account Atlantic sturgeon. The estimated completion date on that is between now and our next council meeting, so you should have that to review at the June council meeting.

MR. BOYLES: Further business to come before the Shrimp Committee? Seeing none, we will stand adjourned.

(Whereupon, the meeting was adjourned at 5:15 o'clock p.m., March 6, 2012.)

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April, 2012

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March 7, 2012  
Savannah, GA 31401

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