

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

ECOSYSTEM-BASED MANAGEMENT COMMITTEE

**Charleston Marriott Hotel
Charleston, SC**

September 16, 2013

SUMMARY MINUTES

Ecosystem-Based Management Committee:

Doug Haymans, Chair
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Dr. Roy Crabtree
Ben Hartig
Jessica McCawley
Jack Cox

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John Carmichael
Anna Martin
Julia Byrd

Observers/Participants:

Monica Smit-Brunello
Dr. Bonnie Ponwith
Pres Pate
Lt. Mike Mastrianni

Dr. Jack McGovern
Phil Steele
Anik Clemens
Doug Boyd

Additional Attendees Attached

*Appointed but non-voting or sworn-in until October 25, 2013

The Ecosystem-Based Management Committee of the South Atlantic Fishery Management Council convened in the Blue Topaz Room of the Charleston Marriott Hotel, Charleston, South Carolina, September 16, 2013, and was called to order at 1:30 o'clock p.m. by Chairman Doug Haymans.

MR. HAYMANS: I would like to go ahead and call to order the Ecosystem-Based Management Committee Meeting. The first item of business is the approval of the agenda. You have it in front of you. Are there any additions to the agenda? Seeing none; is there any objection to the agenda? Okay, we'll work off of this one.

Next are the minutes from the June 10th meeting of this committee. You have had a chance to read them. Are there any changes or additions to those minutes? Seeing none; those minutes will stand approved. Okay, I guess we will move right into Coral Amendment 8. Hopefully, this thing has been vetted well enough across the region and we're ready to move forward with it to the secretary. I'm going to let Anna take it from here.

MS. MARTIN: We are actually going to quickly review the public hearing comments that we received for Coral Amendment 8. This is Attachment 2 in your briefing book. We're looking at the document titled "Summary". We did receive pretty limited input on Coral Amendment 8. Seven comments were made during the public hearings and four comment letters were received during the commenting period; so a total of eleven comments for this particular amendment.

As for testimony during the public hearings, there was one comment in Richmond Hill, Georgia, from a Deepwater Shrimp AP member, commending that an agreement was made during the Oculina Bank HAPC designation when VMS became a requirement in the rock shrimp fishery, that fishery managers wouldn't return to close additional area.

We had a couple of comments in Jacksonville, Florida, at the hearing; one indicating a modification of Action 1, Subalternative 2B, should be considered to open up several active fishing areas along the southeastern proposed boundary. The ability to transit is essential to the rock shrimp fleet. The commenter was in support of Preferred Alternative 3 under Action 2; also commenting that vessel owners should be eligible for VMS reimbursement funds.

There was another comment about Action 1, Preferred Alternative 3, in that it needs to be moved further east as far as the boundary delineation. We had a couple of comments in Cocoa Beach, Florida, at the public hearing there. One was from a Deepwater Shrimp Advisory Panel member expressing support of the preferred alternatives for Actions 1 through 3 and had no comment on Action 4. They also noted that some of the VMS points are more significant than others, and this is something they discussed that was misrepresented in the VMS analysis.

There were a couple of comments in Cocoa Beach also regarding reimbursement funds being eligible for the rock shrimp fishery for those requiring upgrading of their VMS unit. There was comment in the Charleston Public hearing. The commenter said that any closed area should be marked with buoys with video camera and monitoring capabilities and that any closed area should be offset with areas of artificial reef habitat.

We received a few comment letters, as mentioned. The Deepwater Shrimp Advisory Panel Chair submitted a letter in support of the Action 1 through 3 preferred alternatives. However, under Action 1, Preferred Alternative 3, this does include a fishing area south of the southern satellite site of the Oculina Bank HAPC that is productive when cold water upwelling events push rock shrimp to the inshore side of the Oculina Bank HAPC.

He also noted that reimbursement funding should be available for those needing to upgrade their unit. The letter also said that VMS was implemented as a law enforcement tool for the rock shrimp fishery. The points do not provide value any given area has to the rock shrimp fishery. We received a letter from the South Florida Golden Crab Fishermen expressing their interest in expanding the fishery access areas designated for the golden crab fishery.

The fishermen in the letter stated their opposition to the actions in Coral Amendment 8. We also received a letter from the Southeastern Fisheries Association, East Coast Fishery Section, and their letter stated the amendment should be delayed to allow time for further review of the social and economic analysis.

The economic impact would be much greater for the rock shrimp and snapper grouper fisheries than what is identified in the analysis of the amendment. For a complete review of all of the testimony provided during the hearings and the comment letters, again I will refer to Attachment 2. We have all of that included therein.

MR. HAYMANS: Are there any comments to the comments? Okay, seeing none, let's get into the decision document.

MS. MARTIN: Okay, now we are looking at Attachment 5 in your briefing book. This is the decision document for Coral Amendment 8; and what I plan to walk through with you today, we have four actions in Coral Amendment 8. We have currently the committee has selected preferred alternatives for all of the actions, and we are looking for your consideration of final approval of Coral Amendment 8; a recommendation for final approval.

We have received some review comments back from PPI, which stands for Program Planning Integration, a review process that all amendments have to go through. There is nothing noteworthy in their findings to report to the committee that can't be cosmetically fixed with this amendment. We've also received comments back from the Science Center; and again nothing major in their findings to report. Staff is working on addressing those comments.

I would like to go through the actions and alternatives with you. We do have a few recommendations from the IPT for revisions to the language of some of the alternatives to make them more consistent with what is worded for some of the other alternatives, so I'll get to that shortly.

Action 1 can be found on PDF Page 4. Action 1 expands the boundaries of the Oculina Bank Habitat Area of Particular Concern. We have the no action alternative. Alternative 2 modifies the northern boundary of the Oculina Bank HAPC. Subalternative 2A is depicted in the chart on PDF Page 7 and as indicated on the projector screen here.

Subalternative 2A modifies the northern boundary of the Oculina Bank HAPC. The west and east boundaries in this northern zone follow close to the 70 meter and 100 meter depth contour lines, respectively, while annexing hard-bottom features as represented in the simplified polygon Figures S-1 and also S-2. Subalternative 2A adds 329 square miles to the HAPC.

Subalternative 2B is the council's preferred for northern extension of Oculina Bank. As you recall, this was the recommendation that came from the Deepwater Shrimp Advisory Panel. The AP's recommendation is to adjust the southern portion of the eastern boundary line of the proposed Oculina Bank HAPC northern extension identified in Alternative 2A.

As you will see in the decision document, we do have an IPT recommendation for rewording the language of this alternative, and we will get to that shortly. Currently, as written, it is the verbatim language from the Deepwater Shrimp Advisory Panel at the June meeting. PDF Page 12 is another preferred of the council.

This is Alternative 3. This modified the western boundary of the Oculina Bank HAPC. The east boundary would coincide with the current western boundary of the Oculina Bank HAPC. This alternative adds 76 square miles to the Oculina Bank HAPC. This was also selected as a preferred alternative at your June meeting.

This has been a constant for this action since the public scoping process, and it has also been the council's only alternative for a western expansion of the Oculina Bank HAPC. That is a review of your current preferreds for Action 1. We do have a couple of decisions to pose to the committee, and that is regarding the IPT's recommendation for a wording change to Preferred Subalternative 2B.

The recommendation is Preferred Subalternative 2B; modify the Oculina Bank HAPC to move the northern boundary to the coordinates identified there. The western boundary would follow close to the 70 meter contour while annexing hard-bottom features with two coordinates replaced in the southern portion of the boundary to reduce rock shrimp fishing tracks impacted.

The eastern boundary line of the proposed Oculina Bank HAPC northern extension identified in Alternative 2A would be shifted west to further reduce rock shrimp fishing tracks impacted. The alternative is represented in a simplified polygon, which are indicated in Figures S-3 and S-4. This alternative adds 260 square miles to the existing HAPC.

MR. HAYMANS: Monica, do I see your hand halfway up?

MS. SMIT-BRUNELLO: Yes, but you need to ask your question.

MR HAYMANS: **Is there a motion to accept the IPT's recommended rewording? Charlie; seconded by Jessica.** Okay, is there any discussion? Monica.

MS. SMIT-BRUNELLO: To make it very clear to the reader and readers of this amendment, I understand why the exact coordinates for each different alternative are put in Appendix X because they're numerous, and so I think it would be good, though, for each subalternative or

each alternative to state where in Appendix M you can find the particular geographic coordinates.

For example, under Subalternative 2A there could be a sentence the coordinates as reflected in Appendix M, Table 1, or something like that. You could add “as reflected in Appendix M, Table 2, to 2B, and so on, so it is very clear everybody knows the exact coordinates that the council is talking about. I think that would be a very addition to every one of these alternatives that has a coordinate table in Appendices M.

MR. HAYMANS: That sounds like a reasonable clarification. Any other discussion? Okay, we Subalternative 2B and Alternative 3 as our preferred. Is there any desire to change those preferreds? **The committee motion is to accept the IPT’s wording for Subalternative 2B, Action 1. Is there any opposition? Seeing none; that motion carries.** If it is okay with the group, we’ll go to Action 2.

MS. MARTIN: Moving on to Action 2, this is found on PDF Page 17 in the decision document. Okay, Action 2 considers implementation of a transit provision through the Oculina Bank HAPC. We have the no action alternative. Alternative 2, this refers to the transit provision as described for the Deepwater Marine Protected Areas insofar as how it defines stowage of gear.

Alternative 2 allows for transit through the Oculina Bank HAPC. When transiting the Oculina Bank, gear must be stowed in accordance with the Code of Federal Regulations Section identified there, and again that is the reference to the MPA transit provision.

Vessels must maintain a minimum speed of five knots while in transit through the Oculina Bank HAPC. In the event minimal speed is not sustainable, a vessel must communicate to the appropriate contact.

Your preferred for this action is Alternative 3. Alternative 3 allows for transit through the Oculina Bank HAPC with possession of rock shrimp on board. When transiting through the HAPC, vessels must maintain a minimum speed of not less than five knots determined by a ping rate acceptable by law enforcement, which has been identified as five minutes, with gear appropriately stowed.

The definition of “stowed” here is defined as doors and nets out of the water. Alternative 3 was selected as your preferred at the June meeting. The rationale was that all of the advisory panels that have commented and have been involved in development of these alternatives are in accord with language for this particular alternative, including law enforcement.

Just for clarification, a question that was raised at the June meeting; also note that with Preferred Alternative 3, rock shrimp fishermen can transit through the HAPC at any time with or without rock shrimp on board the vessel as long as doors and nets are out of the water and the minimum speed is maintained.

MR. HAYMANS: Any desire by the committee to change the preferred? Monica.

MS. SMIT-BRUNELLO: I suggest you replace “ping rage” by “ping rate”. The document has “rage” in it.

MR. HAYMANS: And that’s probably something that editorial ability can handle at the end. The staff and chairman can fix that.

MS. SMIT-BRUNELLO: Sure. I think, though, by the time you get to Full Council, that should be changed.

MS. MARTIN: Sorry about that; it could have been a reflection of attitude at the moment. (Laughter)

MR. HAYMANS: Okay, besides that editorial, I saw no desire to change the preferred, so let’s move on to Action 3. Jessica.

MS. McCAWLEY: One of the public hearing comments was that vessel owners that have to upgrade their VMS, that they should be eligible for reimbursement funds. Will they be eligible or not? I was just curious.

MS. MARTIN: Pat O’Shaughnessy presented to the Deepwater Shrimp Advisory Panel at their May AP meeting and has indicated that they would not be eligible for reimbursement funding from the Office of Law Enforcement Reimbursement Account. Just a little statistic that is included in the analysis; there are 79 vessels in the rock shrimp fleet currently utilizing their VMS units.

Twenty-two of those 79 do have the older VMS units that would be required to be upgraded under the action’s preferred alternative. As I have understood, the stipulations tied to that reimbursement account, it would be not for folks already involved in the fishery that have initially received some type of stipend. So, no.

MS. BECKWITH: I also had a question about that. The appropriate contact; is that going to be NOAA or is that going to be the Coast Guard if they can’t maintain that speed?

MS. MARTIN: Vessels currently communicate to the appropriate contact, and I believe that is the VMS Office; correct? That wouldn’t be change from what is currently in place. Vessels are currently communicating to the VMS Office; the National Marine Fisheries Service, Office of VMS. If Otha were here, I would defer to him but I don’t see that he is here quite yet this week.

MR. HAYMANS: We don’t know the exact name of the office, but is the same group that is being contacted now. I thought it was five Coast Guard actually that were manning that office. We will make sure we get it clarified by the time we get to Full Council. Hopefully, Otha will be here by then.

MS. SMIT-BRUNELLO: And, Anna, maybe there could be some discussion in the document as to why the council is choosing a less strict version of what it means to have gear stowed. I think the regulations, at least for South Atlantic, have been pretty consistent in using what is in

Alternative 2 in terms of referring to that section of the CFR and what it means to have gear stowed.

I think there was some discussion at maybe one or two previous meetings as to why – I guess it is the fishermen I’m assuming believe that is not a good alternative for them, and so there is a more relaxed standard or version of what gear stowed means in Alternative 3, and so maybe we could add some of that.

MR. HAYMANS: If I remember the conversation, it was basically that the width of the closed area was such that it would take them more time to remove the gear and put into a stowed condition than it would take to transit the closed area. This was that reasonable compromise to be able to put it on the deck rather than to detach it. Roger.

MR. PUGLIESE: Just quickly; plus, I think the most significant that is different from the original is the fact that you have the VMS, that they have to be maintaining that speed, and that is the critical point. If they’re maintaining that speed, they’re not going to be able to really be trawling in the area.

MS. MARTIN: Another stipulation, Monica, when we did discuss this at the last meeting, safety-at-sea concerns, I think the currents surrounding the Oculina Bank can be somewhat turbulent, and so there were some safety-at-sea concerns about dismantling the doors and nets under Alternative 2.

MR. BELL: Mr. Chairman, I’m not on your committee but the difference in wording between 2 and 3, the “and” and “to”, you have that sentence, “In the event minimal speed is not sustainable, the vessel must communicate to the appropriate contact,” and that wording is not in 3, but I would assume if they have a mechanical problem and the ping rate is five minutes and they’re obviously not doing five knots, then they’d want to tell somebody, I would assume. Wouldn’t you want that wording to also be in 3?

MS. MARTIN: That is also something I would ask Otha to clarify for the record. He talked about this a little bit at the June meeting. Currently vessels are already doing that, and Otha discussed that it wouldn’t be an additional language that would be needed in the alternative. It actually was in a previous version of Alternative 3, but at his recommendation the committee took that language out.

MR. HAYMANS: Mel, why aren’t you on this committee? Are there any other questions on this action? Okay.

MS. MARTIN: Okay, moving on to Action 3, this is PDF Page 20, and Action 3 expands the boundaries of the Stetson-Miami Terrace Coral HAPC. Here we’re moving further offshore and discussing a modification to the western boundary of this HAPC. Once again, I will display the spatial representations for these areas.

Alternative 2 is PDF Page 22 in the decision document. Alternative 2 modifies the southern southeast boundary of the Stetson-Miami Terrace Coral HAPC western extension in a manner

that releases the flat-bottom region to the extent possible while maintaining protection of coral habitat. Alternative 2 adds 490 square miles to the Stetson-Miami Terrace HAPC.

With Alternative 2, we do have an IPT recommendation to reword the language of this alternative, and we will get to that shortly. Alternative 3 is PDF Page 23. Alternative 3 modifies the original Coral Advisory Panel recommendation that came out of the Coral AP meeting in October of 2011. This alternative modifies their original recommendation for expanding the Stetson-Miami Terrace Coral HAPC to include the area of mapped habitat within the expansion and excluding areas of royal red fishery activity based on the VMS data. Alternative 3 adds 653 square miles to the HAPC.

The council's preferred is Alternative 4. This is found on PDF Page 23. The recommendation is backup preferred alternative for the proposed extension of the Stetson-Miami Terrace Coral HAPC. The backup recommendation includes Alternative 2 as proposed with the inclusion of a new shrimp fishery access area for drift haul-back as represented in Figure S-10.

With the inclusion of a new shrimp fishery access area in Alternative 2, royal red shrimp fishing or VMS points traveling two to four knots would be further reduced to 0.1 percent from 0.7 percent for Alternative 2 alone.

As with Action 1, the language of this alternative is verbatim from the Deepwater Shrimp Advisory Panel recommendation at the June meeting, so we have another IPT recommendation here to revise the wording of this alternative to make it more consistent with the other alternatives in the action for consistency.

Alternative 4, again, was introduced at the June meeting as a slight modification of Alternative 2. In comparison with Alternative 2, the only difference here is that Alternative 4 includes that area in the southeastern corner there to allow drifting and hauling back of royal red shrimp fishing gear. It is indicated there by the concentration of VMS points.

Also, for the record, the codified text for this alternative that Anik will be discussing with you shortly, the codified text will by default modify the current the Shrimp Fishery Access Area 1; so as you can see what is projected there, there is overlap with what is currently delineated for the Shrimp Fishery Access Area 1.

By default, the codified text will modify what is currently stated for the access area. With that, I will go to the IPT recommendations for the committee. We have a couple of decisions here to present. The first is the IPT recommendation for wording of Preferred Alternative 4. A note here that the committee chairman did review the IPT-recommended language revision prior to the public hearings, and so this was something that was presented during the public hearing process as a possible revision to Alternative 4.

The recommendation is for stating Preferred Alternative 4 as modify the southern southeast boundary of the Stetson-Miami Terrace Coral HAPC western extension in a manner that releases the flat-bottom region to the extent possible while maintaining protection of coral habitat; allow

for a shrimp fishery access area to be used as a gear haul-back drift zone as shown in Figure S-10. Alternative 4 adds 490 square miles to the HAPC.

An additional IPT member recommendation for Alternative 2; and that would be to revise Alternative 2 to state, “Modify the southern southeast boundary of Stetson-Miami Terrace Coral HAPC western extension in a manner that maintains protection for the coral habitat but allows for bottom-tending gear to be used in the flat-bottom region.” Alternative 2 adds 490 square miles.

MR. HAYMANS: Is there a motion to accept the IPT’s recommended wording for these two preferred alternatives? Motion from Michelle; second from Charlie. Any additional discussion?

MS. SMIT-BRUNELLO: I’m not clear what it means under the new Alternative 2, I guess, or even the original Alternative 2, which uses the words “releases the flat-bottom region” in the original Alternative 2; and then the IPT Alternative 2 says, “that maintains protection for the coral habitat but allows for bottom-tending gear to be used in the flat-bottom region.” Is the flat-bottom region included in the expansion of the Coral HAPC?

MR. PUGLIESE: No, essentially what it is saying is that the modification was to shift to allow where the fishery is operating on supposedly mostly flat bottom, so it is not in the HAPC. It is the movement and refinement of the HAPC to exclude those areas that they could fish on, which would be thought to be at least more flat bottom.

MS. SMIT-BRUNELLIO: Okay, so maybe in the discussion we could add a little bit more meaning as to what that means. May I ask a question about the IPT Alternative 4? I’m more clear on what it means when the alternative discusses the flat-bottom region, but then I’d like to know what it means to have a gear haul-back/drift zone, which is also referred to I guess maybe it is an expansion or it is a new shrimp fishery access area. Is that one and the same; so that what can a fisherman do in this new shrimp fishery access area if that is in fact the same thing as the gear haul-back/drift zone?

MS. MARTIN: That would be the new shrimp fishery access area, and so the gear that is currently allowed in the existing access areas would be allowed in this revised shrimp fishery access area. The intention of this particular access area, based on discussions by the royal red shrimp fishermen, they need to use it as an area where they’re trying to haul back their gear.

It is very deep waters here. They have discussed the problems they’ve had as evidenced by where the VMS points are concentrated. They’re not fishing there. They’re actually hauling back their gear, but their VMS units are pinging because of the time required and the distance traveled to haul back their gear from the bottom. The intentions are to have this similar to the existing shrimp fishery access areas, and so the gears that are currently allowed in the existing access areas would be allowed here.

MS. SMIT-BRUNELLO: So they can fish in that area, the shrimp fishery access area, including the new one?

MS. MARTIN: That's correct.

MS. SMIT-BRUNELLO: Okay, and so do we consider these shrimp fishery access areas to be within the HAPCs?

MR. PUGLIESE: Yes, they are.

MS. SMIT-BRUNELLO: I just want to make sure that I'm clear; so as I look at Alternative 4, with the extension under Alternative 4, the current shrimp fishery access area cuts pretty far up into the Stetson-Miami Terrace Coral HAPC, and it almost like a sliver that will cut up in there; because if you choose Preferred Alternative 4, it obviously shifts the boundary to the west, so there will be kind of a couple of different cutouts the fishermen can fish in?

MR. PUGLIESE: Yes, and I think to some degree that was what was attempted to be addressed in the codified text because originally it was just creating the shrimp fishery access area with the coordinates. It is adjacent to Shrimp Fishery Access Area 1 or Shrimp Fishery Access Area A. By doing it, it de facto cuts off the access to the northern part, because the fishery stops or the haul-back stops at that area.

The coordinates that have been identified capture the tail of the haul-back zone and then essentially have cut off that tail to the north of the shrimp fishery access area. I think when they were putting the codified text together to make it clearer for the record and for simplicity was to connect to the haul-back zone because it is adjacent to it, and the fishermen have acknowledged that northern bound of the haul-back zone is the end of where the fishery operates. Essentially it cuts off the northern section and so the fishery would operate up to that boundary of the haul-back zone, and that would all become a modified Shrimp Fishery Access Area 1.

MS. SMIT-BRUNELLO: And as you just pointed out, then, Roger, the fishermen are fine with that and they don't fish up in that small sliver of an area?

MR. PUGLIESE: No, and they don't fish actually even in – it would have stopped at the lower end of the proposed HAPC; but with creating the haul-back zone, then it is a consistency that actually goes to the – the furthest extent that they're even moving there – because they have acknowledged they're not even fishing north of the southern portion; it is just the haul-back and the currents at the tail end of the overall fishery.

MS. SMIT-BRUNELLO: I guess the document should be changed or it may be a different – I don't know if you want to change your current picture – that is what I'll call it – a figure, excuse me, the figure to show that access area will be cut off, then, that top ribbon of the access area.

MR. PUGLIESE: Yes, I think what we can do is add an additional figure following the consolidation of Shrimp Fishery Access Area 1 and haul-back ends up with this footprint, so you have this as the action and then add a footnote identifying that is the northern bound of the new shrimp fishery access area.

MR. HAYMANS: Anything additional? **The current motion is to accept the IPT's recommendations for rewording Preferred Alternative 4 and Alternative 2 under Action 3. Any opposition to that? Seeing none; that motion carries.** Final action.

MS. MARTIN: Okay, this will take us to PDF Page 29 in the decision document, and this is Action 4. This action expands the boundaries of the Cape Lookout Coral HAPC. Alternative 2 is your preferred. Alternative 1 is what is currently in place. There is only one other alternative under this action.

Alternative 2 is shown on PDF Page 30. This extends the northern boundary to encompass the area identified by the following coordinates that are listed in the alternative description. Once again, with this particular scenario, since the public scoping process for Coral Amendment 8, the alternative for this action hasn't changed.

Alternative 2 represents the discovery of new lophelia habitat outside of the Cape Lookout HAPC boundary in that northern zone, and that is the light green polygon there on the projecting screen. This is the specific area of that deepwater lophelia coral discovery. Thus, the one alternative scenario for Action 4, and it was selected by the council in June as your preferred.

MR. HAYMANS: Is there any desire to change the preferred from Alternative 2 to anything else? Any questions or comments? Very well, does the committee want to recommend that the council approve Coral Amendment 8 for formal secretarial review and provide editorial license to the council staff and the chairman?

MS. McCAWLEY: I so move.

MR. HAYMANS: That would be to approve Coral Amendment 8 for formal secretarial review and to give the staff/chairman editorial license to make any necessary changes.

MS. McCAWLEY: Yes.

MR. HAYMANS: Second by Charlie. Any additional discussion? Monica.

MS. SMIT-BRUNELLO: Could we go back to Figure S-10? That is Alternative 4 for the Stetson-Miami Terrace. I am sorry I didn't ask this when we were discussing that. I want to make sure that I'm clear. The North Florida MPA will now be overlapped by the proposed extension of the Stetson-Miami Terrace Coral Habitat Area of Particular Concern? Okay, and the answer was yes.

In Figure S-10 there is some mapped habitat with some lines drawn to the mapped habitat and I guess pictures of the mapped habitat. I guess the reason the picture are placed where they are is because that is just where you can fit it within the figure; is that right?

MR. PUGLIESE: Yes, those are the multibeam maps that had been conducted in those two, so they are aligned specifically in the areas that the work was done and mapped both in the

proposed HAPC; and since it had been mapped in the area, it was just identified also in the northern MPA.

MS. SMIT-BRUNELLO: Okay, I might recommend in the top there is a rectangle that covers up part of the – maybe that’s south. No, that’s the North Florida MPA. Maybe you could move that black box somewhere a little bit because it is confusing to some. I’ve had a couple of people tell me. I think it is somewhat confusing to have that black box within the North Florida MPA when it is actually not in the North Florida MPA. It is just an example of what the mapped habitat area is, I think.

MR. HAYMANS: That is in the North Florida MPA. The two lines that are coming off simply designate that as mapped habitat. What I have asked Roger to do is to move the North Florida MPA title just a little bit further north from the box, and so that will clarify that. But that black rectangle is within the MPA.

MS. SMIT-BRUNELLO: All right, now I understand. I didn’t understand that is the way it was. Okay, great, thank you.

MR. HAYMANS: Any additional comments or questions? Hearing none; is there any opposition to the motion? Hearing none; that motion passes. Next we need a motion to recommend to the council to approve the codified text for Coral Amendment 8. Jessica.

MS. McCAWLEY: So moved.

MR. HAYMANS: **That motion is to approve the codified text for Coral Amendment 8 as necessary and appropriate, and to give the staff/chairman editorial license to make any necessary changes to the codified text; and the chairman authority to deem the codified text necessary and appropriate.** Charlie is the second.

MS. MARTIN: I had the draft codified text circulated to the committee earlier today, and I thought perhaps maybe we should go through the codified text to see if there are any questions before it is approved.

MS. CLEMENS: I am Anik Clemens. I work for the National Marine Fisheries Service, in the Policy Branch. I will go over the codified text for you. The four actions in Coral Amendment 8; the first action was to expand the Oculina Bank HAPC. What we’ve done is we’ve combined the original area and the expanded area into one set of coordinates.

We have the HAPC is bounded by rhumb lines connecting the order of the following points; and we start with an origin and have the ten points and then come back to the origin. That encompasses Preferred Alternatives 2B and 3 for Action 1. This draft of the codified does not have the updated IPT-recommended language yet, so we will add that for Full Council.

For Action 2, Preferred Alternative 3, we included the transit provision for rock shrimp. We have added the triple i paragraph, “fish for rock shrimp in the area on board a fishing vessel,” so it is “In the Oculina Bank HAPC no person may fish for rock shrimp in the area on board a

fishing vessel. A vessel with a valid commercial vessel permit for rock shrimp that has on board rock shrimp harvested in the open area of the EEZ may transit through the HAPC if fishing gear is appropriately stowed.”

We’re defining “transit” in this paragraph means direct and non-stop continuous course through the area and maintaining a minimum speed of five knots and a VMS minimum ping rate of one ping per five minutes. We defining “fishing gear appropriately stowed” as doors and nets are out of the water.

Then Action 4, for Preferred Alternative 2 for the Cape Lookout lophelia banks, this includes the expanded boundaries, so there is one table with the coordinates for the whole area. Then for Action 3, Preferred Alternative 4, for Stetson Reefs, Savannah and East Florida lithotherms, the Miami Terrace or the Stetson-Miami Terrace area, we have again included one table that encompasses both the original area and the expanded area, so now there are 181 points. Again, it doesn’t include the IPT recommendations for modifying the southern southeast boundary, so we will have that for Full Council.

Then for Shrimp Access Area 1, we named it Shrimp Access Area A originally in the codified, and I’m not sure exactly why we did that, so I’ll look into and see if we need to change that to Shrimp Access Area 1. Again, we included the original area and the expanded area into one set of coordinates for the table. Are there any questions?

MR. HAYMANS: Seeing none; thank you very much. **Okay, any additional questions or comments? Is there any opposition to the motion? Seeing none;** I think we can move forward with Coral Amendment 8 to one step closer to finalization. Okay, we will have a very brief update on the ecosystem activities.

MR. PUGLIESE: There are just a couple of points for activities that we’re involved directly with in the region that are relevant. The Governors South Atlantic Alliance just held their meeting recently; every level from the leadership arms down to one of the more directly involved groups, the Healthy Ecosystem Team, which Michelle has oversight over.

There is a lot of activity in terms of implementation and development of policy and of tools and capabilities for the region. Additional resources and long-term planning efforts are under way and I think a closer connection and alignment with a lot of the tools that we’re developing at the council through the Atlas.

Some of the online eco-species information system and digital dashboard is something that is going to complement and work together. Another connection between the groups are activities that are involved – one of the habitat-combining efforts that is going on through the Healthy Ecosystem Team is also being collaborated with one of our other partners in the region, the South Atlantic Landscape Conservation Cooperative, with some additional funding.

There is going to be refinement of habitat distribution on a regional level and we will work very closely with the Nature Conservancy and hopefully it will complement all the efforts of the

different organization from the Governors Alliance to the Conservation Cooperative from the regional standpoint and to enhance and expand our Essential Fish Habitat Information System.

I think there is some real synergy and connection between efforts and opportunities to build on funded resources that can provide better information to the council on managed species and species' distribution and habitats and fishery operations. Those are some of the key ones I wanted to touch on.

One of the other activities that I am involved in; I am working with a steering group that is going to be working on a climate workshop for the councils. The Mid-Atlantic Council has initiated this deliberation with ASMFC, New England, Mid-Atlantic and South Atlantic Councils to begin to look at what some of the potential regulatory impacts may be of changing states in the ocean, changing distributions of species.

There is actually some document actions that have happened in especially in Northeast Region with some of the stocks, so this is a very timely effort. We will be working on developing an agenda and a workshop targeted toward some of the information transfer on what they know in some of the regional areas, what the council would like to see and be able to be prepared to respond and what some of the implications may be from a regulatory standpoint as you see changes in populations or distributions or species. I will be getting back with you and probably our chair and vice-chair may get some direct requests, and then that is going to be in the development process.

I think we have our first conference call the first week in October to begin to look at some of the capabilities. I think we're poised in the South Atlantic Region to really tap into some of our partners, say, with the Ocean Observing Association and with the Landscape Conservation Cooperative, maybe to tap into some of the capabilities of modeling and different things to do everything from looking at what some of the implications of changing essential fish habitat distribution to changes in current systems to temperature regimes and what that may be for the long term of the South Atlantic Region. I will keep you posted as we move forward on how that process goes. Those are some of the key points I think for our region that I wanted to touch on.

MR. HAYMANS: Questions for Roger?

MR. PUGLIESE: One last point; real quick is our Habitat Advisory Panel meeting – Habitat and Environment Protection Advisory Panel is scheduled for November 5th and 6th. It is going to be held at FWRI so we're going to have a real good opportunity to be able to not only enhance and expand our policy development but also set the stage for the generation of the new Fishery Ecosystem Plan and have hands-on access to be able to look at our developing online systems and information systems from everything from fishery-independent surveys, fisheries under the Atlas, to some of the other ones I have mentioned and how they connect with some of the other partners.

That hopefully is going to springboard and have a broader sense and availability and highlight to the council on where we're going with some of those capabilities. I think some of those are

going to be pretty useful and worthwhile for our region and really fit into a lot of other aspects such as the visioning process, et cetera. I think it is going to be very timely for what is going on.

MR. HAYMANS: Any additional comments or questions? Seeing none; Mr. Chairman, I yield back five minutes. That concludes the business of the Ecosystem-Based Management Committee. I asked for other business at the beginning of this committee meeting, and there was none.

MR. HARTIG: Well, there may be some now. I would like to make a motion.

MR. HAYMANS: Ben has other business. I thought I was going to give back five minutes.

MR. HARTIG: I will preface this with I think if John was on your committee, he would make this motion. The extensive discussion we had this morning about the freshwater discharges from the lake and other others into the St. Lucie Estuary has caused severe environment distress in that estuary again. It has been going on and on over the last fifty years.

Given that, there has been a lot of attention even nationally focused on this issue. I would move that the council write a letter to the appropriate agencies concerning the impacts on the Indian River Lagoon from the extended freshwater releases. That can be reworded any way to make it stronger or whatever, but I think this council ought to send a message that we have concerns about that.

Some of the real problems are concerned with the timing of these discharges where it is occurring in the late spring and summer when most of our reef fish are actually recruiting to the estuaries for that part of their life cycle. They're being totally eliminated from the system through these freshwater inflows.

MR. HAYMANS: So, Ben, would that be a motion for the council to send a letter to the South Florida Water Management District in regards to releases from Lake Okeechobee into the Indian River?

MR. HARTIG: That is why I said appropriate agencies, and I'm not sure who that is.

MR. PUGLIESE: What I can do is I will work with Pace Wilbur and with our counterparts with Habitat Conservation and the fact that we already have been building refining an in-stream flow policy, because I know we have highlighted some of these issues, specifically some of those and specifically in the river lagoon. We can work on who the appropriate agencies would be to bring that to.

MS. McCAWLEY: There is also a Florida Legislative Committee that has been tasked with looking at this. I don't know the committee's formal name, but I could find it if you would like the letter to be submitted to that committee.

MR. HAYMANS: Sure, we can copy it to both. Ben.

MR. HARTIG: To me there has been a number of groups that have got on and I think adding our displeasure with what has been occurring over time, we will just be one more agency that is concerned about this long-term problem that we have been experiencing. I think we need a second.

MR. HAYMANS: Wilson seconds and has comment.

DR. LANEY: Yes, I totally agree with Ben on this point. I will just note for the record I don't think we're at the point where we need a letter from council yet, but the Fish and Wildlife Service, North Carolina Wildlife Resources Commission, and the Nature Conservancy all met last week.

We took Colonel Steven Baker from the Wilmington District Corps with us out on the Roanoke River to show him firsthand the impacts of the current operational regime from John H. Kerr Reservoir is having on the lower river. The basic problem there in a nutshell is because the way they manage those flows, we have extended flooding on the lower river for as long as four to five months where the river is just flatlined at 20,000 cfs, and it creates a lot of issues for a lot of different resources.

If you want to talk details see me later, but that is a similar situation where we have water management that is certainly not optimal for the resource, and in that case you have a whole lot of conservation lands downstream that are being adversely impacted by water management. The Corps seems very amenable to working with us to change that regime, so hopefully that would be the case in Florida as well.

MR. HAYMANS: Ben, does look okay to you before I read it?

MR. HARTIG: That's fine.

MR. HAYMANS: **Okay, so the motion reads that the council write a letter to the appropriate agencies to address freshwater flow from Lake Okeechobee to the Indian River Lagoon. Motion from Ben and a second from Wilson. Is there any additional discussion? Is there any opposition? Seeing none; that motion passes.**

Any other business? Seeing none; Mr. Chairman, that concludes the business of the Ecosystem-Based Management Committee.

(Whereupon, the meeting was adjourned at 2:30 o'clock p.m., September 16, 2013.)

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77	Bonura, Vincent	sailraiser25c@aol.com 412 min
53	jenkins, wallace	jenkinsw@dnr.sc.gov 7 min
52	DeLancey, Larry	delanceyl@dnr.sc.gov 143 min
48	michael, merrifield...	mikem@wildoceanmarket.com... 249 min
48	holland, jack	jack.holland@ncdenr.gov 53 min
47	Shertzer, Kyle	kyle.shertzer@noaa.gov 47 min
42	Waters, James	jwaters8@gmail.com 43 min
39	Thompson, Robert	capt.thompson@gmail.com 535 min
36	Smith, Mason	mason.smith@myfwc.com 3 min
35	holiman, stephen	stephen.holiman@noaa.gov 139 min
34	DeVictor, rick	rick.devictor@noaa.gov 461 min
34	Michie, Kate	kate.michie@noaa.gov 385 min
32	Tsao, Fan	fan.tsao@noaa.gov 32 min
32	sandorf, scott	scott.sandorf@noaa.gov 457 min
32	E, A	annemarie.eich@noaa.gov 443 min
31	Williams, Erik	erik.williams@noaa.gov 441 min
31	Bresnen, Anthony	anthony.bresnen@myfwc.com... 509 min
30	raine, karen	karen.raine@noaa.gov 178 min
30	c, m	mec181@yahoo.com 482 min
29	Ballenger, Joseph	ballengerj@dnr.sc.gov 480 min
29	Merrifield, Jeanna...	jeannam@wildoceanmarket.c... 505 min
28	Takade-Heumacher, ...	htakade@edf.org 180 min
27	Wyanski, David	wysanskid@dnr.sc.gov 31 min
26	Baker, Scott	bakers@uncw.edu 315 min
25	sedberry, george	george.sedberry@noaa.tov 27 min
25	Gore, Karla	karlagore@gmail.com 207 min
25	crabtree, roy	roy.crabtree@noaa.gov 15 min

23	MacLauchlin, Bill	billmac@charter.net	26 min
20	L, I	captaindrifter@bellsouth...	0 min
20	Stevens, Charles	iamcstevens@gmail.com	0 min
20	Amick, Steve	steveamicks@aol.com	0 min
20	Neer, Julie	julie.neer@safmc.net	0 min
20	Ponce, Charlene	charlene.ponce@gulfcounci...	0 min