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To: John Carmichael <John.Carmichael@safmc.net>; Myra Brouwer <Myra.Brouwer@safmc.net>; Roger Pugliese <Roger.Pugliese@safmc.net>

Subject: Coral Amendment 10

I have attached 2 comments on different topics in response to the Draft Coral Amendment 10 document.

Please forward to council members for their review in preparation for discussions tomorrow regarding Coral Amendment 10.

Thank you.

Mike Merrifield
Deepwater Shrimp AP Chair

In the Direct Effects section of the Draft Amendment 10 to the Fishery Management Plan for Coral, Coral Reefs, and Live Hard Bottom Habitat of the South Atlantic Region, the following quote was referenced:

“Although shrimp fishermen affirm that they avoid hard bottom habitat when trawling to avoid snags and gear loss, and rock shrimp prefer sand bottom, numerous instances of gear impacts to corals have been documented in the OHAPC. During the 1980s and 1990s, bottom trawling within the *Oculina* ecosystem, was the primary cause of major habitat destruction (Reed et al. 2007; Figure 4.1.1.9)”

It would be worthwhile to also include quotes from John Reed in 2006 Report to the SAFMC *Oculina* Evaluation Team Workshop:

"The exact causes of the extensive areas of dead coral rubble on modern deep-water reefs, including *Oculina* and *Lophelia* is yet unknown. Extensive areas of dead coral on the *Oculina* reefs as well as *Lophelia* counterparts may be due to a combination of events including the natural evolution of the mound, along with degradation through bioerosion, hydrodynamic stress from currents, and in some regions from dredging and trawling and trawling activities by fishermen (and scientists)." from pg. 14 & 15.

"Natural episodic coral die-off, such as occurs with the shallow water *Acropora* species, may be an unknown factor on the deep-water coral reefs. Other hypotheses may account for some of the dead *Oculina* reef area. One is that German submersibles were known to hide among high relief structures in this region during reconnaissance missions along eastern FL during WWII." from page 16.

"Historical photographic records from the 1970's provide evidence of the status and health of reefs prior to heavy fishing and trawling activities of the 1980s and 1990s (see 5 published citations)." from page 17.

In the original Harbor Branch surveys of the *Oculina* Bank in 1975-77, there was more dead *Oculina* coral cover (31%) than live *Oculina* cover (19%). The only explanation for this data is that some force other than trawling has historically resulted in extensive *Oculina* die-off.

While there may have been some damage from trawling or damage attributed to trawling, the fact is this is an extremely volatile environment impacted by numerous natural episodic events that impact the coral as well as numerous other anthropogenic causes such as the billions of gallons of gray water released every day by Dade, Broward and Palm Beach Counties (moratorium has been postponed due to litigation), cruise ship dumping and the Lake Okeechobee overflow releases via St Lucie River into the Atlantic. The later event created a brown algae bloom that suffocated the bottom and eliminated rock shrimp fishing south of the OHAPC for over 5 years and most likely had a devastating effect on the *Oculina* corals inside the closed area to the north.

To state trawling is "the primary cause of major habitat destruction" is misleading and does not give a complete picture of what is taking place on the *Oculina* Bank.

Council Members and SAFMC Staff,

Regarding the two scenarios described in the Direct Effects section on page 53 of the Draft Amendment 10 to the Fishery Management Plan for Coral, Coral Reefs, and Live Hard Bottom Habitat of the South Atlantic Region, these scenarios are not accurate. There is no consideration for the following:

- Vessels do not travel on the OHAPC boundary trailing their gear slightly inside the OHAPC. That would leave zero margin for error. The closest a vessel will get to the boundary is 2 tenths of a nautical mile. This provides room to adjust for electronic equipment deviations. This precautionary buffer will increase based on weather conditions.
- The risk is too high to chance accidentally crossing into the OHAPC.
- Having a single VMS ping inside the OHAPC that is characterized as not transiting, regardless of distance within the OHAPC can result in serious consequences.
 - Vessels in violation are met at the dock by federal law enforcement agents, the freezer hatch is sealed and the catch is confiscated and auctioned off.
 - Loss of catch alone can equate to more than \$300,000.00
 - Fines will be in the tens of thousands of dollars
 - Permits are at risk of being revoked
 - Trip expenses are not recouped (fuel and supplies can be greater than \$50,000.00
 - Results in loss of income for the Captain and crew
- Gear is deployed well away from the boundary in a slow, methodical way to ensure the doors are separating the nets correctly. Once it's verified the gear is functioning properly, the cable is slowly let out to a scope of 3 feet for every 1 foot of depth.
- Once the gear is on the bottom and towing smoothly, the captain will then move closer to the OHAPC boundary following a pre-existing track. The first pass will be nearest the OHAPC boundary to herd the shrimp offshore. Subsequent passes will be increasingly further away from the OHAPC.

Please see the illustration **Shrimp Trawl Gear Width and Distance to OHAPC Boundary** included with this comment. This illustrates the distance the gear extends from the center of the vessel where the VMS transmitter is located. Using the greatest distance scenario for gear extension and closest vessel distance to the OHAPC boundary, there is over 1,000 feet between the gear and the OHAPC boundary.

Shrimp Trawl Gear Width and Distance to OHAPC Boundary Illustration

