

Joint Coral, Shrimp, and Spiny Lobster Advisory Panels

Meeting Summary

Webinar

September 12th, 2022

1:00 pm – 4:00 pm

The meeting of the Gulf of Mexico (Gulf) Fishery Management Council's (Council) Coral, Shrimp, and Spiny Lobster Advisory Panels (APs) was convened on September 12, 2022 at 1:00 pm EDT. The agenda for this meeting was approved as written.

Presentation: Florida Keys National Marine Sanctuary (FKNMS) Expansion Proposal

Mr. Stephen Werndli (FKNMS staff) presented the proposed rule for the FKNMS expansion. Additional FKNMS staff also attended the webinar and were able to answer questions specific to their expertise. The Council has been granted an extension to provide comments until February 17, 2023.

The Shrimp AP expressed concerns regarding the steps in which the FKNMS evaluated the comments received for the 2019 Draft Environmental Impact Statement (DEIS). Specifically, a Shrimp AP member recounted the minutes of the discussions held during the September 16, 2019, Joint Meeting of the Special Coral Scientific and Statistical Committee and Coral and Shrimp APs during which FKNMS staff indicated that the purposes of the northwest and southwest extensions of the FKNMS were to protect the habitat from large vessel damage from groundings and to provide a boundary line that was easier to enforce. The Shrimp AP member further noted that there was only minimal reference in that discussion to any ecological benefits in the proposed expansion other than a general reference to some research being conducted that suggested some ecological and genetic connectivity between Pulley Ridge and the Florida Keys. The Shrimp AP requested additional explanation of the benefits of the proposed boundary change and expressed concern about what this would mean for the changes in fishing regulations after the entire Area to be Avoided and Dry Tortugas region become part of the FKNMS. Council staff reminded the Joint APs that the final letter submitted by the Gulf Council in 2020¹ incorporated multiple AP recommendations over a series of meetings.

Members of the Shrimp AP and a member of the Coral AP recounted the process in which the Flower Garden Banks (FGBNMS) engaged stakeholders and modified its boundaries to closely follow the contours of the hard-bottom habitat. When discussing the process by which boundaries for the various zones were selected, Mr. Werndli responded that the previous condition report provided recommendations on which areas needed to be modified, removed, or created to meet the report's goals and objectives. This applied to zones that would protect birding, coral, ecosystem services, artificial habitat, and permit procedures. Additionally, working groups, partner agencies, and the FKNMS Advisory Council also provided feedback.

¹ <https://gulfcouncil.org/ap/jt-coral-shr-sl-ap-sept-2022/>

The Shrimp AP also inquired about compliance of FKNMS regulations given the complexity of the Proposed Rule and the large amount of people that visit the region. A member of the Spiny Lobster AP echoed concerns about better monitoring of recreational use of FKNMS resources, as the commercial sector is heavily monitored. The group suggested the development of a permit for recreational activities within the FKNMS, such as SCUBA diving and snorkeling, to manage the amount of people that use FKNMS resources. Mr. Werndli mentioned that the primary violations in the FKNMS are fishing in FKNMS preservation areas and vessel groundings. Regarding permits, the DEIS included a proposal to limit access to three areas by only allowing usage by Blue Star operators², which would prevent use by private vessel operators. This action has been removed from the Proposed Rule. Mr. Werndli also mentioned the development of a new GPS-enabled app that will provide location-based regulations in the hopes of increasing awareness among FKNMS users.

The Shrimp AP asked about additional efforts to ensure the protection of habitat and the management of water quality issues. Mr. Werndli referred to the Draft Management Plan published on the FKNMS website, which has additional information on the inter-agency coordination that would take place to address extra-jurisdictional issues.

When discussing shrimp effort data and the proposed expansion around the Dry Tortugas region, the Shrimp AP pointed out that shrimp activity would not occur in areas with coral habitat where nets could get entangled, and requested specific information on the type and amount of habitat that was considered important. Dr. Andy Bruckner (FKNMS staff) mentioned that deep water remotely operated vehicle and multibeam surveys have reported the presence of important habitat and that, although an area may not have a well-developed coral reef structure, rubble fields and other low relief habitat still provide the substrate for smaller coral colonies. These colonies can be a source of larvae to promote the recovery of coral reefs in the FKNMS, given the issue of coral mortality due to disease and environmental stressors. The Shrimp AP asked to be provided with the specific scientific documentation identifying these important habitats. In addition, the Shrimp AP commented the economic effects to shrimp revenue would be \$5 dollars in the proposed rule which seemed lower than expected.

Members of the Spiny Lobster AP expressed how difficult it is to understand the changes by zone when looking at the interactive map. A member of this AP is also concerned about offshore areas with idle speed regulations, like what is being proposed near the Marquesas, again raising the concern about the enforceability of the regulations.

Another member of the Spiny Lobster AP inquired about including additional protections in the proposal by also prohibiting the recreational harvest of spiny lobster in the areas that are currently closed to commercial trap gear. The AP member also encouraged allocating more

² <https://floridakeys.noaa.gov/onthewater/bluestar.html>

funds to increase enforcement efforts, and encouraged providing a plan on how the proposed regulations would be enforced

A member of the Coral AP inquired about the definition of a traditional fishery and how this will be addressed via the update to the FKNMS Protocol for Cooperative Fisheries Management. The Coral AP member asked if the Council will have an opportunity to comment on the agreement before the FKNMS rule goes final. Ms. Joanne Delaney (FKNMS staff) replied that all of the inter-agency management agreements are undergoing a comprehensive review between now and any final EIS that the FKNMS publishes.

Based on the discussions that took place, the Shrimp AP provided the same recommendations as those from their September 2019 meeting. The Spiny Lobster AP requested to be added to the motions as well. The group highlighted that the intent is not to be against habitat protection, but that the rationale for the boundary expansion needed to be clearer and that additional stakeholder engagement was requested. Based on the fact the proposed rule did not incorporate the additional justification previously requested by the Shrimp AP, the following motions were passed opposing the westward and southward FKNMS boundary expansion.

Motion: The Shrimp and Spiny Lobster APs oppose the proposed northwestern expansion of the Florida Keys National Marine Sanctuary boundary.

Motion carried with no opposition.

Motion: The Shrimp and the Spiny Lobster APs are not in favor the Florida Keys National Marine Sanctuary boundary expansion westward from the Tortugas Ecological Reserve South and the boundary expansion between the Tortugas Ecological Reserve South and the Dry Tortugas.

Motion carried with no opposition.

Motion: The Shrimp and the Spiny Lobster APs are not in favor of the southerly expansion of the Florida Keys National Marine Sanctuary boundary which encompasses the Area to be Avoided.

Motion carried with no opposition.

A member of the Spiny Lobster AP asked if there are any data on the transplanted corals and their resiliency to coral stressors. Dr. Bruckner responded that a lot of progress has been made with coral restoration techniques and that the current work is focusing on transplanting corals with genetic traits that allow them to be more resilient to disease, bleaching, and other stressors in the hopes of increasing genetic variability on the reef when these corals reproduce. The member of the Spiny Lobster AP acknowledged the work that is being done, but is concerned that the Proposed Rule is not appropriately addressing the issues of enforcement and human impacts for the many users of the FKNMS.

Motion: The Spiny Lobster AP supports the status quo of the Florida Keys National Marine Sanctuary boundary until they provide industry and all user groups with a detailed law enforcement plan.

Motion carried with one in opposition

The motion received opposition from Ms. Butler (FWC biologist and Spiny Lobster AP member). She stated that the proposal does include a plan to address law enforcement issues with FWC and stressed the importance of protecting the habitat that will sustain the spiny lobster fishery.

Due to running out of time, the Shrimp AP requested the opportunity to have an in-person meeting to further discuss the proposed rule and look at the changes being proposed within the South Atlantic Council’s jurisdiction, as well as to fully examine the fishing effort data within each of the individual FKNMS Preservation Areas, Conservation Areas, Restoration Areas, and Wildlife Management Areas being proposed.

Public Comment

There were no comments from the public during this meeting.

Meeting adjourned at 4:50 pm.

Participants List:

Coral AP

Martha Guyas
Scott Hickman
Shelly Krueger
Rob Ruzicka

Shrimp AP

Leann Bosarge
Steve Bosarge
Ricky Brown
Glenn Delaney
Gary Graham
Andrea Hance
Corky Perret
Laura Picariello
John Williams

Spiny Lobster AP

Donald Behringer, Ph.D.
Casey Butler
Bill Kelly
Josh Nicklaus
George Niles
Daniel Padron
Simon Stafford

Council Representative

CJ Sweetman, Ph.D.

Council Staff

Natasha Méndez-Ferrer, Ph.D.
Zeenatul Basher, Ph.D.
Carrie Simmons, Ph.D.

John Froeschke, Ph.D.
Matt Freeman, Ph.D.
Bernie Roy
Charlotte Schiaffo