GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

CORAL COMMITTEE

Hyatt Centric French Quarter New Orleans, Louisiana

JANUARY 27, 2020

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The Coral Management Committee of the Gulf of Mexico Fishery Management Council convened at the Hyatt Centric French Quarter, New Orleans, Louisiana, Monday morning, January 27, 2020, and was called to order by Chairman Tom Frazer.

ADOPTION OF AGENDA
APPROVAL OF MINUTES
ACTION GUIDE AND NEXT STEPS

CHAIRMAN TOM FRAZER: We will call to order the Coral Management Committee. The members of that committee are myself as Chair, Mr. Dyskow is Vice Chair, Leann Bosarge, Roy Crabtree, Dave Donaldson, J.D. Dugas, Martha Guyas, John Sanchez, and Bob Shipp.

The first order of business is the Adoption of the Agenda, and that would be Tab N, Number 1. Is there any modifications or additions to the agenda? We are going to slightly modify, perhaps, the ordering in Section IV, Recommendations to the Florida Keys National Marine Sanctuary. We're going to actually move the SSC recommendations first, but that's not a major change, and we'll take care of that when we get there. Any other suggestions or modifications? Seeing none, can I get a motion to adopt the agenda? Motion by Martha, and do we have a second? Second by Mr. Sanchez. Any further discussion? Seeing none, we'll consider the agenda adopted.

The second order of business is the Approval of the October 2019 Minutes, and that will be Tab N, Number 2. Can I get a motion to approve those minutes?

MR. PHIL DYSKOW: So moved.

CHAIRMAN FRAZER: Motion by Mr. Dyskow, and seconded by Ms. Guyas. Any further discussion on the minutes? Seeing none, is there any opposition? Seeing none, consider the October 2019 minutes approved.

The third item on the agenda is the Action Guide and Next Steps, and that will be Tab N, Number 3, and we'll have Dr. Mendez-Ferrer -- Sorry. Mr. Sanchez.

MR. JOHN SANCHEZ: Thank you, Mr. Chairman. Before we get into the Action Guide and Next Steps presentation, I am kind of asking, since obviously some of us, like me, down south in the Florida Keys have some comments, and what would be the least disruptive way, with the presentation? I know there's some stops in the presentation, and should we jump in at a stop

period, or are we going to maybe perhaps hold back a little bit of time for comments at the tail-end of everything?

CHAIRMAN FRAZER: I don't have a strong preference, John. I would leave that up to Dr. Mendez-Ferrer.

MR. SANCHEZ: Okay.

CHAIRMAN FRAZER: Dr. Mendez-Ferrer, do you want to comment on that?

DR. NATASHA MENDEZ-FERRER: I think, if there is something that you have seen, if you have looked at the presentation before we begin, that it's like out, you can raise your hand me know, and I will stop, but I think most of the comments -- We should try to do them during those stop-signs, specifically because they are divided by topic.

CHAIRMAN FRAZER: Okay, and so I guess we'll go ahead and move to the Action Guide and Next Steps. Again, that's Tab N, Number 3.

DR. MENDEZ-FERRER: Thank you, Mr. Chair. For this Coral Committee, we have kind of a busy schedule, and so two items. The first one, Item Number IV, we'll be discussing the recommendations to the Florida Keys National Marine Sanctuary, and so, in this portion, we will be going over some of the comments that we received at the various meetings.

I will be summarizing some of the changes that are included in the proposal, and we are kind of at a crunch period. We have to provide our comments to the sanctuary by February 27, and so we were looking for specific recommendations for the council that we could include in a letter.

We also have, in the audience, representation from the SSC by Doug Gregory and representation by the Spiny Lobster AP Chair, Captain Kelly, and hopefully we will also have representation from someone from the Florida Keys National Marine Sanctuary. We are running a little earlier, and so hopefully they will be showing up.

Then, after we go over the recommendations for the Keys Sanctuary, I will go over some of the additional topics that we covered during the Joint Gulf and South Atlantic Spiny Lobster Advisory Panel, where they discuss a few of the concerns and additional topics that could be included at a later meeting.

CHAIRMAN FRAZER: Okay. Thank you, Natasha. I think it's probably appropriate at this point to go ahead and move to Agenda Item Number IV, and we'll start off with the SSC Recommendations, which would be Tab B, Number 7, and Mr. Gregory from the SSC.

RECOMMENDATIONS TO THE FLORIDA KEYS NATIONAL MARINE SANCTUARY
SSC RECOMMENDATIONS

MR. DOUGLAS GREGORY: Good morning, Mr. Chair and council, Dr. Simmons and staff. It's good to be back to say hello, and I appreciate being on the SSC. I want to point out the two pictures of the corals here. The top picture is a picture of what was Pulley's Ridge back when USGS was first studying it, and the Agaricia coral, and then the bottom picture is the typical boulder coral that you find in the shallower waters of the Florida Keys.

Briefly, the part of the SSC meeting that I'm going to present is the restoration blueprint from the Florida Keys National Marine Sanctuary. An update on the lane snapper Itarget data-limited assessment, red grouper allocation changes due to the incorporation of FES, and some standardized economic reports that are now available from NMFS, and I will go over that during the Reef Fish Committee tomorrow.

The SSC only looked at the parts of the sanctuary restoration blueprint that pertain to Gulf federal waters. Specifically, we discussed the overall boundary expansion, independent of Pulley's Ridge, and we were wondering what was going on there and what was the purpose of that expansion, and it seemed that it was really to kind of smooth the boundaries of the sanctuary by incorporating the Tortugas South into the overall boundary and to expand the boundary out to the areas to be avoided that is on the charts for ships and freighters.

Then we started to look at Pulley's Ridge in detail, and here you have the motion that the SSC made to encourage the Gulf Council to support a sanctuary boundary expansion that included Pulley Ridge, with the associated regulations that go along with being a part of the sanctuary. Now, one of those is a requirement to get a permit, or to limit impacts on the seabed.

Some of the SSC were reticent to support this action, partly because the document is not written the way the Gulf Council typically writes documents, and the data were not there, and part of that is because the Coral SSC, over the last three or four years, has looked at the data pertaining to Pulley's Ridge

in great detail, starting first with Amendment 9, and then they had some review of the sanctuary plans earlier in the year in 2019.

The Coral SSC was clearly supportive of increasing protection for Pulley Ridge by prohibiting anchoring of non-fishing vessels. The sanctuary people, representatives, have said repeatedly that they were pleased with the regulations that the Gulf Council is implementing with Amendment 9, and they were not concerned about the continued fishing using longlines in the western part of Pulley Ridge. What they are concerned about, and what a lot of the Sanctuary Advisory Council members are concerned about, is the large ships, the freighters, anchoring on Pulley's Ridge.

When the coral scientists pointed out that this is a unique reef area, and it's called a mesophotic reef, which means it's like the middle region, and it's not in the dark region, and it's not in the deepwater reef, and, because it's at 200 to 300 feet, that's why the corals are plate-like, and they need to absorb as much sunlight as they can for the photosynthesis of the symbiotic algae.

Given the way these corals are growing, the idea of having a freighter, a 300 or 400 or 500 or 600-foot freighter, whatever they are, anchoring there with a large anchor and a large extent of chain, would basically destroy the topography of the reef, killing not only the existing corals, but also limiting overall biodiversity and future recruitment. You can imagine what a chain like could do with a ship moving in the wind back and forth.

The sanctuary representative was asked what documentation they had of these large tankers and freighters anchoring there, and they said they had some observations by enforcement and others, patrols. Pulley's Ridge is thirty-five miles west of the Dry Tortugas, and so you can imagine it's not patrolled on a daily basis, and so apparently these ships anchor there because it's hard bottom, rather than anchoring in other parts of the Gulf, and they are waiting their turn to get to a northern Gulf port.

The one thing that could be a requirement of the sanctuary, if they adopt Pulley Ridge as part of their overall regulations, is they may require fishermen to get a sanctuary permit, because the weights that the longliners and vertical fishermen, and recreational fishermen, use do impact the seabed, and so they may want to get a handle on who is doing that and how much fishing effort is going on there.

We then discussed the Tortugas area. The hashed line, the hashed area, is called the Tortugas Corridor, which goes between the Dry Tortugas National Park and the existing Tortugas South Ecological Reserve. There was a lot of discussion about that, because it's designated as a no-anchor zone and an idle speed zone, and so it's about ten miles long and about four miles wide, and it ranges in depth from about sixty to 130 feet, and so it's open ocean, and the question is why idle speed.

Alternative 3 and 4, we were confused about. Since then, with the help of Natasha, we kind of got clarification, and Alternative 3 does not allow anchoring. It does not allow fishing, but it does allow diving, and the question, from the sanctuary standpoint, is are they going to put mooring buoys out there for dive boats to tie up to, or is it just going to be for drift diving? Alternative 4, which, initially, the SSC felt was a better alternative, because it didn't have the idle speed and no anchoring restriction, but Alternative 4 is a transit-only zone. Alternative 4 would prohibit diving in addition to fishing.

We got wrapped around the axle on that one, and the SSC again, thinking this was more of a policy decision, didn't really make a recommendation, and with that, Mr. Chair, that's what the SSC reviewed and commented on with the coral sanctuary proposal.

CHAIRMAN FRAZER: Thank you, Mr. Gregory. It looks like we have a few questions. Martha.

MS. MARTHA GUYAS: Doug, you mentioned this idea of some sort of permit for I guess the longliners that would be working in Pulley Ridge, and was that an idea that came from the SSC or the sanctuary? Where did this come from? I haven't heard anything about this before.

MR. GREGORY: From my imagination.

MS. GUYAS: Okay. 10-4.

MR. GREGORY: We were trying to see -- That overall regulation is you shouldn't impact the seabed, and what does that mean? I mean, technically, if you anchor anywhere in seagrass or hard rock, which is dead limestone, or dead coral, you're in violation of the sanctuary regulation. The only place you could really anchor without being in violation is in sand, and so it just depends on the extent, but I could imagine them wanting to get a handle on the use of the area.

CHAIRMAN FRAZER: Any other questions for Mr. Gregory? Okay. Thanks, Doug.

MR. GREGORY: Thank you.

CHAIRMAN FRAZER: We are waiting to get a presentation up on the board, but, when we get there, Dr. Mendez-Ferrer.

SUMMARY OF PROPOSED CHANGES

DR. MENDEZ-FERRER: Thank you, Mr. Chair. Now I will be going over a summary of the alternatives that are included in the Florida Keys National Marine Sanctuary Restoration Blueprint, a summary of the stakeholder comments and recommendations, and then proposed comments for the council letter, and so there are some slides that have a stop-sign, and this is where I really want your thinking brains to kind of give us some guidance on what we should include on that letter to the sanctuary.

The presentation I have divided into sort of three major topics. First, I will be going over the expansion proposal, an overview of like the alternatives, Alternative 1 through 4, as they pertain to the sanctuary boundary, some of the sanctuary-wide regulations that I thought that the council might want to take a closer look at, general comments from stakeholders, and then general items for the council to consider. This will be a stopping point.

Then the next part of the presentation would be focused on the changes proposed to the Gulf jurisdiction, and so we'll be going over some of the marine zone boundaries that are being proposed, the regulations associated with it, and I will give you an overlay with some of the fishing effort data that we have for that area and some specific recommendations from the advisory panels and the various SSCs, and then we will have a stopping point to discuss these changes.

Then the third part will be going over some of the changes that are being proposed for the South Atlantic and the Florida state waters, and this part can be a little confusing, because there are a lot of different marine zones being proposed, but we do have some specific comments for this region from some of the advisory panel meetings that we've had.

The DEIS was released on August 20, and, since that time, we have been convening various advisory panels, SSCs, and you saw a presentation at the last council meeting, and the period for

providing public comment closes on January 31, but we have been granted an extension to provide comments by February 21, and, in your background materials, you have been provided a draft of the letter, and, hopefully, as we have discussions today, we can kind of tweak it and synthesize your concerns and your final recommendations to the sanctuary.

The reasoning behind this DEIS is it looks to address and protect some of these marine areas of national significance. The Florida Keys, as you may know, has been undergoing some significant changes as they relate to the decline of habitat quality and water quality, and so, with this DEIS, they are looking at proposing additional regulations in an updated management plan on how to address some of these issues and reduce -- Or create a more resilient environment.

The DEIS is kind of summarized in this table. It has five components, and, for each of those components, there are four alternatives. Alternative 1 is no change. With each alternative, it becomes more protective of the environment. Alternative 3 is currently the preferred sanctuary alternative. As you can see, with each alternative, there will be more marine zone designations or more restrictive regulations that can be associated within those boundaries.

First, I will go over the proposed changes for the sanctuary boundary. Here, in the salmon color, is the current sanctuary boundary, and, as you can see, it kind of -- The Tortugas Ecological Reserve South is separate from the overall larger boundary.

In Alternatives 2 and 3, now that whole area in the Tortugas region will be incorporated as part of the sanctuary, and so that is looking to expand the southern boundary into what's known as the area to be avoided, and this was an area that protects benthic habitat by prohibiting the entrance of large vessels, vessels larger than fifty meters.

The rationale behind this is to have more consistent regulations in that area, protect more connectivity of the habitats, and then protect that area, by it now being covered under the sanctuary-wide regulations and management plan, which also looks to address some of the water quality issues. In Alternative 4, the larger boundary would be the same as Alternative 2 and 3, but what's being added is the Pulley Ridge unit.

Now, what does it mean to -- What is going to apply to all of these areas if they were to be incorporated as part of the

sanctuary? They have proposed some sanctuary-wide regulations, and there would be four new, which I have in parentheses over here, but I wanted the council to take a closer look at live rock aquaculture and fish feeding.

Live rock aquaculture is currently covered under the Coral FMP, and any live rock aquaculture activities are prohibited, unless you have -- Unless you have a permit, in order to do these activities.

Alternative 1 and 2 propose no change, and you will still need a permit from NOAA Fisheries or the State of Florida, depending on where these activities take place. In Alternative 3, I have here to include the sanctuary in the conversation, and what I mean by this is that it wouldn't necessarily be a permit, but, before granting these permits from NOAA Fisheries or the State of Florida, there needs to be more communication with the sanctuary, and there would need to be a memorandum of agreement before the permits are approved, and this is to make sure that those activities still fall within the overall goal of the sanctuary of protecting the habitat, and that's something that is included in their management plan.

In Alternative 4, in addition to requiring a permit from NOAA Fisheries and the State of Florida, live rock aquaculture activities would also require a permit from the sanctuary.

Another proposed sanctuary-wide regulation is fish feeding, which currently is not regulated in federal waters, but, in State of Florida waters, it is currently restricted, and so what they are proposing now for Alternative 2, 3, and 4 is to prohibit fish feeding of fish, sharks, or any other species from the vessel or while diving.

Now, a question that we've been receiving is how would this apply to fishing practices, and so these changes would not impact bait fishing or chumming or shore-based fish feeding. That would not be considered fish feeding activities.

Since we are talking about fishing, another comment that we've been receiving is what is considered traditional fishing, and so traditional fishing currently is defined as those commercial or recreational fishing activities that were customarily conducted within the sanctuary prior to its designation. What is highlighted in yellow is what is being proposed to be included in the restoration blueprint to be defined as "traditional fishing", and I know that some of the council members have been having some questions about this, and I can stop here, if you

have any specific questions. We do have Ms. Dieveney in the audience, and maybe she could help answer some of those questions.

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: Trying to fit, I guess, comments, rather than a question, into more appropriate sections as we go through this, since we're talking about regulations, one concern that I have, having read through the blueprint, is the sanctuary's proposal to go from emergency rulemaking, where they can right now propose and enact an emergency rule and request it on a two-months basis, and then request an extension for another two months. In the blueprint, they are suggesting being able to have the authority to do that for six months, and then a six-month extension. I don't know of any business entity that could survive a year being shut out. Thank you.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. LEANN BOSARGE: I had some issues with this definition of "traditional fishing". I have issues with the DEIS, in that it really doesn't define this very well. It refers you to the original DEIS from 1997, I think, as to what was considered traditional fishing there, that is defined there, and this really needs to be fleshed out more, if they're going to do this, but, personally, I think defining fishing and gear types and what gears are used in certain fisheries is the purview of the council. I think that we have the expertise for that, and so I think this is maybe overstepping a little bit, especially with a definition that is this static.

Traditional fishing does not include use of novel or new gear types to catch species that were fished by other means, as identified in the EIS. It does not include use of gear types identified in the EIS to catch species those gear types were not originally intended to catch, and then it goes into seasons and bag limits and things like this, and I really think that's our purview, and I hope that we'll put that in the letter and suggest to them that, if they want to put something in there about traditional fishing, it should really reference the council and NMFS definitions and not something from 1997 that is very static.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: I guess, while we're jumping into this one, I will too. I agree with what Leann is saying. I have a couple of

issues with this one. The first, of course, is prohibiting the use of novel or new gear types. Presumably, if we're introducing some kind of gear type that is new, it's going to solve a problem that we have, right, and so maybe reducing habitat impacts, reducing bycatch, and so I think it's shortsighted to kind of cut that off before we can even get started.

Going back and referencing rules that were in place in 1997 I think is also problematic. I don't think that's realistic for a lot of people. Also, between 1997 and now, new gear types have been allowed by the sanctuary. One example is in the marine life fishery, and the sanctuary and FWC have allowed a flexible blade to be used for harvesting I think it's zoanthids, little anemone-type animals, and I would be interested to know what other gears the sanctuary thinks would also be eliminated here, based on what has happened between 1997 and now, and so this seems, to me, to -- I'm with Leann on this one.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. ROY CRABTREE: I think, Leann, I heard you say to use the council's definition of "traditional", but, to the best of my knowledge, we have never defined what "traditional fishing" means anywhere, unless I'm missing something.

CHAIRMAN FRAZER: To that point, Leann?

MS. BOSARGE: I was referencing the gear types. We have a list of gear types that are allowed in each fishery, and NMFS has that, and we update that. We have a process for updating that, and it has to be presented to the council, and I think we have like ninety days to respond, and our list is not static. There is a process for updating and changing and amending that, and I call it our list, but I guess it's your list, but we're part of that, and this definition is very static. It does not allow these updates to occur in a timely fashion.

CHAIRMAN FRAZER: Thank you, Leann. Martha.

MS. GUYAS: I forgot to say, on that note, that would also need to include state waters too, FWC, and I guess another thing that's kind of tricky with that is, in a lot of our rules, it doesn't necessarily say these are the gears that you must use. Sometimes it's these are the gears that you shouldn't use, and so it's not -- It gets complicated.

CHAIRMAN FRAZER: Okay. Sometimes it's helpful to understand

what the intent of the language is in the document, and so I am going to ask Beth. She is in the audience. Thanks, Beth, for coming up. Can you just give a little history there of why the language exists as it does? That might be helpful.

MS. BETH DIEVENEY: Sure. Good morning, and thank you for allowing me to share a little bit of background on this. Related to this definition, we acknowledge and recognize that fishing is an active and continued element in the sanctuary, and we do not want to change that, commercial fishing and recreational fishing in the sanctuary.

What is intended by this updated language is simply for, as any new gear types or activities would be to take place, or requested to take place, in the sanctuary, a little bit of additional review with sanctuary staff, due to potentially other impacts to sanctuary resources, and so the sanctuary manages the entire ecosystem, habitats, benthic habitat as well and so, just as new gear types may be proposed or used as part of traditional fishing, having that additional review for any unintended impacts to sanctuary resources, and so it is not necessarily intended to be static, but just additional consideration for the entire ecosystem of the sanctuary.

CHAIRMAN FRAZER: Thank you. Mr. Sanchez.

MR. SANCHEZ: Thank you. Something that I always thought was missing when I reviewed the blueprint is I would like to see, for one, a list, clearly defined, of all the fishing regulations in state and federal waters that we currently have in place right now, so that sanctuary managers can see, species-by-species, what has been done, since they tend to be, with some of the closed area proposals, getting into fisheries management, but I don’t think there’s a clear understanding of how we’re addressing these with size limits above maturity and seasonal closures, not just in specific areas, but through an entire jurisdiction, and all of these things.

I think that would help everyone to see that, that we’re doing our part, and we’re bringing some fish back, and I don’t gather that they have a complete, thorough understanding of these regulations.

CHAIRMAN FRAZER: Thank you, Mr. Sanchez. Are there any further discussions? Okay, Natasha.

DR. MENDEZ-FERRER: Okay. Moving along, another proposed change is bait fishing, and this is for sanctuary preservation areas

only, and this is not for the whole sanctuary boundary. Sanctuary preservation areas, as you might have seen in the DEIS, are referred to as SPAs.

Currently, you can baitfish in certain SPAs, but you need a permit for that, and so what the sanctuary is now looking at is to have more streamlined fishing, or overall regulations for sanctuary preservation areas, and so, in Alternatives 2, 3, and 4, it would phase out those permits over a three-year period, and so these SPAs would be truly no-fishing zones.

Again, the rationale behind this is for consistency of regulations, to reduce user conflicts, and that would align with new management plans, and, also, because these permit requests have not been as frequent.

John, I know that you have a comment. I do have a stop-sign with this specific question later on, and so, like I mentioned earlier, several of our SSCs and APs have seen the presentation provided by sanctuary staff, and we have been collecting comments, and there have been some comments that have been consistent throughout, which we have summarized in a few slides here.

The complexity of the DEIS has made it difficult to provide detailed comments, and this is a large document, and it has a lot of changes, and so people were getting a little frustrated in what's the best way to provide useful comments, and, also, fishermen have been concerned about any future restrictions that may influence their ability to fish in sanctuary waters, specifically in the Tortugas region, because the new sanctuary boundary would encompass a larger area, and it would include new waters that is actively being fished.

Stakeholders were also concerned about the enforceability of the regulations proposed, and this comes with concerns about not enough number of law enforcement officers for the amount of area, and, also, many small zones with specific regulations -- They don't see how these could be an efficient way of enforcing the proposed regulations.

Another comment has been requesting a table of coordinates for all marine zones, and, right now, the coordinates can be accessed if you go to the sanctuary website and you use the explore alternatives map. If you hover over an area, on the bottom, you will see the latitude and longitude, but people would like to see this more in a table with the appropriate coordinates.

Stakeholders also have requested clarification and guidance on language as it relates to idle and no wake and no motor and what type of vessels are included here. For trolling, is there a specific speed, so more clarification on some of these navigational regulations.

Another recommendation is the installation of navigational aids instead of closing areas. This comment has been given for the many no-entry zones that are being proposed in the backcountry around the lower Keys area, and a lot of these areas are being closed to protect birds and also some of the shallow habitat, like the seagrasses, and so one of the recommendations that we received is like why not just provide better navigational markers, instead of just closing these areas.

Another comment has been water quality and nutrient load and how this has had an impact on quality of the habitat in the Keys. They didn't think that this DEIS was addressing water quality issues, and the stakeholders do recognize that the ecosystem has been in decline, but they would like to see more supporting biological data to support especially these closures and regulations that are being proposed.

Finally, stakeholders would like to be more involved with the sanctuary, in terms of outreach efforts and with boat users and education. They want to be part of the research, and they know the waters, and so they would like to be heard and taken into consideration when developing these changes. Here we go. Here is a stop-sign. We would like to hear comments on the overall sanctuary expansion, the specific regulations, and general stakeholder comments.

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: Thank you. The airbag almost went off. First, a comment on ballyhoo fishermen. Years back, during the original designation, we took sanctuary officials and staff out to go ballyhoo netting on top of the SPAs, to demonstrate for them that the nets don't touch the reef, and so, while we're addressing permitting issues, or lack of continuing permits, I think a three-year phase-out would be excessive to those that are currently and plan to continue to pursue ballyhoo.

The industry would extend, once again, to the sanctuary an opportunity to take them out and demonstrate how this gear is not impactful to the reef, and hope we can address, in a better fashion, the permitting, so this can be a continued activity for

those who choose to pursue it.

As far as regulations go, another thing, a suggestion, that I think would be great, just so everyone involved, stakeholders, sanctuary officials, everyone could see that we mention plotting certain -- You know, get a chart encompassing the area, and let's plot all of the proposed closed areas, the existing closed areas, the existing regulations that we have as fishery managers, grouper boundaries that move, shrimp and crab lines, and put all this on a chart, clearly, so that everyone can see it, all the parts that are around the sanctuary, Biscayne, Pennekamp, the Everglades.

Put it all on one big chart to see, so you can see how the public, whether you're commercial or recreational, you're getting boxed and boxed in, and I would suggest that all these different things, SPAs and this and that, be in a different color, and it's going to look like a Walt Disney movie, I promise you. I think that would be a powerful visual tool, so you could see where this is going.

CHAIRMAN FRAZER: Thank you, Mr. Sanchez. Ms. Guyas and then Ms. Bosarge.

MS. GUYAS: I have a lot to say on this, but I will start with baitfish, since that's where John went. First, a just general disclaimer. Our commission has not taken a final position on the restoration blueprint at this point, and so, as I talk about a lot of these things, I am going to either talk about staff thoughts or ideas that we've heard from stakeholders that seem like they could make some sense.

As far as bait fishing in the SPAs go, I think I'm with John, in that I think probably the baitfish permits should continue to be issued by the sanctuary to the lampara net endorsement holders, and so, for those of you who are unfamiliar with this sanctuary and this fishery in general, the sanctuary issues these baitfish permits for SPAs, and FWC also issues permits for ballyhoo fishing, for use of a lampara net.

At the time the sanctuary was implemented, I don't think that endorsement existed yet, but it's limited entry, and it's a limited number of people, and so there is already -- That group of the bait fishers is already pretty well regulated.

John is right that those nets don't touch the bottom or coral, the way that they're fished, and there are bait fishing permits for the SPAs for cast nets and hair hooks, and those are fished

a little bit differently. The cast nets, potentially, could have some bottom impacts, and so that might be something that the sanctuary would want to consider. I am less familiar with the hair hook fishery and how that goes. That is in federal waters, from my understanding, and so there is also this deal that was made between the sanctuary and fishermen at the time, and so, going back on that at this point, I'm not really -- Is it really worth it? What are we getting out of it?

One more thing is the people who are bait fishing in the SPAs are in the SPAs at a different time than the divers, and so I feel like user conflicts are probably pretty minimal, the way that those two groups operate, and that's it on that one.

CHAIRMAN FRAZER: Okay. Before we get to Leann, John, to that point?

MR. SANCHEZ: Yes, and, once again, that offer stands. The folks, some of them, that are engaged in ballyhoo fishing with lampara nets, they would, once again, welcome an opportunity to demonstrate what they do, for sanctuary officials, just so -- I guess give them a comfort level that it's not impactful to the reef.

CHAIRMAN FRAZER: Thank you. Ms. Bosarge.

MS. BOSARGE: Natasha, I guess this is where you want us to give you feedback on the general stakeholder comments and recommendations, and so the one that stands out most glaringly to me is the comment that there are no coordinates in this DEIS, draft environmental impact statement, and so I guess, for the people that maybe are not part of the fishing industry, to give you an on-land example of what that would be like, it would be like if you lived in a neighborhood and the city came in and say, well, we're going to invoke imminent domain in your neighborhood, and we're going to bulldoze a couple of houses and put a park up, but they didn't tell you which houses.

Well, there might be a few houses in your neighborhood that you're excited that they're going to bulldoze, and they need to go, but, if it's your house, you might not be real excited. You are living there, and you're keeping it up, and that's, to me, the equivalent of this DEIS with no coordinates. They have given you a map of the Gulf and South Atlantic, and they have drawn some boxes in there, and they've said we're going to close these forty boxes to fishing, these new SPAs, but there is no coordinates on it, where, just a hair this way or hair that way, it may affect you, and it may not, and it depends, but, without

any coordinates, our fishermen can't really evaluate that and tell you what the effect is for them.

To go from a DEIS to a final EIS presented to the council and to the public that finally does have coordinates, I think that's inappropriate. I really think that what we need is a revised DEIS that would be presented to the public and to the council that has actual latitude and longitude coordinates, and maybe some fathom curves, and that would be nice, anything, with all the coordinates for each one of these different areas and expansions, and I think that's the appropriate path forward, if you truly want to engage stakeholders and get their input as to how this is going to affect their livelihood.

CHAIRMAN FRAZER: Thank you, Ms. Bosarge. Any additional questions on this talking point? Ms. Guyas.

MS. GUYAS: Not questions, but I can work down the list.

CHAIRMAN FRAZER: Proceed.

MS. GUYAS: Let's start with boundary expansion. I sent staff a map with an idea that we've been kind of kicking around internally, and so I think FWC is going to consider supporting Alternative 4, which would include adding Pulley Ridge and adding in that no anchor there. To me, that just makes sense, putting another layer of protection on these corals that we all recognize are pretty important, but adjusting the boundary of I guess you would call it the main part of the sanctuary, the southern boundary.

This map shows the Tortugas region, and so there's this like long skinny rectangle here at the bottom with this yellow blob, and a smaller red rectangle here, and so the long rectangle right now is the Tortugas South Ecological Reserve. I think what we're considering is suggesting cutting Tortugas South down to this smaller red box, and this yellow blob inside here is Riley's Hump, and we know that that's a very important spawning aggregation area for a number of species. The blue dots on the edge here are cubera snapper, but we know that mutton snapper go in here as well.

Because we have these blue dots here kind of right on the edge of the line right now, we would support the western expansion of the sanctuary boundary, and Tortugas South, for that matter, but, for the southern edge, move the southern edge of Tortugas South up, and I think the latitude here is 24 degrees, 25 minutes, and then, if you do that, you could also adjust the

southern boundary of the sanctuary as a whole up to line up with that, and so that's something that we've been thinking about, and we think it makes sense, and, really, the really important part of Tortugas South to protect is up here in the northern part, and so I would just put that out for you all's consideration as something that might work for folks.

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: Thank you. I hate to keep coming up, but this is kind of our backyard. Having seen some of the support documentation for Tortugas Ecological Reserve, they used very outdated data, and, in their own summary report, it says, really, there is no discernable changes in between fish assemblages inside and outside and in the park, and so nothing really happened. Then it mentions that, well, yellowtail went up some. Mutton. Well, we've done a lot of management on these species, ourselves as fishery managers, and none of those two species are in trouble. They're not in biological jeopardy.

Yet, we're wanting to expand and move things around, where, honest to god, not a whole lot of people go way, way far to the west to fish. I mean, it's far, and, when you start talking Pulley's Ridge, you need bladder tanks and stuff, if you're a recreational guy, and so it's not getting the pressure, and so, arguably, well, John, who is getting hurt if they're not going there, and it's already kind of protected.

As far as cubera snapper go, there's not going to be a commercial market for cubera snapper, and so, I mean, I just don't see it, when the science is not there to justify these expansions and to essentially get into fisheries management instead of getting back to the task at hand, which is protecting sensitive coral areas.

When I do look at even considering something that may have some biological credits, in terms of fisheries management, closing an area that perhaps is a known spawning aggregation, and there's going to be some credits -- Again, they don't have the science to back up and say, well, we closed this area, and here's our study that shows that all of these credits were accrued, so us fishery managers could factor some of these things into a stock assessment model and maybe back off of some regulations, lessen our rebuilding period, if that species is under a rebuilding period, or lower a buffer percentage, and there's none of that going on in what they're proposing, except the sanctuary continues, according to their own condition report, to degrade.

Coral is in decline, and water quality is in decline, and mangrove habitat is disappearing, and probably half of it is lost, and seagrass is dying, and everything is getting choked out by algal blooms, and so I don't see the need to expand something, and I think we need to re-focus back on coral and interagency coordination, a catalyst for interagency coordination, on water quality.

CHAIRMAN FRAZER: Thank you, Mr. Sanchez. Dr. Crabtree.

DR. CRABTREE: Just a couple of things. One, to the concerns about the coordinates, remember though that, before any of this becomes regulation, there would be a proposed rule and a public comment period, and the proposed rule would have all the specifics of the coordinates that would be proposed to go into the regulations.

The concern I've had with Pulley Ridge is that it is disconnected from the Florida Keys, and, at least with respect to the longline fleet and some of the commercial fleet that goes down there, I know a lot of those boats come out of -- Well, I think out of the Tampa Bay area, and others come out of I think the Fort Myers kind of area, and so there are a lot of fishermen going into that area that aren't based in the Florida Keys, and that's been a concern of mine about it being a part of the sanctuary, because I don't know how comfortable commercial fishermen in Tampa are going to be dealing with the Florida Keys National Marine Sanctuary, in terms of fishing regulations.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: Martha, to you proposal, I agree, and I'm very much in favor with moving that southern boundary of that Tortugas South northward, and I guess that's approximately thirty-five miles north, somewhere, and thirty-four square miles is what you have on there, especially considering there are some royal red shrimp bottom down there at the tail-end of that box that we have cut them out of, from a regulatory standpoint, and so I would certainly be in favor of that.

However, generally speaking, that expansion westward, I am not in favor of, especially when you get into that northwestern corner up there, and I believe Natasha will show us this later, but that's some pretty productive shrimp ground up there north of that Tortugas South, all the way up to the top of what they proposed to make the new sanctuary boundary, and I have listened to a lot of these presentations.

Number-one for shrimp in there, that's not a coral area. We don't shrimp on top of coral, contrary to what people may believe, and that's not in our best interests. You tear up a lot of gear, and we don't make money that way, and so we don't want to be in it, the same way they don't want us in it, and so those are shrimp grounds, and so, for the sanctuary to be expanding further westward, from what I can hear on a lot of presentations, just to make squared-off corners, to make it easier for enforcement to square off the corners and make everything nice and pretty, I am not in concurrence with that.

To me, that's opening Pandora's Box to eventually take that Tortugas South or that area up to the north that's already prohibited for fishing and extend it to that corner where we work, and so I'm not in favor of that westward boundary expansion, and so I would be in favor of your small red box in the bottom, if it didn't include those couple of miles to the west.

CHAIRMAN FRAZER: I just want to clarify, Leann, for my own benefit here, and so, if you did not include the westward expansion, the red box, as it exists on the screen there, that's essentially no change. I just want to clarify, and I'm not sure.

MS. BOSARGE: The longer -- Tortugas South right, and so I kind of maybe went over two things at the same time. Martha's red box takes the Tortugas South and essentially cuts it in half, and then the second thing Martha's box does though is take that smaller Tortugas South area that's been cut in half and extend it westward by a few miles, which is one of the proposals in the sanctuary, to extend that boundary further to the west. I am not in favor of that red box going further to the west, but I am in favor of the red box that is shorter, and does that make sense?

CHAIRMAN FRAZER: Yes, and I understand. Thank you. Okay. Are there any additional comments at this point and/or questions? Martha.

MS. GUYAS: I've got other stuff from the stop-sign.

CHAIRMAN FRAZER: Now is your time.

MS. GUYAS: I think next on the list is live rock aquaculture. I think where we may fall on that one is going to be recommending status quo, just take that out of the plan, and, again, there are already -- NOAA is regulating those leases in

federal waters, and the State of Florida is regulating the ones in state waters and the ones in federal that are landing in Florida, which is probably all of them, and I just don't understand the problem that we're trying to solve with this one, other than communication, and I don't know that it requires a management plan change to do that. To me, if the sanctuary has got some issues, it would just make sense to reach out to the permitting agencies. I can keep going.

CHAIRMAN FRAZER: Please.

MS. GUYAS: Fish feeding, and so, in state waters, I think Natasha mentioned FWC prohibits feeding fish, sharks, et cetera, while diving. The sanctuary's proposal goes a little bit further than that and prohibits it also from any vessel, and so I think what we'll recommend here is supporting prohibiting fish feeding in sharks while diving only, so that it's similar to state regulations, and the reason for this is there are some issues with behavior of fish and sharks, and there is some human safety issues, as you can imagine, if we have divers in the water and they're trying to attract sharks to that area, and so we would just suggest extending that state prohibition into federal waters. We already talked about baitfish. Okay. I'm done.

CHAIRMAN FRAZER: Thank you, Ms. Guyas. Any further comments? Ms. Levy.

MS. MARA LEVY: I am not suggesting that we need to do this now, but, at some point -- I mean, you've been having a discussion about various opinions, and, at some point, it would be nice to have sort of council consensus, right, as to what -- Because Leann had a different opinion about the boundary than Martha, and so, at some point, you're going to have to get together and come up with a council position, but we don't have to do that right now, but before the end of the meeting.

CHAIRMAN FRAZER: You're absolutely right, and it's in my notes that we will have to circle back and make sure that we identify specifically what recommendations are coming out of this body. Thank you. Okay, Natasha.

DR. MENDEZ-FERRER: All right. Now we're going to move to the changes proposed in the Gulf Council's jurisdiction, and so I will go over the marine zones, and we'll show you some of the fishing effort data and specific comments from the APs and SSCs.

We will begin with the changes proposed to the Tortugas region,

and, over here, you see four panels. Alternative 1 is status quo, where we currently are, and, in Alternatives 2 and 3, you will see that it has the proposed sanctuary boundary expansion, including that one mile westward of the Tortugas Ecological Reserve South, and that's that green rectangle at the bottom, and you will also see this diagonal yellow line that connects the Tortugas National Park to the Tortugas Ecological Reserve, and they are calling this the Tortugas Corridor.

In Alternative 2 and 3, it is a sanctuary preservation area, and that means that this area will be no fishing of any kind, no anchor, and idle speed. In Alternative 4, it will be a transit-only area for the Tortugas Corridor, and Doug already went over the SSC's thoughts on this area.

Like I mentioned, these are the regulations proposed for Alternative 3. One of the comments or concerns that was brought up during the SSC meeting was how is this going to affect fishing practices in that area, and, specifically, the Tortugas Corridor is basically breaking a point where shrimping vessels, for example, will not be able to transit through -- To go from north of the Tortugas Ecological Reserve South to that new triangle area over here on the bottom, and so the current language for transiting in the Tortugas Ecological Reserve South says that vessels may only enter if they remain in continuous transit with fishing gear stowed, and, for the Tortugas Ecological Reserve, diving and snorkeling are prohibited.

The Reef Fish AP is also concerned that this Tortugas Corridor is going to have an impact on some of the snapper fishing activities that take place, and another concern is this large area of idle speed, and it could pose a hazard or a safety-at-sea, and the concern about limiting the use of other areas, and I will show you that right here.

This is the -- I am showing you shrimp ELB data, and, to remind you, the darker the pixel, the more activity in that area, and, again, this may only account for one-third of the shrimping fleet in this region, and these are active tows.

If we look here, the blue, what is like blue polygons, it means no fishing. North of the Tortugas Ecological Reserve South, we do have some fishing activity, and so, with the creation of the corridor, the SSC is concerned that this area over here, like that southern triangle, that it might limit access to fishermen to reach that area, if we -- Because how are you going to transit? Idle speed is, what, four knots, with no wake, and how long is it going to take a fishing vessel to go from this area

to cross through the corridor?

Here is some VMS data for people with commercial reef fish permits, and, again, you can see that, near that Tortugas Corridor, we have some darker pixels, which may indicate more activity. A disclaimer though. With VMS data, this does not mean active fishing. It means that it could be transiting, and it could be anchoring in that area.

As Leann mentioned, some of the more specific motions from the Shrimp AP was to oppose the northwestern expansion of the sanctuary boundary, and the Shrimp AP was also not in favor of the southern boundary, and so, if we go back, it will be this westward expansion and then the southern expansion, to align with the area to be avoided, and so this triangle they are not supporting, including that as part of the sanctuary boundary. Okay. Here's another stopping point. What are your thoughts on the Tortugas Corridor?

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: Tortugas Corridor, no can do. I mean, it makes no sense at all, and, generally speaking, beyond that one, which I am fully not in support of, just to have idle speed areas in deep water -- I mean, it leaves me scratching my head. It makes absolutely no sense, for many reasons, safety-at-sea, and you're really going to make a guy idle speed for roughly ten miles to go from A to B? I mean, it makes zero sense, and I'm not in support.

CHAIRMAN FRAZER: Thank you. Ms. Guyas.

MS. GUYAS: I think FWC staff is with John on this one, and so the reason that the sanctuary is looking at this corridor is because it is a documented corridor for spawning mutton snapper, and they move between Dry Tortugas National Park and Riley's Hump. However, it's not really clear, or it's unknown, whether this additional -- I guess whether this closure of this corridor would lead to an increase in mutton snapper populations, and so, recognizing this as an important area for fishing, and it's a pretty large area to do idle speed, and we're, I think, going to recommend status quo on this one.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: I concur with John and Martha on this one. I am opposed to the Tortugas Corridor, but, even more than that, I think that, in our letter, we do need to mention that the

definition of "transit", that we're going to need to get with them on that, especially since it's very vague as to fishing gear as to be stowed.

Well, you know, we've been through these transit provisions in several different amendments, in different situations, and that's open for interpretation as to what "stowed" means, and so I hope that they will allow the council to work with them and craft an appropriate definition for fishing gear, as far as transit.

CHAIRMAN FRAZER: Chris.

MR. CHRIS SCHIEBLE: I guess, back during Doug Gregory's presentation, he said this area was in sixty feet of water, and I can't comprehend what the need for an idle zone in sixty feet of water is. Can anybody help me with that? Not that it really impacts Louisiana, but I'm curious.

CHAIRMAN FRAZER: Natasha.

DR. MENDEZ-FERRER: My understanding of the DEIS at this point is that corridor would be designated as a sanctuary preservation area, and so they were trying to have consistent regulations for all SPAs throughout the Keys. Maybe Ms. Dieveney can help us.

CHAIRMAN FRAZER: Thanks, Beth, in advance for getting up.

MS. DIEVENEY: Yes, Natasha's interpretation of sanctuary preservation areas, all of our marine zones, and trying to have consistent regulations for each zone type, to enhance understanding by the community and compliance and enforcement.

As you have noted here, we have also been hearing a lot of public comment related to the larger proposed sanctuary preservation areas, where idle speed and no wake is one of the proposals put out for public comment, that that is, in the larger areas, too extreme for navigational purposes, safety-at-sea, and what ultimately resource protection goals we're achieving, and so we are getting those public comments.

CHAIRMAN FRAZER: Thank you. Okay. Are there any other comments or questions at this stopping point? Okay. Seeing none, Natasha.

DR. MENDEZ-FERRER: Okay. Moving on to Pulley Ridge, including Pulley Ridge as part of the sanctuary, it's only part of Alternative 4, and this was the way of the sanctuary finding

additional areas in the region that could benefit from additional protection, and so, as you know, Pulley Ridge South currently has some fishing regulations, and additional fishing and anchoring regulations have been proposed in Coral 9, which is currently approved, but it hasn't been fully implemented yet.

Over here in this little table is a summary of what we have on Pulley Ridge South. It prohibits fishing with bottom longline, bottom trawl, bottom buoy gear, pots, or traps year-round, and it prohibits anchoring by all fishing vessels.

In Coral Amendment 9, it's similar, except for that it has an extension for bottom longlines, and so, in this little blue area, bottom longline will still be allowed, but bottom trawl, buoy gear, pots, or traps will be prohibited.

What the Alternative 4 is proposing would then extend no anchoring for all vessels, and it will not just be for fishing vessels, like we have on our FMP, but, in addition to that, it would also become part of the sanctuary-wide, and so all those sanctuary-wide regulations would apply to this region, and so like the emergency regulations and the no fish feeding in the area.

We had a joint meeting with the South Atlantic and the Gulf Spiny Lobster AP, and one of the recommendations was to remove Alternative 4 from the proposed actions and do not even consider it, and this was because they believed that the overall goal of habitat protection could still be addressed by Alternatives 2 and 3. In addition, again, some of the comments were the frustration that the DEIS was too complicated.

We also had a lengthy discussion during the SSC meeting between the Standing SSC and the Coral SSC, and Doug went over the motion, and there is research that supports the connectivity between Pulley Ridge and the Florida Keys, and so the rationale behind the motion is to provide additional protection from anchoring of large tankers that might destroy these important mesophotic corals, and so another stopping point for you all to discuss the proposed changes on Pulley Ridge and provide staff some guidance.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: To me, this one just makes a lot of sense, and I actually want to ask a question of Roy, since, when we were talking about Pulley Ridge before, you mentioned that the Madeira boats might be kind of freaked out by fishing in now the

sanctuary, and so is there a sanctuary-wide regulation that you think they would have a problem with, or it's just the notion of, oh my gosh, I'm in the sanctuary, and that is really the issue?

DR. CRABTREE: I think it's more of just the general fact that these guys are not in the Florida Keys.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: This one is a little frustrating to me. You know, we went through a very long, drawn-out process to find the right coordinates and make the right exceptions and change some boundaries here to afford protections for this area.

As a council, we just did that, and, now, it's not on the map yet, but it's coming, right, and NMFS is in the process of implementing that expansion that we just did to that area, and so, now that we've done that, and we've afforded those protections, it's very frustrating to have the sanctuary come in and say, well, that area is not protected enough and we need to go in and put our protections on it.

Really, the main protection that I can see that they're trying to get as is the anchoring of large ships, right, because our regulations just apply to fishing vessels, and so fishing vessels are not able to anchor there, and I didn't see -- When I listened to the SSC go over this, they were very divided, and you can see it was thirteen-to-eight with three abstentions, as far as including Pulley Ridge, and so there certainly wasn't a consensus there, in my personal opinion, as far as unanimous.

The thing that I think we forget about -- Okay, large ships will not be able to anchor there anymore if we allow the sanctuary to put this in, but this -- I know you can't all see this, but this is what it's going to look like on a NOAA chart, and so you see this green line, and, essentially, they're going to draw a box with green lines or blue lines or whatever around that area.

When our HAPC goes into place, it's going to look just the same on a NOAA chart. It's going to have a line around it, and it's going to say "habitat area of particular concern". The only thing it says here on the NOAA chart, when it's in the sanctuary, is "Florida Keys National Marine Sanctuary protected area", and, if you want to know that can't anchor there, it refers to 15 CFR 922, see note A.

It doesn't say on a NOAA chart that you can't anchor there. You

would have to go and pull up the CFR and look at the notes and things, and so it's really, from a practical day-to-day perspective of the man navigating the ship, the large ship, whether it's an HAPC or a sanctuary, and it's got a line drawn around it, and it says this is sensitive area, this is critical area, and that is how he or she knows that you better not drop your anchor there, and you're probably going to get in trouble.

Most people don't go to the CFR and read it, and so I really think, us putting that HAPC status out there, that is going to preclude the large ships too, in a realistic day-to-day operation situation.

CHAIRMAN FRAZER: Mr. Anson.

MR. KEVIN ANSON: I am not on your committee, and thank you. I was caught on that same topic or issue, Leann, is that how are those folks that are navigating large vessels that are coming from foreign-flagged fleets going to know about a no-anchoring area, and so I checked in with our enforcement, and, off of Mobile, there is many ports, and they have anchoring areas, and, on the charts, it's listed as fairway anchoring, and so you can go through a process, and I don't know what the process is, but there is a process that you can get more distinct or specific language in regards to anchoring that would target those larger vessels, and I think that's an avenue that we ought to pursue in parallel to this, or outside of this, if it doesn't go through, just to help push that idea that this area is sensitive and there shouldn't be any anchoring going on.

CHAIRMAN FRAZER: John.

MR. SANCHEZ: I think I said before that I am fully in support of protecting sensitive areas, coral, habitat that needs protecting, but I also would like to know where it's cited that all these large vessels -- Where is the documentation that they are anchoring there, in fact? That would be helpful in considering, knowing what's going on there.

Now, I also am very proud of the work that we did with Amendment 9 and doing our HAPC there, and I think it's addressed, and so I will not support them expanding into here, because my fear is, having been involved, I guess, in the sanctuary process for twenty years, then maybe, in another twenty years, there will be another 600-page document with some lines going all the way to the west, and, well, let's box Pulley's Ridge in and make it a continuous sanctuary out there, and so I am not going to support it right now.

CHAIRMAN FRAZER: Okay. Thank you, Mr. Sanchez. Are there any other comments? Okay. We're at a stopping point. This is a long presentation, and I'm going to allow us a ten-minute break. Thank you.

(Whereupon, a brief recess was taken.)

CHAIRMAN FRAZER: We're going to pick it back up, and so, Natasha, if you want to carry on. Thank you.

DR. MENDEZ-FERRER: Thank you, Mr. Chair. Moving on, this portion of the presentation will focus on the proposed changes within the South Atlantic and Florida state waters. The way that I will be showing these is, again, like the four panels of Alternative 1, 2, 3, and 4, and I won't go into detail for all of those marine zones, but I will stop, and we have received some specific comments on some of those changes, and so that's what I will be highlighting for you.

To remind you, again, with each alternative, it is more protective of the environment, and so the things that I want you to take a look at in these panels is you will see more delineations, and sometimes those delineations will change color, and, for example, one would be like no anchor, but then it will be no entry, a more protective alternative.

This is kind of hard to see, and I am showing you the Upper Keys and Key Largo. Alternative 1 is where we currently are, and Alternative 2 and 3 now have that Key Largo management area as a no-anchor zone. As you may see, there are a lot more changes being proposed, and, if you have this printed out, it might be easier for you to take a look at those changes.

I have overlaid these different Upper Keys, Middle Keys, Lower Keys with some of the data that we have, and so this is showing you the available data for the shrimp ELB. We do know that there is some shrimping effort going on in this region, but it's just that it might not be representative by the way that we're grouping the data, for confidentiality issues. Also, I wanted to let you know that some of the South Atlantic vessels that shrimp from Florida do have ELB for rock shrimp, and not necessarily for pink shrimp, but some of the fishermen that do target rock shrimp might also be targeting pink shrimp, and so it might be used as a proxy.

This is Alternative 3, and you will keep track of the little blue boxes, and so the blue boxes are the areas where no fishing

would be allowed, and this is all no fishing, and this was not separated by gear or by sector.

Here is the VMS data, and the reason why there is a sharp line there, when we were missing data from the South Atlantic, is this is the dataset that we were using at this point, but, again, the darker the color, it indicates an area that might be of higher fishing activity.

Over here in the teeny-tiny pink polygons, these are the areas that are closed for lobster trap gear, and these were included in Spiny Lobster Amendment 11, and the reasoning behind the closure of these areas was to protect ESA-listed corals, namely staghorn coral and elkhorn coral, but, as you can see, there isn't really a whole lot of overlap between the no-fishing areas and the areas that are currently closed for lobster trap gear.

Moving on to the Middle Keys, Alternative 1 is where we currently are, and one of the things that I do want you to see in Alternative 3, which is the preferred alternative, is the Long Key Corridor, if I remember the name correctly, and it's that yellow line that extends all the way from the shoreline to Tennessee Reef, and this is designated as a SPA, and, if you remember, SPAs are no fishing, no anchor, idle speed.

That blue line, that blue larger rectangle, is what I was referring to as the new Tennessee Reef SPA, and there was a comment -- One of the motions that I will be showing you later on is concerns about having such a large area that would be idle speed and how it could be a hazard at-sea. If you're familiar with the Keys, there is a Hawk Channel, which is a deep area that goes all the way from Biscayne down to Key West, and this is deep water, and so fishermen are concerned about idle speed in an area like that, in a channel.

This is showing you the proposed Alternative 3, and, again, the little blue polygons are no fishing, and we really don't seem to have any shrimp ELB data for this area. Again, I am not saying that it doesn't happen there, but it's just the way that the data are aggregated are not showing up.

This is the data for the reef fish VMS, and the darker pixels means higher activity. These are -- Again, the pink polygons are the areas that are closed for lobster trap gear, and there doesn't seem to be a whole lot of overlap there either.

The Lower Keys, this is where we have been receiving a lot of comments. As you may see in Alternatives 2, 3, and 4, up in the

area of the Lower Keys that faces Florida Bay, there are a lot more no-entry delineations, and no entry also means no fishing in those areas.

People are concerned about enforceability of the no-entry zone in that area by the amount of proposed changes, and I want to point your eyes to another area that is looking to protect contiguous habitat. If I remember correctly, the Sanctuary Advisory Council had proposed having three designated areas that would look to protect contiguous habitat, and so this is another one of those, and, Beth, correct me if I'm wrong, but is this West Sambo in the Lower Keys? Okay. Again, this will be a SPA, no anchor and no fishing an idle speed.

Alternative 3, here we begin to see some pixels, some aggregated data, from the shrimp ELB of active tows, and there seems to be some overlap. You might not be able to see this very clearly, and so there's a little bit of overlap over here and then near the Western Sambo area.

VMS, there is -- During one of our stakeholder meetings, and I can't remember which one specifically, and I apologize, but there were some comments about idle speed near the West Sambo, and, as you can see, that's an area where there is reef fish activity, and so, like I mentioned earlier, one of the requests is for clarification on what speed would actually be considered for trolling, trolling speed.

Here, I am showing you the closed lobster trap areas, and there is some overlap in this region, and, Beth, can you help me out and let me know what zone that is, and not Western Sambo, and it's that other closed area to the east.

MS. DIEVENEY: If I'm referring to the correct area, that's an area that is Looe Key, and it has three existing marine zones in that area presently, Looe Key Existing Management Area that allows some fishing, but prohibits some fishing, and it prohibits spearfishing, and I would have to actually look at our regulations right now. Within that is a sanctuary preservation area that prohibits all fishing, and there's also a special use area that is research only, and so it's a complex of three different types of zones in that one area.

DR. MENDEZ-FERRER: Thank you. Here, I am showing you the Marquesas, and the Marquesas are currently being proposed as a no-entry zone, with Alternative 3 and 4 having a no-anchor zone, and this is for protection of habitat for sea turtle foraging.

As you may see, this is the shrimp ELB data, and the larger amount of shrimping effort seems to be closer to that north boundary of the Florida Keys. Here, I am showing you the reef fish VMS data, and, again, some of the concentrated possible potential fishing activities might be kind of in the southern area of the Marquesas, and we don't have any closed lobster trap areas, which is why I am not including an image for that.

During the joint South Atlantic and Gulf Spiny Lobster AP, we had some great discussions and some good motions that came out of that meeting. The first one was to consider adding additional regulations, specifically no anchoring and no harvest of lobster by all user groups in the areas identified in Spiny Lobster Amendment 11, and those are the little pink polygons that I just showed you.

One of the reasonings why these might have not been included in the DEIS was due to the number of small areas that would have to be monitored, but then the Spiny Lobster AP had concerns, or conflicts, of why then are we including, or is the sanctuary including, so many small areas in the backcountry, and so then, again, some of the issues with enforcement with the proposed changes.

Another motion was to recommend the council to oppose the closure of any new areas to lobster trap fishing, as proposed in the Florida Keys National Marine Sanctuary restoration blueprint, and they would not like their fishery to be impacted by all these numbers of no entry and no fishing areas.

Another one was to recommend the council to oppose the use of idle speed or navigational restrictions in the Hawk Channel, and I think we've addressed this issue of how many of the stakeholders oppose having idle speed in such a large area, and it could be an issue of safety-at-sea.

Bringing back another motion that I had shown when I was discussing Pulley Ridge, they recommended removal of Alternative 4 from the Florida Keys proposed actions, because their overall goal could be addressed by less restrictive methods.

That is it for all the little changes in the South Atlantic. From listening in on the South Atlantic's council meeting in December, they are recommending an update of the cooperative fisheries management agreement between FWC, the Gulf and South Atlantic Councils, and, of course, NOAA Fisheries.

I have included that document as background materials, and they

have also discussed how are they going to develop these rules, these fishing regulations, and so the South Atlantic is proposing going through their FMP process to develop these regulations, and maybe Chester can give us a bit more background on what the South Atlantic is planning on doing. They are proposing to see this and have discussions on the DEIS at their next March council meeting.

CHAIRMAN FRAZER: Chester.

MR. CHESTER BREWER: I can't swear that I know exactly where we're headed with this, but there was a lot of concern with regard to the small areas and taking, I guess you would say, an updated look at it, to see what maybe needs to change with that 1998 agreement, and I'm really -- I'm not certain that I can say, oh, this is where we're headed, because I don't know.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: I think I can help with this one a little bit, and so I would definitely recommend in our letter that we also recommend updating this cooperative fisheries management agreement as soon as possible between FWC and the councils and the sanctuary, and so what this agreement does is it basically outlines everybody's roles in this process, and so, for example, if the sanctuary proposes new regulations, what is the process? If FWC proposes new regulations, what is the process, and likewise for the councils, and so the South Atlantic -- The way that that agreement is drawn up now, the councils can implement regulations, fisheries regulations, for the sanctuary.

They can kind of take the first bite of the apple, and I think that's what the South Atlantic is interested in doing, just from listening to their meeting. Rather than have these items go through the sanctuary process, they would run it through the South Atlantic process, and so doing their public hearings and working with stakeholders and that kind of stuff, to figure out what needs to be done in those areas, since there are so many little closed areas that are in federal waters in their jurisdiction.

Back to that cooperative agreement between the councils and FWC and the sanctuary, it is really outdated. There's a lot of things that have changed since that time, and the agency that is referenced for the state agency isn't the correct agency anymore, and it has a completely different process now, and so we really need to fix this before this plan, or any form of it, moves forward.

CHAIRMAN FRAZER: Thank you, Martha. Natasha.

DR. MENDEZ-FERRER: If we move on to the next slide -- We have a comment.

CHAIRMAN FRAZER: Leann.

MS. BOSARGE: On this slide, since we were talking a little bit about the South Atlantic, Chester, I would encourage you -- I listened in to the South Atlantic Shrimp AP meeting that you had on this, and they wanted to -- As you know, in the South Atlantic, you all don't have that ELB program for the shrimpers, and so a lot of their effort -- You haven't really captured it, and it's no fault of yours, and that's fine.

You don't have those charts to look at like we did, and you do have some VMS on some of your rock shrimp permits that's required, but that's a little different capture process in trying to look at that effort, the point being the shrimpers wanted to bring you some of their plot sheets that shows their trawl tracks, like this one, and those orange lines are some trawl tracks, right, to show you where their effort is happening, and I think, on that webinar that you had, they were kind of dis-encouraged to do that, and staff sort of said, well, in the past, the council hasn't been very receptive of that.

Well, if that's all the data you have, I think you should encourage them to bring that in and show you where they've been working and how it's going to impact them, and so we kind of cut out that whole southern boundary expansion in our presentation, because that's in your waters, but, in my world, that's our backyard too, as far as the shrimp industry, and we work there too, and so please be open and receptive to anything they have to offer, and maybe reach out and ask for it, since you've kind of said, well, no, probably not.

MR. BREWER: I will take a note right now.

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: I noticed the last item right there, the last bullet, says submit comments to the sanctuary in March, and I believe our deadline for comments is in February, and is there a way that we can get on the same page with our partner in the South Atlantic and maybe get our comments in in March as well, without it being an act of Congress?

CHAIRMAN FRAZER: I will take a stab at this. I mean, so we went through a request process, acknowledging that we had to convene the various stakeholder groups, and recognizing that we were going to have our council meeting here in January, and that would have allowed us enough time to incorporate the comments that we get here to put into a letter, and I think the South Atlantic did a similar type of thing. I think we're good on timeline, to be honest with you, John. Go ahead.

MR. SANCHEZ: I recall the letter and seeing it, and I guess we'll know how much progress we make here, in terms of maybe getting to a point where we make motions for items that we want to include in our position letter.

CHAIRMAN FRAZER: Leann.

MS. BOSARGE: Would this be the time to back up and look at those spiny lobster recommendations, or are we going to hit that again at some point?

CHAIRMAN FRAZER: It's okay. We'll go ahead and back up. Where do you want to go?

MS. BOSARGE: That slide right there. I just wanted to be clear on this. if you read the first motion by itself, I think both of these motions have to be read together to truly capture the essence of that conversation that they had, and so they have this Amendment 11, and I learned a lot listening to this webinar, where they really went through and looked at a lot of the diversity of the corals in these specific little boxes and tried to map out a path forward that protected the things that really need to be protected, and it closed some areas to those fishermen, but they were part of that process, and they seemed to be very comfortable with it.

What they were suggesting is, look, sanctuary, why don't you, instead of creating these forty-something-new-odd SPAs that you have that are going to close us out, why don't you push that to the side and go look at our Amendment 11, where we've been through this process once, and we came to some sort of conclusion where it was protective of the corals and still allowed us some grounds to do our lobster fishing, and so I just wanted to make that clear and make sure that that makes it into our letter, that that may be an option in lieu of the forty-something-new-odd SPAs, and some of them overlap. There is some overlap there, but I think that needs to be considered by the sanctuary and not as an additional closure, but in lieu of what they're looking at currently.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: I guess let me offer a little different point of view, and so I would suggest leaving this out of the letter, this motion about no anchoring and no harvest of lobster in those Spiny Lobster 11 areas, and so I guess the first thing would be, if additional fishing regulations are needed for those areas, I feel like the South Atlantic Council should be implementing those. That's well within their power.

Then, really, the bigger thing for me is it seems like these areas should be looked at as part of the comprehensive big-picture look at coral in the Keys, and we have some serious issues, and I think we need to look at do these areas still make sense, are there living Acroporid corals still in these areas, have they been effective.

Since the South Atlantic Council implemented these areas, we've had additional coral species that have been listed as endangered that are in the Keys, and we've had a pretty devastating stony coral tissue loss disease that swept the Keys and killed a lot of coral, and so I think it just makes sense to step back and look at what are really the priorities for protecting coral and restoring coral in the Keys. Are there bigger priorities, now that we've had all these events coming through the Keys?

I think that's something that the South Atlantic probably would be the lead on, since this is their jurisdiction, but certainly I would hope that, if they did that, they would work with the Gulf Council and FWC, because it's -- Especially with these other species in the mix listed under the ESA, there may be areas in the Gulf and state jurisdiction that may need to be considered, and I don't know.

CHAIRMAN FRAZER: Dr. Simmons, to that point?

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chairman. I was just going to mention that was a joint plan, because that was spiny lobster and the trap fishery, and we worked with the South Atlantic Council on it and implemented it together.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: Well, also, just to point out that those areas -- The council has looked at them and implemented them in particular response to a biological opinion that was looking at protections for elkhorn and staghorn coral, and so it was a very specific

purpose, and so I guess considering whether it's appropriate to expand protections for those areas when it wasn't really a lobster protection area, and it was an elkhorn and staghorn protection area, and so I would just consider the purpose of that when you're considering these recommendations.

CHAIRMAN FRAZER: Thank you, Ms. Levy. Ms. Guyas.

MS. GUYAS: There was another motion, I think on the other slide, Motion 4, that was to recommend removing Alternative 4, and so I don't think I would be in support of that, and we've already talked about Pulley Ridge was just Alternative 4, but there may be some other things in Alternative 4 that may actually simplify things and make things a lot easier.

The one thing that comes to mind that I've heard from a number of folks in the Keys is there's this notion of doing a slow speed, a hundred yards from shore, throughout the Keys. Right now, there's a regulation that only has that in developed residential areas, and so one idea that has kind of bubbled up is, instead of having this patchwork of no entry or slow speed or pole and troll only areas in the backcountry, and we haven't talked about those today, but there's a lot of them, and it could be pretty confusing.

Doing this slow speed a hundred yards from shore could alleviate a number of issues, and it could deal with some user conflicts in those areas, and it could protect shorelines, and it could potentially reduce interactions with sensitive bird habitat, and so that may be an option that the sanctuary would want to keep in play, just to really simplify things.

CHAIRMAN FRAZER: Thank you, Ms. Guyas. Are there any additional comments at this time? Ms. Bosarge.

MS. BOSARGE: Just specific to this, in the DEIS, I would like to see a little more discussion about the impacts of those SPA closures, as far as an ecosystem standpoint. When I listened to this AP meeting, I was surprised to hear that -- You know, it's a relatively small group of guys that do this, and we have the chairman of the AP, I think, in the audience, Mr. Bill Kelly, and so he may speak to this a little more, but these guys actually kind of each have their own turf, right, and this guy works this area, and this guy works that area.

I think the benefit of that is there's almost like an ownership there, right, and he's not going to overwork that area, because that's his area. If he fishes it too hard constantly, he's

going to shoot himself in the foot.

Well, as you start closing more and more of these areas that are your lobster grounds, those guys are going to get compressed into smaller and smaller areas, and do you see what I'm saying? There's going to be two or three fishermen that now have to work this area, whereas there may have only been one before, and I haven't seen any studies, or any evaluation, of what effect that's going to have.

Yes, you may take some pressure off of this area over here, from a lobster standpoint, but now you're going to triple the pressure over here, because those guys aren't going away, and they still have to fish, and so I would like to see what that impact might look like, and I think that needs to be addressed in the DEIS, and that's from any standpoint. You can say the same thing about reef fish fishermen in general as you compress them into smaller and smaller areas when you close their grounds, and so I think that needs to be addressed.

CHAIRMAN FRAZER: Leann, I'm just taking notes, just so I can synthesize all these comments. The specific question that you have really is how the proposed closures might result in some type of effort shifting or consolidation? Okay. Thank you. Mr. Sanchez.

MR. SANCHEZ: There have been a lot of concerns about idle speed in Hawk Channel. That's, you know, the major artery from Key Largo to Key West, and so definitely, just as a general premise -- If you have a marked channel, it shouldn't be idle speed, unless there's an absolute safety reason or something like that, but not for resource management.

CHAIRMAN FRAZER: Thank you, Mr. Sanchez. Any further comments? Okay, Natasha.

DR. MENDEZ-FERRER: I guess the last slide was going to address some of the FWC's approach to providing comments, and I don't know if Martha has any additional information.

MS. GUYAS: Sure. Yes, let me chime in here. Our commission has discussed this plan at two meetings, and we'll discuss it one more time at their next meeting of February 19 and 20. Our deadline for turning in comments is the end of April, and we did get an extension, so that the commission could discuss it at another meeting and we can synthesize our letter.

Our commission has made it very clear that FWC should be leading

the rulemaking on fisheries items for state waters, and so we've been working through this plan, to figure out where we do have jurisdiction and what that might look like, and so I expect that, at our next meeting, the commission is going to set up a process for doing this, and that likely would include public workshops. They could be as soon as this summer, and those would not be linked to whatever stage this EIS, or I guess whatever the sanctuary is up to at that point. This would be a completely separate process, and so I think we would be pulling basically those items out of this plan.

It might be a good idea to have some council representation at those workshops, kind of like we did for mutton snapper and south Florida issues, just given that this plan as a whole is so comprehensive. There is stuff happening in state, and there's stuff happening in federal, and we know people get confused, and, really, it's thinking big picture, and so I can certainly keep everybody up-to-date on where that goes following our next meeting.

Our commission has asked us, as staff, to review this plan, with some guiding principles in mind, and I will just read those to you all, just so you kind of know where they're kind of coming from.

One of their big things is addressing ecosystem-level change, and that's a high priority, and so they're thinking specifically water quality, water flow, and coral loss. Those are really, really big issues for the Keys, and they need to be kept in mind as we move through this process.

I already mentioned fisheries management would be FWC's prerogative for state waters, and another one is considering closures and access restrictions on a case-by-case basis, if you all might have seen the op ed that our Chairman wrote on the Key West paper this weekend, and so our Chairman's opinion on that is, really, that these should be a last resort.

Then, for each of the proposed actions, we really need to clearly define the rationale, discuss what issue is being addressed, what past experience has taught us, what are the likely outcomes, and, really, evaluate all of that relative to stakeholder impacts and then be fair to all stakeholders, because, of course, this plan impacts fishermen, boaters, people living in the Keys, tourists, I mean, lots and lots and lots of people.

With those points in mind, I think the commission is going to

ask for a lot more emphasis on water quality and have what can the sanctuary do directly, what can they influence, how do some of these other efforts to restore water quality feed into what's happening in the Keys, and then one thing that might make sense, moving this forward, would be looking at this plan and really through the lens of coral restoration, again, given those recent Endangered Species Act listings.

We've had bleaching events, and the stony coral tissue loss disease, and this could be an opportunity to kind of coordinate all of those efforts that are going to be occurring in the next several years to restore and recover corals in the Keys, and so that's all I'll say.

CHAIRMAN FRAZER: Thank you. Mr. Sanchez.

MR. SANCHEZ: I just wanted to add something, and kudos to the state. They went around and spent a lot of time in the Keys, meeting with all kinds of working groups, commercial fishermen, charter fishermen, and they ran around and really spent a lot of time gathering input, and so I'm very pleased with that, and I'm very proud of them for doing that. I hadn't seen that level of involvement before, and so thank you very much, Martha.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: I just wanted to say thanks to Natasha for the presentation, because, obviously, this is a very complicated blueprint to try and navigate through, especially when you add the fishing piece of it and all of our effort analysis in there, and she did a great job, I think, of synthesizing what we have and putting it in a format where we could really bite it off piece by piece and try and give good feedback to her and Dr. Simmons for the letter.

One question for Martha. Martha, I like what you had to say, and I agree with John that you all have really put a lot of effort into this as a department, trying to figure out the best path forward, and so my question is, if the sanctuary does endorse Alternative 3 as their preferred, which has the forty-some-odd SPAs, and, in their proposal, those are closed to fishing, and a lot of those are in your state waters, and how do you override them and say, no, we're going to tell you what the fishing regulations are going to be? I am interested from a council perspective, and do we have that option?

MS. GUYAS: That's a good question, and so this is where this protocol comes into place a little bit, and so, actually, FWC

has exclusive authority to do the fisheries regulations in state waters, and so the sanctuary -- This is in their plan, but, unless FWC implements no fishing in these SPAs, at least for the ones in state waters, that's not going down, and so what our commission is suggesting is we kind of get out in front of the sanctuary on some of these things, now that we've seen their draft EIS, and evaluate whether we would want to implement those things for state waters, and so it's a little bit different than the council's authority. I think the council can implement fishing regulations for the sanctuary, but so can the sanctuary, and so it's not an exclusive authority.

CHAIRMAN FRAZER: Ms. Levy, can I just ask a quick question? If the sanctuary were to impose a SPA designation, would that in fact preclude any fishing or any intervention, I guess, by the state agency? Which supersedes which?

MS. LEVY: Okay. Well, so Martha is right about the state's authority. The regulations say that any fishing regulations in the sanctuary shall not take effect in Florida state waters until established by the commission, and so, if the commission doesn't establish fishing regulations in state waters, there are no fishing regulations in state waters.

It's different in federal waters, and so Martha is also correct that you could have council regulations as well as sanctuary regulations in the sanctuary, but the sanctuary regulations, to the extent that they are more restrictive, are going to apply, meaning, if the sanctuary says no fishing and the council's regulation that says a two bag limit of whatever, it's not going to override that.

Ultimately, the councils -- What the sanctuary is looking for from the council is fishing regulation recommendations, given the purpose of the sanctuary, and so they're coming to you with their proposal, and these are what we're proposing for fishing regulations, and do you agree with them, do you not agree with them, and do you want to propose your own fishing regulations that you believe meet the purpose of the sanctuary, but, ultimately, then the Secretary of Commerce decides, if there is some sort of conflict, is it the Magnuson Act fishing regulations, is it the Sanctuary Fishing Act regulations, but the council doesn't have the authority to override Sanctuary Act fishing regulations.

CHAIRMAN FRAZER: More specifically, if the sanctuary designated an area as a no-entry zone, for example, it's hard for me to envision how any fishing regulations might be implemented, if

that is in fact the case. If there's no entry, then how could you even implement a fishing regulation within that area?

MS. LEVY: The regulations also say that -- So there's specific fishery regulations that have to be implemented by the commission, but it also says that any amendment to these regulations shall not take effect in Florida state waters until approved by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, which is essentially a gubernatorial cabinet type thing, and so, outside of fishing regulations, there is still a government approval in Florida to actually get that implemented for state waters.

CHAIRMAN FRAZER: Thank you, Ms. Levy. Mr. Sanchez.

MR. SANCHEZ: It kind of answered it with some of that discussion, but I am a little leery of -- You know, when you have a closed area, and it is no take, by virtue of the designation, yet how do you go with the back and forth that, well, we're not doing fisheries, but it's closed, and that's a disallowed activity, and then we're going to say, well, then you're doing fisheries, if you're not allowing fishing.

Who is going to win that? To me, it's kind of a gray area, because I have heard it before, that, no, we're not doing fisheries, and we're doing biodiversity management via these closed areas, yet there is no fishing allowed.

CHAIRMAN FRAZER: I think there is a protocol in place to deal with that, and that's what I understand from Ms. Levy, and so I think we're okay at this point. Is there any further discussion at this point? Do you want to work through this cooperative fisheries management agreement, or do you feel like we've hammered that? Ms. Guyas.

MS. GUYAS: Well, I don't think it's something that we're going to be able to hammer out at this table, and so I think we need to coordinate with the South Atlantic and FWC and the sanctuary, and we probably need to have some sort of separate meeting about that, and I don't know if it's with a sub-committee of people from the two councils and FWC and the sanctuary, but I think that's an item for another venue. There is a number of things in there that need to be updated though, and Mara has got her hand up.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: The agreement is very heavily Florida Commission and

the sanctuary. I mean, the councils are mentioned in there, and you are part of the process, but a lot of the process goes towards how the commission is going to interact with the sanctuary. I guess my suggestion would be to have the commission and the sanctuary interacting and see what they think needs to be updated and then potentially coming back to the council with whatever their update is, and also the timing.

Really, it's a commission and sanctuary thing, right, and the councils are, again, involved, but it doesn't necessarily need to be updated before moving forward with the Florida Keys proposal, and I understand that's what the State of Florida wants, but it could also be used as a learning experience as to what types of processes and procedures work well and then get updated, but, again, a lot of that, to me, is between the state and the sanctuary, and I guess my suggestion would be that they kind of take the lead on what changes they think are necessary and that the council then look at what they've done and focus on the parts that reflect the council process.

CHAIRMAN FRAZER: Thank you, Ms. Levy. Ms. Bosarge.

MS. BOSARGE: Tom tried to help me, to the side during the break, understand it more from the sanctuary's perspective, and he really did put it in a perspective where I can understand that there are a lot of fishery management things that will take place within this blueprint, but maybe that has something to do with the disconnect between the sanctuary and the council, as far as how often we interact, sort of like the disconnect that the council has right now with the Corps of Engineers with aquaculture. We feel like we're not looped into that process, and, yes, they may be doing their due diligence, but, because it never comes before us, and we really don't see it until after the fact, we kind of have issues with it.

Maybe this agreement is a good place to have the councils give more input and make sure that we are more looped in with the sanctuary, as they are moving forward, and they're looped in with what we're doing to protect habitat down there and to protect the different fish stocks and what kind of progress we're making, like what John was alluding to, and so I do think the councils should have some input on that cooperative agreement.

CHAIRMAN FRAZER: Thank you, Leann. Okay. Any further discussion at this point? Okay. I think clearly we anticipated a fairly lengthy discussion, and this is a complicated document, and there are a number of recommendations that have come out,

and potential recommendations.

I think what we would like to do, or at least what I would like to do, is take some time, over the next day or so, with Natasha to try to consolidate and synthesize those recommendations and bring them back to Full Council, to say, hey, these are the points that we as a council can reach consensus on, and these are recommendations.

Whether we ought to make motions specific to each one of those, or maybe as a group, I think that's to be determined, I guess, but my preference would be to step back for a minute and kind of look at what was said and bring it back in a more synthesized form at Full Council, and so I would be prepared, actually, to weigh-in at that point, because, moving forward, we certainly will try to incorporate all of the recommendations into the letter.

Everybody has seen a draft of the letter, and there are certainly some issues in there that there's not consensus on, and there's actually two very different opinions, and so take a look at that letter, and, again, the specific items that are in there now, and we'll bring back additional items at Full Council, and we will have some motions at that point to decide what we are actually going to put into the letter that goes to the sanctuary in February.

The only thing left on the agenda at this point, I guess, would be the recommendations from the Joint Gulf and South Atlantic Spiny Lobster Advisory Panels. Natasha.

RECOMMENDATIONS FROM THE JOINT GULF AND SOUTH ATLANTIC SPINY LOBSTER ADVISORY PANELS

DR. MENDEZ-FERRER: Thank you, Mr. Chair. The Spiny Lobster specific recommendations to the sanctuary were included in this presentation, but, in addition to those, they went over a variety of other topics and possible items that they wanted to address at a future joint Spiny Lobster meeting.

One of the discussions was the state of the spiny lobster fishery, and the AP discussed some of their worries regarding the state of the fishery and how landings have been reduced, and they've been seeing a larger number of sub-legal lobster, especially after Hurricane Irma and after the red tide events that Florida has been experiencing.

We also had representation from FWC's Law Enforcement, and, in

addition to discussing some of the law enforcement issues that they foresee with the proposed DEIS, they discussed the limited amount of law enforcement, the high turnover of some of the FWC law enforcement officers in the area, and there was concern about carapace measurements versus tail measurements and whether it was possible for lobster to be legal based on carapace lengths, but have a sub-legal tail measurement.

We had John Hunt from the FWC/FWRI office in Marathon saying that research shows that a five-and-a-half-inch tail tends to come from a larger than three-inch carapace lobster, and law enforcement also did say that they use their discretion when enforcing some of the regulations when they find what would be considered sub-legal lobster onboard.

Another topic was the recreational lobster tagging program, and AP members were recommending that a recreational tagging program be created and that this program could improve law enforcement, especially during recreational spiny lobster mini-seasons. We had Jessica McCawley and Martha Guyas from FWC and explaining that staff has discussed a tagging program. However, in the past, the commission has not chosen to approve such a program, and the main concern of the commission is that, if additional funding is necessary to implement the tagging program, it must be approved by the Florida State Legislature.

They also talked about the trade war in China, and AP members were concerned about how the tariffs would impact the Chinese market for live lobster, and the price has been lower, which could be causing significant impacts to the state's spiny lobster businesses, and I believe that the South Atlantic Council sent a letter to the Secretary of Commerce detailing the impacts of the trade war on the spiny lobster fishery.

Another item was the discussion on casitas and marine debris, and this was brought up due to a suggestion by one of FWC's commissioners to reconsider the use of casitas in the spiny lobster fishery, in order to reduce the number of spiny lobster traps, yet the AP members explained that spiny lobster does account for less than 10 percent of marine debris found in the Florida Keys, and they are concerned that allowing casitas will only increase the marine debris problem in the area.

Then there was a discussion on retention of undersized, or sub-legal, lobsters used as bait, and the AP members would like to see an increase in the number of undersized lobsters that can be onboard and be used as bait, and we do have Captain Kelly in the audience if the council or the committee has any questions

regarding any of the topics included in the summary.

CHAIRMAN FRAZER: Okay. Are there any questions or concerns or points of clarification with regard to the summary that Natasha provided? Okay. Seeing none, is there any other business to come before the committee? Seeing none, we will adjourn the Coral Management Committee.

(Whereupon, the meeting adjourned on January 27, 2020.)

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