

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **MARINE PROTECTED AREAS COMMITTEE**

**Town and Country Inn  
Charleston, South Carolina**

**August 31, 2001**

### **Draft Summary Minutes**

#### **Committee Members**

Anthony Iarocci, Chairman  
Bill Cole, Vice-Chairman  
Dr. Louis Daniel  
Dr. John Dean

Ebbie LeMaster  
Fulton Love  
Wayne Lee  
Dave Cinalli

#### **Council Members**

David Cupka  
Dr. Roy Crabtree

Pete Pearce  
Robert Southerland

#### **Staff Members**

Bob Mahood  
Gregg Waugh  
Roger Pugliese  
Dr. Vishwanie Maharaj  
Belinda Sparger

Kerry O'Malley  
Kim Iverson  
Deb Buscher  
Shannon Moore

#### **Observers/Participants**

Henry Ansley  
Mel Bell  
Stephen Blair  
Jim Bohnsack  
Roger Griffis  
Steve Grubish  
Becky Shortland  
Mark Marhefka  
Jim Fransesconi

Darcee Killpack  
Dan Kipnis  
Wilson Laney  
Ken Lindeman  
Charlie Phillips  
Hedi Recksier  
Allen Sprouse  
Doug Radar  
Dr. Joe Kimmel

The Marine Protected Areas Committee of the South Atlantic Fishery Management Council convened in the Salon Room of the Town and Country Inn, Charleston, South Carolina, August 31, 2001, and was called to order at 8:30 o'clock a.m. by Chairman Anthony L. Iarocci.

Mr. Iarocci: I call to order the MPA Committee meeting today. I hope you all have had a chance to go over the agenda and the minutes of the June 21 meeting.

If there's no objection, I'd like to move forward with the agenda. Is there any discussion on that? Agenda is approved. How about the minutes of the June 21st meeting? The minutes are approved. Thank you, we can move forward.

I'd like to get into the record the Council's current position in using MPA's as a management tool: to aid in the recovery of severely overfished deep water snapper species, speckled hind, warsaw, misty, yellow edge, snowy grouper and golden tilefish including sand and bluefish.

We are prioritizing sites to go forward to the Snapper Grouper Committee for consideration. The remaining sites and sites that were removed from the original list will still be under consideration by the MPA Committee and the Habitat Committee, who I hope will work very closely in the future with the advisory panels, also.

We've got a lot to do and I know it's a holiday weekend and people have asked to leave early today, so let's all make an assertive effort to be focused and not waste time. With that said, Kerry, if you could, please update us on our AP meetings.

Ms. O'Malley: Do you want me to do that, or do you want me to talk a little bit about the informal meetings first?

Mr. Iarocci: Yes, maybe a little update on the meetings, too.

Ms. O'Malley: Real quick, I just need to update the committee on some informal meetings that were held because this is really our only opportunity to do so.

Tony had talked to some people in Florida who were interested in learning more about the Council's processes of going about getting MPA's and people who wanted to have a chance to give some input that felt that they hadn't already.

So, we met with the Islamorada Charter Boat Captains' Association in July. We had a really, really good meeting with them. I think some of you who were in the room yesterday heard some of the suggestions that came forward from that meeting, such as changing the recreational size limit to 36 inches to be consistent with the commercial size limit.

Someone had made the point that was, indeed, supposed to be in lieu of a marine protected area on the Islamorada Hump, not in addition to, or that was their intent at any rate. It was a very well-

organized meeting. A lot of people put a lot of time and effort into coming and really giving us good input, and so I feel like it was a good meeting overall.

We also met with the Jacksonville Offshore Sport Fishing Club last week. That, as well, was a really good meeting. Certainly, they stated that they weren't necessarily in support of marine protected areas, but they recognize that this is a new tool that they're going to be seeing more often, and they really are willing to get involved in the process.

One of the most encouraging things, to me, at that meeting was they saw the lack of data that they trusted, especially when it came to recreational landings data, and they started having this big brainstorming session about how we can make it better; not necessarily anything that came out of that is going to be the ground-breaking way we get recreational data, but the fact that these people are willing and starting to really think about how they can help the process was encouraging to me.

They have been very involved in the Council's MPA process just due to the fact that it also coincided with some powerheading issues and special management zone issues. I think they'll continue to stay involved, and we've built a good relationship with them. So I feel really good about that.

The day before that, we had met down in North Melbourne, Florida. Ron Rincones, an MPA Advisory Panel member, who was here yesterday, had organized a meeting with fishermen from that area who had not previously been involved -- had not been to the scoping meeting in Fort Pierce.

He had tried to draw in people from Orlando and people from inland areas to this meeting that do go to the coast and fish. There were about 50 people there. Certainly, no one in the room supported marine protected areas. It was probably the most hostile of all the meetings. I think that does have a lot to do with their close proximity to the Fort Pierce area and press and things that have come out of that area.

What I tried to stress -- I don't think we really got anywhere, but what I tried to stress with them was to stay involved in the process. I made sure they knew all the opportunities there would be for input and how to contact their Council members and just how to stay involved in the process.

So, as long as they heard that message, then it was a successful meeting. Those are the meetings we had. I just wanted to bring you up to date on those so you knew what was going on.

We're going to start going through the recommendations that came forward from the Advisory Panel meeting. I know that most of you were there for the whole meeting, but I also know that there were some in and out of the room, and some people couldn't make it until later.

So, I'm briefly going to go through what came forward and some of the rationale for that. If you want to get more in detail on a site-by-site basis, we can certainly go back and I can help you through that.

You all should have this in front of you. It's those recommendations from August 29th through 30th meeting. It was handed out to you this morning.

Mr. Love: At these public meetings, did you make it pretty clear that the Council has about exhausted all the avenues that they have?

Ms. O'Malley: Yes, and that's one of the things I would start with because I always go back and tell them how we got here. I spend a good amount of time telling them where we started back to the late 1980's, early 1990's.

The problem is I think people still feel that traditional management measures can work. They're seeing them start to work in a lot of species and so they don't know why they're seeing things come back and we're still on this process.

I think you all probably heard a lot of the discussion and a lot of the time that we got bogged down going site by site. There was a lot of confusion over the Council's position at starting to look at the deep water snapper grouper complex in the initial phase of doing MPA's and some resistance to that and whether or not that was, indeed, the case.

But I think we finally straightened that issue out with the Advisory Panel members. We were running short on time, and so what we ended up doing was going straight to the deep water sites that were on the Council's proposed list of MPA's in order to do those because we saw those as the highest priority.

We were hoping to have time to go back and look at more inshore sites so that we could look at some of the corridor effects of doing marine protected areas, but unfortunately we ran out of time to really move too far inshore.

So that's why we don't have every site on the list in front of you. We just have the sites that the advisory panels got to deal with yesterday.

The first site that we dealt with was North Carolina. I've been calling it North Carolina 1. Apparently, there's some confusion. It's the North Carolina site that's not an artificial reef or not going to be an artificial reef. That should clear it up.

Okay, here we go. You have the coordinates on the original list of sites. Roger also has them charted and able to project so if anyone does want to see them, we can do that. I know you all probably saw them yesterday.

The recommendation from the Snapper Grouper Advisory Panel on that site was to move the entire box five miles east in order to try to run it along the break the best they could.

I believe the Marine Protected Areas Advisory Panel also made that recommendation. There was some talk about whether or not the box, as it existed, encompassed the wrecks of concern, which are known to hold snowy grouper. So, that's part of the rationale for moving it five miles to the east.

The Snapper Grouper Advisory Panel recommended that it be a Type II, but felt that we should get some additional input from longliners. I'll just go ahead and say that the Snapper Grouper Advisory Panel, for every marine protected area site, recommended a sunset provision -- I can just dispense with that now -- for every site they recommended.

The Wreckfish Advisory Panel also recommended moving the eastern boundary of the entire box, and they would like that to be a Type II and asked that we rely on some more local knowledge before we move the box.

The Law Enforcement Advisory Panel did say they would prefer a -- and this was in my notes and tell me if this doesn't make sense -- a northeast/southwest orientation. For all sites they wanted no transit. They needed additional funding.

They wanted the sites to go along latitudes and longitude and prohibition of possession of prohibited species would be the next best thing if we didn't have no transit and we did allow some type of fishing. Those recommendations stand for all sites.

The Coral Advisory Panel recommended that the western boundary be retained as is, but extended the eastern boundary and that it be a Type II site.

The Habitat Advisory Panel recommended that you also leave the western boundary where it is, but enlarge it to the east and recommended the area be a Type I.

As I said before, the MPA AP wanted to move the eastern boundary five miles and recommended that site be a Type II. So, I'm not sure; do you want to deal with it site by site?

Dr. Daniel: Is that what you'd like to do?

Ms. O'Malley: Yes, I think that would be easiest.

Dr. Daniel: All right, then, for North Carolina Site 1, the offshore deep water site, I'd move that we move the eastern boundary five miles, recommend it as a Type II, with the five-year sunset and the no possession of prohibited species while in that area.

So, it's really a combination of the MPA AP recommendation, the Law Enforcement AP recommendation and the Snapper Grouper AP recommendation, and they pretty much fall along general lines.

Ms. O'Malley: Louis, I'm sorry, move the eastern boundary five miles, five-year sunset, Type II --

Dr. Daniel: And the no possession of prohibited species. I don't know if that's a given, but we'll put it in there anyway.

Mr. Lee: Mr. Chairman, are we going to vote on these, is that the idea?

Mr. Iarocci: No, I think we'll make the changes now. I believe what we'll do is go site by site, make our changes now as a committee, and then make our motions at the end.

Ms. O'Malley: For North Carolina Site 2, that is the artificial -- I'm sorry.

Mr. Love: I'd like to hear a little discussion on why just five years when we're talking about such a long-lived species on the sunset. I know the AP said that, but unless it sunsets and we can, you know -

Mr. Iarocci: Fulton, I think a lot of that has to -- from being at a lot of the informal meetings and dealing with the people in the past and from talking to a lot of people up in New England, the five years -- and the Florida Keys National Marine Sanctuary also did the five-year evaluation, and a lot of people feel comfortable with being able to go back after five years.

It's a short enough time where they can look at it. Maybe there'll be some research, and it might give people inclination to say, okay, we have to do something within five years before we look back on it.

The ten-year period in a lot of ways did scare off people. They said for ten years, if it's closed for ten years, if it's not working -- five years, it's going to give people motivation to look at it and do it, and there was a lot of support for the five years where ever we went.

Mr. Cole: Thank you, Mr. Chairman. The use of this word "sunset" has certain implications, certainly in certain areas because several states do use it in their state legislative packages.

I thought that what we were talking about was that the Council must, at the five-year point in time, reaffirm its designation of the site. That's all it meant. It would reaffirm it in some manner, must evaluate and reaffirm it.

The Council can decide at that time that it's not appropriate. It could decide at that time that it is appropriate and continue it again, or the Council could say that we need to modify the site. There are a lot of things the Council can do at the five-year point, but it is not, in my mind, a sunset.

The sun sets and goes away, and I think that we're mixing two concepts here, personally, and I don't think the word "sunset" is appropriate.

Mr. Iarocci: If I could, I definitely want you to comment on that, but also when we did the Oculina Bank and we went to the ten year, is it a reevaluation we're calling it now, or how is that being worded?

Mr. Waugh: No, the oculina actually sunsets in ten years. The Council has to reauthorize that for it to continue. One thing to consider, when you're evaluating these time periods, is the reality of the bureaucratic process we're in now.

Five years is impossible. We may not be able to get an amendment through the process in five years, much less establish something, monitor it, and then change it. I think we just need to start thinking in a different time period for making any regulatory adjustments.

Dr. Dean: I totally concur with Bill. I think we have to be very careful, and Gregg's advice should be heeded on this. In the previous discussions, the way I understood it, we are talking about an assessment, an evaluation, but certainly we're not talking about an automatic dismissal of the program on that site, because if we, in fact, follow what I have understood is our total approach on this, five years is a blink of an eye in the timeframe of these phenomena.

To be very personal, for example, we have just gone through four years of drought in South Carolina. Now, that's going to have some implications on life histories of all kinds of organisms that we, frankly, do not have a clue about.

So, if we hit a series of climatic events on the shelf during that first five years, we wouldn't know what was happening. We couldn't tell.

So, it really has to be thought of on a much longer timeframe. And I agree with Fulton, and that is we're talking about life history processes of long-lived individual fishes, and we know very little about that at this date.

Unless there is a long enough timeframe for us to see some of the outcomes and there are directed, well thought out, well-tested hypotheses put forward on this, we're not going to be able to even do a proper assessment.

So there are a combination of factors. The timeframe has to be longer. I'm comfortable with an assessment at five years, which could, in fact, show us that we do not have the right kind of processes in place to do a real good analysis.

So, I don't want to see the word "sunset" in here. It has achieved a legislative meaning that is inconsistent with our regulatory concerns and management concerns at this point.

Mr. Iarocci: Louis, how do you feel about making a change to the five-year evaluation or assessment on there, just to change the wording for now and that will give us -- still we have the five years where people feel comfortable with and we've got the assessment, and from there we can move on to go to ten years or whatever with that.

Dr. Daniel: The semantics are inconsequential to me. I don't care how we say it, but I'm adamant about having some kind of a review and evaluation after a five-year period that we can either do away with it, expand it, whatever the case may be, but I don't want to set these things out there indefinitely, forever.

Mr. Cole: To move us along this morning, I'd just suggest that we use the word "evaluation", and we'll figure out with Gregg how to put this in some sort of regs to where we don't have to get into an administrative process here. My bottom line, as Dr. Dean says, is that sunset really has a whole different connotation.

Mr. Lee: I support what Louis said in terms of the fact that -- sunset, maybe that's the wrong word to use, Bill, but we need something in there that forces an evaluation.

We can't just let these things stay there and then we have no progress, no action. We don't know whether we're accomplishing goals or anything is happening. Maybe five years is too short.

Maybe the period should be ten years or eight years, but there has to be something here that shows the public that we're going to use these, and we're going to determine whether they're accomplishing our goal, which is to assist with restoring the species, which is our charter under the Sustainable

Fisheries Act.

I think it's very important that we have that provision. Whether you call it sunset, whether you call it a review, no matter what you call it, we have to something in there on the front end that says we're going to do this so the public relates to that.

Dr. Dean: I fully concur with an assessment and an appraisal at five years, and my point that I will reiterate is that if at five years we see that there is no activity going on that lets us do a proper assessment or appraisal, it's time to blow the whistle.

The reality is that there are no funds available to do a substantive research program except through the federal government. We're dealing with areas that are in federal waters. We, as a Council, have no research capability.

We have no budget to do research. We cannot pursue an activity out there no matter how much we think we should do it. Therefore, it has to be done by someone else. We can point the finger, and I suggest we do that and at five years is an appropriate time to do that.

Mr. Iarocci: Thank you, Dr. Dean. I think we're going to move along now. I think, Kerry, if we can just make that change -- done, fine. Okay, if we can move along then.

Ms. O'Malley: Okay, in North Carolina, what I call North Carolina Site 2, the artificial reef site, the Snapper Grouper Advisory Panel came to the consensus to move it so that it was out of the transit area, to buoy it off so it was recognizable, and possibly the move may end up being more west or southwest -- that might be more appropriate -- and that the area be a Type I marine protected area.

The Wreckfish Advisory Panel came to the consensus that the box was fine where it was and that it should be a Type II marine protected area.

The Coral Advisory Panel could not come to consensus on this issue. There was some discussion over whether or not it was appropriate to designate artificial reefs as marine protected areas, and I believe there were some issues there, and so they came back without consensus.

The Habitat Advisory Panel recommended that it be approved as is and that it be a Type I marine protected area.

The Marine Protected Areas Advisory Panel came to the consensus to leave the site. Jim Francesconi just wanted to make sure that there was enough hard bottom encompassed in the site to make a comparison between the artificial bottom and the hard bottom, and that's it.

Dr. Daniel: We'll keep the MPA-AP recommendation, would be my suggestion.

Mr. Iarocci: Any discussion?

Dr. Kimmel: Mr. Chairman, I had a couple more notes than what Kerry had in hers and just to make the record clear, the Coral AP also recommended that they preferred to have natural sites as a priority rather than artificial sites.

That was just part of the record. Also, Enforcement also had some comments, and I don't see them here. They said that they felt that the area, as depicted on the chart, was too small.

They wanted it to have at least a ten by ten, and it was too close to a navigational channel. Those were just additional comments that were in my notes.

Dr. Daniel: That doesn't change my opinion.

Mr. Iarocci: Any further discussion on this?

Dr. Dean: Unfortunately, I didn't get to hear that discussion, but I'm puzzled what the rationale was, when the emphasis and the priority was on deep water sites, how we ended up with a site that is inshore and clearly in shallow water relative to the rest of the sites. It seems inconsistent with what was established as a priority by the advisory groups and by this committee earlier.

Mr. Iarocci: I think Dr. Daniel needs to address that, because he's part of this proposal. Did you hear the question? Could you repeat that, Dr. Dean?

Dr. Dean: The question is why do we have a shallow water site when the priority was on deep water sites by the committee prior to this time?

Dr. Daniel: I think we all have to understand that these are the very early stages of an evolving process that's going to take a long time to complete.

The principal issue and concern, I believe, coastwide on these areas are enforcement concerns and as well as having the ability to quantify some type of results from these no fishing zones, and our inability to go out to the public at present and have any reasonable, local examples of how these things may function and how they may be enforced.

So, the intent and purpose behind setting up this one small area off of Atlantic Beach in North

Carolina was to set up an experimental site that we can test some of these hypotheses and some of these questions that we have, so that perhaps when we get to this five-year reevaluation period, that if we've got some reasonable reassessments of snowy groupers or speckled hinds or any of the deep water grouper complex, that we'll be able to relate some of those successes, if they exist.

But we may also have, through this marine artificial refugia project, we may have some good, identifiable enforcement questions resolved. Can we go out there and monitor these areas? Can we look at site fidelity?

Are there any of the artificial reef programs that can utilize this site to do some testing that we'd like to see with no fishing versus fishing in a nearby artificial reef system?

Then, finally, if you go out there, and you've set up this artificial refugia, and you know what it was like in its virgin state, when you go out there on a monthly or a quarterly basis and assess what's going on at that site, and every time you go out there you find number 16 planers, cannonballs, bottom rigs, it sort of answers some of your enforcement concern questions.

So, I believe, while it doesn't have any impact whatsoever on the deep water complex, it has an impact on our overall concept of marine reserves.

Dr. Dean: I don't disagree that the concept of having some comparative areas is valid. In fact, if we go back to one of the original reports of this committee, we described this system as a network and talked about having nodes and connections.

And if that's the case, then I think that we really should be moving down the process, then we should have relevant sites of a similar nature throughout the region. Many of you know that I disagreed early on with doing this on a state-by-state basis.

We are a regional body, and I think that the sites should be selected primarily on the basis of the criteria that fit within the physiography or the geology and so forth of the region.

But if, for administrative purposes, you divide it on a state-by-state basis, then it seems reasonable that we should also identify relevant experimental sites in the other parts of the region as well. I'm fully in support of a network system, but I really want to see criteria used to identify and carry it forward.

Dr. Daniel: Well, I agree, but with that said, North Carolina took the initiative in our subpanel group on the AP to designate one of these sites. We have an artificial reef program.

We have a large consortium of marine research institutions within a few miles of this particular site. If we're going to get something in place, we need to move forward.

If South Carolina would like to do the same thing, which they kind of do -- I mean, they've got an artificial reef program. They're looking at this Site 51, or whatever they want to call it, where they're doing some comparative work.

That may or may not be going on in some other areas of the region, but our feeling is that this is an extremely expensive undertaking. Somebody passed me a note, how are you going to fund it?

Well, we've got some money coming in that may provide us the opportunity to at least permit this site, get the ball rolling on it, and we're going to have to come up with the funding to do this. I'm hoping that the National Marine Fisheries Service in this new initiative is going to put some money where their mouth is and we're going to be able to do some of the assessment that I think everybody is so concerned about.

We certainly don't have the money here within this Council to fund it. We certainly don't have it in the states to fund it, but if we don't get the ball rolling on at least trying to permit some of these areas so that if we do end up with a windfall from this new national initiative, then we'll be ready to roll.

Hopefully, we'll have the cooperation of the other state artificial reef programs to where that may be a specific site that can be used sort of as a test case along the South Atlantic and then if it works -- you know, I don't think anybody believes that a patchwork of artificial refugia is going to bring back snapper grouper stocks, but at least that type of experimental area could answer a lot of the questions that I think really nagged us in our public hearings and our scoping meetings.

Mr. Iarocci: Thank you, Dr. Daniel. I don't think you have to worry about the funding. I see Roger Griffis back there shaking his head positively when you mentioned the funding on that. So, I don't think we have a problem with that.

And, Fulton, I'd like to let you speak, but I think, in talking about the timing here, I think we should move on. We'll have a little more discussion on this and then I'd like to move forward.

Mr. Love: Tony, you might mention that the six AP's that were getting bogged down, maybe is the right word, and what we suggested they do is look at the most important deep water sites that they had.

This site came up before we charged them to try and look at just offshore sites and not be worried

about losing any of the other sites that was on -- this site probably would have gotten looked over if it weren't for Louis -- if we'd have charged the AP sooner than what we did with looking at offshore sites.

Mr. Iarocci: With that said, if there's no further discussion, Louis' recommendation, does everybody agree with that? Okay, Kerry, I do believe we can move forward then. Thank you.

Ms. O'Malley: Okay, the next sites we moved on to were South Carolina, the Northern Site 3 and the Northern Site 4. Briefly, let me go into some of the overall comments that came out about those two sites and kind of the justification for how people came to what they came to.

We were told that Site N-3 holds kitty mitchells. There's not as much fish abundance as N-4, but it is moderate to high, and George did say that it was a speckled hind spawning site.

Site N4 was an area of high diversity. He did say some charter fishing occurred. There was more fishing information. He was speaking rather fast and I wrote down as fast as I could, but I know you were all here to hear it as well.

Mark had mentioned that the habitat was hard flat rolls. The area was trolled a lot and there were many comments that Site N-4 would have less of an economic impact than Site N-3.

So, with that being said, the Snapper Grouper Advisory Panel gave priority to Site N-4. They asked that we leave the northeast corner where it is and rotate the box.

They did, again, reiterate that would have less economic impact than going forward with Site N-3. Again, they recommended a five-year, what they called a sunset, and that the area be Type II.

The Wreckfish Advisory Panel had also recommended to retain Site N-4, to drop Site N-3, and felt that it would be okay if Site N-4 had to get moved, tweaked a little, in order to be more appropriate and they also recommended that be a Type II marine protected area.

The Coral Advisory Panel sought Site N-4 as well as a priority because of its higher abundance and its higher diversity. They believe that it does support the target species, the deep water snapper grouper complex.

They recommended it be a Type II, and they felt that N-3, if retained, should be turned 90 degrees with a north-to-south orientation to maximize habitat protection.

The Habitat Advisory Panel gave preference to N-4 over N-3 based on the higher biodiversity and

the fact that it would have less of an economic impact.

They recommended that it should be enlarged to 100 square miles and reorientated. If you want more clarification, Doug may be able to clarify, but for some reason there were two votes that were held. I think it had to do with the fact that people were coming in and out during the caucusing time. The first vote was 10 to 3 for Type II and the second vote was 8 to 5 for a Type I.

The Marine Protected Areas Advisory Panel also chose N-4 as a higher priority over N-3, but there was a comment made that if you modified N-3, it may end up actually being better, in what manner I'm not sure, than N-4, and they recommended that as a Type II marine protected area.

Mr. Iarocci: Discussion on this site? Bill Cole, did you have anything to comment on this? I know Dr. Dean would if he were here, or any of our Council members from South Carolina that have comments on this.

Well, we need to have some discussion on this site, gentlemen. Louis, did you want to make any comments on this South Carolina site or David or anybody on this so we can move this process along?

Mr. Love: Tony, you've got two sites you're talking about, though, right?

Mr. Iarocci: Right.

Mr. Love: It appears that N-4 is the more dominant site. I can't tell you how to move it, but if you need a motion to go with N-4 --

Mr. Iarocci: No, I'd like to get that from the consensus here, because as you can see in the recommendation is to drop N-3 and to move forward with N-4. If somebody would say that and state that on the record, then we could move on.

Mr. Love: I make a motion we drop N-3 and stay with N-4, with somebody moving it in --

Mr. Iarocci: Great, okay. Kerry, I do believe we can move on. Thank you for that, Fulton.

Ms. O'Malley: Did you want to go forward with any recommendation from the Snapper Grouper Committee on what type of MPA you would like that to be or --

Mr. Love: Type II. We're going to just stay with the five-year sunset thing on all of them, is that what you are saying?

Mr. Iarocci: Yes, I think we should definitely use the five year and use the assessment thing.

Mr. Lee: I'm assuming that when we go forward with this process, that we'll retain these recommendations on what to do with N-4, as Fulton said.

I certainly don't know where it should be sited, but once this goes to the Snapper Grouper and then we put it back to the AP's, we, hopefully, can figure out the correct --

Mr. Iarocci: Yes, and I think from here on in, Wayne, that the advisory panel members that are still in the audience and the ones that aren't here are going to be very well informed of what's going on, and I think our committees will be working very closely from here on in to make sure that this is done right and everybody is involved. Okay, Kerry.

Ms. O'Malley: Okay, moving on to South Carolina, we took South Carolina Site S-3, C-3, Georgia Site G-2, and the Charleston Bump kind of all in one group.

Some of the overall comments was that G-2 was mud bottom. There were some rock piles. There was an opportunity maybe for some possible enhancement with artificial refugia, and that it was believed to hold golden tilefish and snowy grouper.

C-3 is believed to hold kitty mitchells, gags. It's supposed to be a gag and scup spawning area and it's also supposed to hold red porgy.

Those are just some of the brief comments. Again, I want to reiterate I don't know if all of you in the audience heard. I'm being brief because our entire committee was here and they heard all of the discussion.

The Snapper Grouper Advisory Panel came to the consensus to delete the Charleston Bump at this time, or not give it priority. Recommend -- no, they said delete. Excuse me.

They asked the Charleston Bump to be deleted, to recommend Site C-3, but orientate it on a north/south basis or move the whole box up five miles. Again, they recommended a Type II area.

The Habitat Advisory Panel came to consensus to recommend that C-3 be expanded to a hundred square miles by doubling it in the south, that it be a Type I marine protected area.

They felt that there was a presence of small and large members of the deep water snapper grouper complex. As far as Sites G-2 and S-3, the MPA should be in that general location. If you all

remember, they're semi-overlapping each other.

It should be up to a hundred square miles with expansion to the west to make sure that we encompass the golden tilefish grounds and some snowy area, and they recommended that the Charleston Bump is not a priority at this time.

The Wreckfish Advisory Panel came to the consensus that C-3 should be retained as recommended and their justification for that was that it was kitty mitchell habitat, and they wanted it to be a Type II.

As far as G-2 and S-3, it was recommended that the new boundary be moved so that basically S-3 was moved up to encompass G-2 so that it was just one box, and that it's a Type II marine protected area, and they asked also that the Charleston Bump be deleted from the list.

The Coral Advisory Panel recommended high priority for C-3 based on the species composition and the complex hard bottom habitat and that it be a Type I marine protected area.

They set a lower priority for G-2 and S-3, but it should be reconfigured to extend farther to the east and that it be a Type II marine protected area. They asked that the Charleston Bump be a high priority because of its unique habitat and that it be a Type II MPA.

Law Enforcement had additional recommendations than the ones I had already given you that stand for all the sites. For this site, they recommended that G-2 and S-3 also be combined and not to make the Charleston Bump an MPA because it cannot be enforced due to its distance from shore.

The Marine Protected Areas Advisory Panel recommended that C-3 stay where it is as a Type II marine protected area and that G-2, S-3, again, that you make that one box, basically doing away with S-3 and keeping G-2, moving it to the northwest. They gave no priority for the Charleston Bump.

Mr. Iarocci: Thank you, Kerry. Any discussion on these sites, and I think there should be quite a bit.

Mr. Cole: As much as I may hate to do this today, I'm going to suggest that we take the Charleston Bump off the list at this time.

Mr. Love: Second.

Mr. Iarocci: Good. Yes, I totally agree with that. Further discussion?

Dr. Kimmel: Yes, to that point, the Charleston Bump, as you know, is the area where most of the wreckfish are caught, and we do have a very successful management plan for that.

I think that was recognized by some of the APs and that was one reason they wanted to take it off. They did mention that there's a very high diversity site in terms of the bottom physiography and the like, and it's an interesting site and there are lots of other fishes that are caught there, but because of the wreckfish management in place, they wanted to drop that as a site.

Mr. Iarocci: Thank you. Also, too, because of enforcement -- and there are just a few boats at the distance offshore that do fish there.

It's a clean fishery and it's not a habitat-degrading fishery and I think it has a lot of merit also. Any discussion on the other sites or recommendations to move forward?

Mr. Love: I make a motion that we keep C-3 and G-2, the other one that's the MPA's recommendation, and I believe the Snapper Grouper's recommendation, have the same sunset, Type II.

Mr. Iarocci: Any further discussion?

Mr. Love: I didn't mention S-3, but --

Mr. Iarocci: Yes, say that again so we can get that clear.

Mr. Love: I didn't mention S-3. I just left that open for discussion if somebody else wants to bring it up.

Dr. Kimmel: Yes, from my notes, S-3 and C-3 seem to be very closely associated. Am I wrong there, Kerry?

Ms. O'Malley: It's G-2, and Roger is working on getting them projected. If you remember, their boxes in the northwest corner of S-2 overlap the southeast corner of G-2, and I think Roger is working on that. So, a lot of the consensus is there was some sort of compromise between the two.

Dr. Daniel: I think there was a general agreement though that general area, G-2/S-3 area, was a good site; whether or not to combine them both or move them a little bit here or there or that type of thing.

This is ultimately going to go back to the Snapper Grouper Committee and the AP and the Assessment group, et cetera, and I think just a recommendation to retain those sites and give them the latitude to kind of play with them as they see fit in the future, instead of us sitting here trying to fiddle with them, would probably be the best recommendation.

Mr. Iarocci: Thank you, Louis, and if you look under Law Enforcement, they have to combine both G-2 and S-3, so it is on the table here. So, with that said, I believe we can move on, Kerry.

Lt. Cmdr. Cinalli: Thank you, Mr. Chair. I just want to make one comment and not delay moving on. But for the Charleston Bump, if we revisit that some time later, it's not that it can't be enforced. I'd like for the record to say very difficult and challenging versus that it can't be enforced.

Mr. Iarocci: Yes.

Ms. O'Malley: Moving on to Florida, there was rather lengthy discussion. And it didn't come forward in the recommendations, but there was a lot of discussion over the lack of sites and information from St. Mary's Sound, Georgia, I think basically to the beginning of the existing Oculina Bank.

It came up when we were discussing Florida Site F-6, which is just north of the Oculina Bank. There wasn't a whole lot of information on that site or any local expertise available to give us information on that site.

I sensed frustration on the part of the advisory panels and quite a bit of discussion and recommendation that we really need to get people from that area more involved in the process and on the advisory panels since there is a large gap.

From that G-2/S-3 site, we just did, all the way down to the existing Oculina Research Reserve, there are no sites and there was some concern about that gap and our gap in information.

I just want to make it clear for the committee, that may be something we need to look at further with our Advisory Panels. So with that being said, F-6, due to lack of information, was tabled for the time being. Nothing conclusive there.

So we moved on to the existing experimental Oculina Research Reserve, Florida Site F-9, and what I am now calling Sea Bass Rocks. Not to confuse you, but that was the original Hobe Sound Bars, but that's not accurate, and that's not how the public knows that. So, I'm going to start getting in the habit of calling it its new name.

So, I'm sorry if that confuses you, but from now on Hobe Sound Bars equals Sea Bass Rocks, and we'll try to keep Ben's name out of it. It's not Ben's place anymore.

Mr. Lee: Kerry, say that again.

Ms. O'Malley: Okay. What used to be Hobe Sound Bars, what we were originally calling Hobe Sound Bars is now more accurately called Sea Bass Rocks.

We took all three of those sites sort of in a group. The Snapper Grouper Advisory Panel recommended that the experimental Oculina Research Reserve remain as is and be a Type II MPA with an additional ten-year sunset; that Site F-9 is too small and should be dropped from the list and that Sea Bass Rocks be retained as a Type II MPA; also, of course, again, with a sunset provision.

The Wreckfish Advisory Panel also recommended retaining the experimental Oculina Research Reserve as a Type II MPA, to delete Site F-9 and to retain the Sea Bass Rocks also as a Type II MPA.

The Coral Advisory Panel recommended to continue the experimental reserve, but that it be a Type I Marine Protected Area, that we give priority to the Sea Bass Rocks because of its unique deep water fishes -- I have unique deep water fishes. I assume that meant unique habitat and deep water fishes - - and that area be a Type II MPA; and that F-9 have a lower priority. And they, again, reiterated that we should try to find an area north of the Oculina Bank.

Law Enforcement felt that Site F-9 was too small. If you recall, I believe that site is just one square mile. They felt that was too small to enforce.

The Habitat Advisory Panel recommended, again, to maintain the Experimental Research Reserve, but that it become a Type I MPA. They do not recommend Site F-9 as a priority and they recommend the Sea Bass Rocks as a Type I MPA.

The Marine Protected Areas Advisory Panel came to the consensus to eliminate Site F-9, to again maintain the experimental reserve as a Type II, but they wanted to go on record as saying enforcement must be more effective; and the Sea Bass Rocks be recommended as a Type II Marine Protected Area.

Mr. Iarocci: Thank you, Kerry. I think if we start on these sites right here, I think we should probably start with F-9 because there's pretty much consensus in all the APs to drop that.

Mr. Cole: Mr. Chairman, let me suggest that we take F-9 off of the list at this time, that we retain

the Oculina EORR and the Sea Bass Rocks on the list with the five-year reevaluation, and I'm going to stay with Type II.

Mr. Love: In this area, I think it would benefit us to involve rock shrimp, calico scallop and royal red fishermen because there are some areas, I'm sure, that we're fixing to impact them.

Mr. Iarocci: Very valid point, Fulton. We've got to make sure to include all user groups in these areas that are going to be impacted. There was some talk yesterday also about pelagic longlining up off the Carolinas where these sites are proposed.  
Any further discussion?

Mr. Lee: I concur with what Bill said with regards to dropping the F-9 and retaining the others, but I also think that we need to, in view of what Kerry was saying a while ago where we have this long area up there, large area up there, between these sites and the sites up in South Carolina, that we need to have an effort to make sure that before we finalize these sites or before it goes to our APs, that we identify some additional sites in that zone, and I'd like to make sure that reflects in this particular record.

Mr. Iarocci: Thank you, Wayne. And also, I'd like to address that. I had talked to our new Snapper Grouper AP member Allen Sprouse, Janie Thomas yesterday, Don DeMaria, and other people that are looking at not only fishermen in the area that do fish out in that area, Wayne, but also fish houses and places where we can get input, people that are going to be involved in the process and, hopefully, get them on the AP up there. And Kerry, I think, has something to add, also.

Ms. O'Malley: I just wanted the committee to know that we did inform the advisory panels that if they came forward to us with any additional information for that area, be it before the meeting this morning or before we get together in a couple weeks with the Snapper Grouper Committee, that information would be presented. We asked them if they had any information, to come forward with it.

Mr. Lee: Kerry, I think my concern was that -- I know we left that was the charge for them if they wanted to come forward. I would kind of like for us to force that effort. In other words, let's be proactive going to them and see if we can't come up with some proposed areas.

Mr. Iarocci: With that said, I think we can move on. I think our next step would be to work with Dan's dome, which is -- I saw you walk in, Dan; I had to do that. We're going to deal with the Islamorada Hump right now.

Ms. O'Malley: This is the last site that we specifically had the chance to deal with yesterday. The

Snapper Grouper Advisory Panel had recommended that the MPA -- there's a revised box that was sort of moved around during the discussion and Roger is going to project that here in a moment. So, when I talk about as on the screen or as drawn on charts, what it means is the ones that they worked on yesterday.

The Snapper Grouper Advisory Panel had recommended that it go forward as it's going to be shown on the screen, as a Type II Marine Protected Area, again, with a sunset.

The Wreckfish Advisory Panel had recommended that, yes, there should be a marine protected area on the Islamorada Hump, again, as we're going to view it on the screen as a Type II Marine Protected Area.

The Coral Advisory Panel gave it a very high priority. There are lots of live complex-diverse areas. They felt that the final boundary should be moved to include the 49 fathom pinnacles and boundaries should include the 80 degree, 30 minute line.

There was one more stipulation in the boundaries that I'm going to have to pull off of the records, because I was writing as fast as I could, but we certainly will get that off of the minutes.

The Habitat Advisory Panel had also made the same recommendations about the boundaries, and, hopefully, maybe I can get with them before they leave and make sure I have that straight. They had recommended that it be a Type I.

And I'm sorry, I didn't say that the Coral Advisory Panel recommended that it be a Type II marine protected area.

The Law Enforcement just said that it needed to be five by ten nautical miles, and I never found out whether it had to be at least five by ten or it had to be exactly five by ten.

The Marine Protected Areas Advisory Panel recommended that it be a Type II as seen on the screen.

Mr. Iarocci: Before we get into discussion on this site, I hope. Dr. Crabtree, who is from Florida, and Ebbie will have something to say about this.

I'd like everybody to know that there has been a lot of work and a lot of discussion put into the Islamorada Hump to date, and there's going to be even more so coming out once the media gets hold of it and the local people do on this.

We're going to have to work very closely on this, and we had dinner together last night and

discussed this; and Dan Kipnis, who brought this up at the AP meeting yesterday, we're going to try to work as closely as possible with the people in Islamorada, specifically the charter boat fishermen, to work on this and get them to the table. So, with that said, I'd like to open up discussion on the Islamorada Hump.

Dr. Dean: Mr. Chairman, the discussion on this specific area has been very broad and wide ranging and comprehensive and I see no reason that we should continue that.

I think based on what has transpired in other areas as well, that it certainly meets the criteria, which have not been fully addressed, that it should remain as an area of interest for us to explore and use criteria to evaluate it in the future. So we should just move forward, much in the context of Louis' point on the previous site.

Mr. Iarocci: Thank you, Dr. Dean, but also I'd like to know -- I'd like to have a little discussion on a Type I or a Type II because that's up for consideration here by the APs.

Dr. Crabtree: Yes, my main comment on this would be that at some point -- and I guess this would occur when it goes over to the Snapper Grouper Committee, because this is one that's going to arouse a lot of interest in our state.

I would want to take a look at, really, all of these in terms of the objectives of these reserves and what we're trying to accomplish within the context of rebuilding plans for all of these snapper grouper stocks.

Specifically, what are we trying to accomplish in terms of reductions in fishing mortality, and what do we have to accomplish in terms of fishing mortality reductions in order to have these stocks recover within the timeframe of the allowable periods and all.

So, I think those are the kinds of things we really need to look at to see if what we're doing here is going to have a measurable impact on reducing fishing mortality and get us where we need to go and what other things we're going to have to look at.

So, my impression, just coming into this, sort of in the middle like this -- and I haven't really followed it all along, but is that we need to really look at the science behind this and a more quantitative approach in terms of what these would be expected to do and what else we're going to have to do to get us where we need to be.

Mr. Iarocci: Thank you, Roy. And if we could get a comment in looking at the different types, personally, I'd like to see this thing moved forward with a Type II if somebody would state that for

the record.

Mr. Cole: I'm going to concur with John. I think we need to leave this one on. I know it's going to be debated, but I believe that from what we've heard and what we have in the record, it's certainly appropriate to continue looking at it. I'm going to suggest that we leave it on the list with a five-year reevaluation, and as a Type II.

Mr. Iarocci: Thank you, Mr. Cole. Any further discussion? Kerry, great job. Once again, thank you for everything, and the committee. I think Dr. Daniel has a presentation or proposal he'd like to make right now.

Dr. Dean: Mr. Chairman, point of privilege. I would like to go back to Bill Cole's original, clear, lucid statement on why we want to use the concept and terminology of reevaluation and assessment.

I think that it is important because vocabulary and semantics are very important in this process. I thought it was the understanding of the committee that we are not using the term "sunset" from his point forward.

I would like to move formally that we edit this record to reflect that, so that from the point of Bill's comments in the record, from that point forward, any place that Joe's transcript shows "sunset", we now are going to refer to as a policy for discussions, that we're talking about a five-year assessment and reevaluation process.

That's what this committee is saying, at least as I get it from the record from the APs and at the discussion of this committee, yes, at five years, any of these sites will undergo an assessment and reevaluation process.

Mr. LeMaster: Second.

Mr. Waugh: I think we just need to be a little careful here. I think what you're trying to do is reiterate what the Council's intent is.

The way we do motions, they are a verbatim transcript, and I don't know that we want to go back and be editing what was actually said. I think what you want to focus on is what the Council's intent is, and although people may be using the term "sunset", what the Committee and Council's intent will be is to come up with some way to establish a five-year review process. But I think we may be on shaky legal grounds if we get into going back and editing our transcript and our record.

Mr. Iarocci: Thank you, Gregg.

Mr. Love: When you set this five years that we evaluate the success or failure of these sites, is that any time within that five years; and when you say evaluate, does that mean that we have got to do stock assessments on these sites?

Just what does evaluate mean? Does it mean that we send divers or whatever down to look at these sites and see what kind of progress they're making, or does that mean that we do a full blown stock assessment on these sites?

Mr. Cole: Let me try to address that -- and I see John has got his hand up. Fulton, when you say the word "sunset", what it means is that the regs come off. This area is now open.

It reverts back to what it is to date, wide open, and we have the same problem with the oculina even if it is set at the ten-year line. If you take a five-year period, it takes you two years to get a program in effect, to look at something, under the best of circumstances.

If you sunset it, i.e. that you take all the -- in the administrative documents, that you take the regs off by sunset at year five, that means that at year two and a half, year three, this Council must begin, right then and there, to move an amendment, a formal amendment forward through the process to maintain anything at the end of year five.

What we are talking about, and it is clearly my understanding of what I understood from talking to the Marine Protected Area Advisory Panel in Jacksonville and over here in Charleston, is that they want some sort of evaluation by this Council as to whether these areas that we have designated are achieving the criteria that we set them up for, which the Snapper Grouper Committee must obviously come to some clear definition of.

They understand the problem with sunsetting something and the administrative paperwork and the likelihood that the administrative paperwork could get hung up.

Now, when we say evaluation, it's sort of like, I guess, a couple renewing their vows. We haven't really determined why we're renewing our vows to these areas.

I think that is still something that we have to work on, and it's going to take some discussion at the Snapper Grouper Committee to define something that they expect each one of these areas to do.

I don't think that we want to get into this sunset concept where the law dies, the reg dies, and we -- because we can't manage it. We're creating something on paper that's guaranteed to fail.

Mr. Iarocci: Bill, also, and just, like I said to move on because I know everybody has got a timeframe here, I think pretty much everybody around the table has decided not to use sunset, and we're going to use reevaluation.

But to go back and change the record right now I think is a little tricky. But I think we can move on and everybody does know that we're going to do that.

Mr. Lee: In view of your concern, Bill, and some of the others, I'm wondering if we have created a box for ourselves by using five years. Is there a better timeframe? I mean, instead of five years, should we be saying ten years, which gives us a lot more --

Mr. Cole: To that point, clearly, ten years is far better. I mean, given the current accepted protocols in the federal government of getting any new research efforts on line, if we started today, you're looking at basically two and a half, three years before you're going to see the money and the personnel resources to do it.

So, yes, ten years is certainly better and particularly for species that live 20, 30 years. I mean, our existing success ratio with other FMPs is that it takes a life cycle of a species to really feel comfortable that we're anywhere getting close to restoration. So ten years is certainly better.

The problem with ten years is that when we were working with the Marine Protected Areas Advisory Panel, they wanted something at five years, and that was the accepted timeframe for them. Ten years was too long. So, it's a preference thing.

But the reality of the world we live in is that if we're going to stay with five years, then this Council is going to have to find some way of doing an evaluation at the five-year line to continue these things.

Obviously, ten years would be a lot better, but I think we're going to have a hard time selling that. Now, maybe it's an option to take to the public of five-year and ten-year intervals. Maybe that helps us get around the EIS type problems.

Mr. Iarocci: Thank you, Bill. That's what my next comment was going to be, and we have heard five years, we've heard ten years. Should we state, coming from the committee, to go to the Snapper Grouper Committee up for discussion, a timeframe of between five and ten years because then that would put them both on. What do you think about that? I'd like a little discussion, please.

Dr. Daniel: Yes, to that point, don't forget Roy's comments. I think they were right on the mark and it's something that I was going to touch on here in just a few minutes.

I would strongly recommend that we refer this issue to the Snapper Grouper Assessment Group and the SSC. I think there is a tremendous amount of discussion that's going to have to take place on how we are going to uniquely ascribe the benefits of marine protected areas to these heavily regulated fish stocks, if it can be done.

I would certainly suggest that we refer this to that group, that body, that we're not going to come up with any kind of an agreement or consensus here today on the timeframe and how these evaluations are going to take place.

Dr. Dean: I think Gregg very properly and precisely stated exactly what my concern was, and that is that it is clear in the record, it is simply clear in the record that the intent of the committee, as we sit today, is that we are talking about an evaluation process.

I agree with the concerns that Bill has about the timeframe, but I want to go back to what I said earlier. At five years, if we talk about an evaluation, it is appropriate at five years that we look at this; and if there is nothing in place that will let us evaluate at ten years whether we're achieving our objectives, I want to be able to put the flag up at that point in time.

I think Roy's comments about what we're looking at, that is what we should be able to do at five years. If we cannot address those concerns in five years, then we're in trouble. The fish are in trouble.

So, I will withdraw my motion as long as the record is abundantly clear, and I think it is now about that. And the second thing is the timeframe, and I agree with Louis, we pass it forward to Snapper Grouper and say do this, and I would suggest that it is up to the SSC, the AP and the Committee to develop a process to do an evaluation at five years and develop some criteria on which they can do that. Start working on it now, because it's going to be on us before you know it.

Mr. Iarocci: Thank you, Dr. Dean. Okay, I believe that will end up here; and if we could, before we do move on to some habitat discussion and Louis' -- David, please.

Lt. Cmdr. Cinalli: I was going to suggest I'd like to see Louis' motion go up on the board and go ahead and forward it. Now that we have this motion withdrawn, we can go ahead and -- if you want to make that a formal motion, then we'll go ahead and pass that.

Dr. Daniel: I'd say that would be by acclamation. I mean, we could say that's the way I think everybody was nodding their head in agreement, that would be the way to proceed, and I think that may be the easiest way to deal with it. I think nobody disagrees that that's the appropriate way to

move forward.

Mr. Iarocci: Thank you, Louis, and while we are done with this, like I said earlier, before we do move on, I would like to see some motions to deal with these so we can finish up with these sites and then move on into your presentation and some habitat discussion, also. So, if we could deal with these in the form of a motion right now.

**Dr. Daniel: I'm prepared to do that, if it's appropriate. I'll move that the Marine Protected Areas Committee recommends that the Snapper Grouper Committee consider use of MPAs to supplement management approaches to be considered for the deep water grouper and tilefish complex.**

**MPAs to consider are contained in the attached list of sites discussed and recommended by the Mega AP at their Charleston meeting. The list provides areas identified to protect habitats known to be inhabited by the deep water groupers and tilefish. Nominated sites not recommended will be held for possible future considerations.**

**The committee further recommends that the Snapper Grouper AP and Assessment Group review the data provided by MARMAP to determine if any additional sites may be reasonable candidates to further protect species of concern.**

**And finally, the Committee should forward with the concept of artificial refugia by endorsing Site NC-2. So moved.**

Mr. Iarocci: Thank you, Dr. Daniel. Do I have a second?

Mr. Lee: Yes, I'll second it.

Mr. Iarocci: Second by Wayne Lee. Discussion?

Mr. Love: Being we had six APs that were at this meeting yesterday, and we didn't have Calico Scallop and the Rock Shrimp, or the Shrimp APs, I think it might be a good idea if we named those six mega APs.

Dr. Daniel: Sure, absolutely.

Mr. Iarocci: Good point, Fulton. Thank you. Any further discussion?

Dr. Kimmel: Mr. Chairman, I'm curious about the wording of the first part of the motion. It says the

deep water grouper/tilefish complex.

Should we consider the deep water snapper grouper complex, which includes the groupers and the tilefish. That way it would give us more latitude to look for benefits and success.

Dr. Daniel: Well, I ran this through several folks yesterday, and that was the recommendation that was made. I mean, we have very clearly defined the deep water complex as being a deep water grouper/tilefish complex.

I think it's very well documented in all of our snapper grouper plans as being the golden tiles, the bluelines, the sands, then the snowy groupers, the mistys, the yellowedge, the snowys, the warsaws and the speckled hinds. So, I mean, that is a defined, concise group of fishes that we're dealing with here.

Mr. Lee: Also, I think this is consistent with our scoping document, too, in terms of how we've defined it in our scoping document, that those are the species that we're looking at. So, I concur with what Louis said.

Dr. Dean: Louis, in your motion recommending the Snapper Grouper AP and Assessment review data provided by MARMAP for additional sites, would you want to consider "and other sources"?

Dr. Daniel: Absolutely. No, I'm not trying to exclude any piece of evidence. In fact, I've got a few to cite here in a second that will make that a little clearer, but, yes, thank you.

Dr. Dean: If I may, Mr. Chairman, I'll go back to my earlier comment. I'm troubled with the report that NC-2 is included as an artificial site, and yet at that point in the meeting evidently the shallow water sites, we won't address those anymore.

I think we ought to say something about -- and, if we're going to endorse NC-1, then I want an SC-1 and I want a Georgia 1 and a Florida 1. You see?

I think there should be a consistency in what we're going about here and if we're talking about having a shallow water site that is going to specifically, for example, look at where the juvenile recruits are locating; therefore, it's essential that we have such sites, then we ought to do it consistently throughout the region, and I would just ask by endorsing an NC-2 and other possible sites in the region.

Dr. Daniel: Yes, I would have no problem with that perfection.

Dr. Dean: So it's just an addition, "And other possible sites in the region".

Dr. Kimmel: Yes, also yesterday there was concern about the lack of a site between Georgia and where the Florida sites now exist. So I don't know how to put this in there, but we need to recognize that there was that concern and those would be other alternative sites that might be included.

Dr. Daniel: I think that concern is handled in the previous paragraph, the one that we just discussed. I mean, it gives us that opportunity to go back to the Snapper Grouper AP and Assessment Group and give them an opportunity to use the new MARMAP data that George presented to us on -- whenever he presented it to us -- as well as any other sources that we may have; for example, the folks that we were talking about getting together with to determine if any of those sites were appropriate in the North Florida area.

So, I think this keeps the door open to give us that latitude to fill in those blank spaces and perhaps even make certain. I mean, my principal intent behind much of the language in here is to give us that opportunity now to go back and let's consolidate these sites and let's see what type of protection we're affording these different deep water complex, and are we missing some.

Say, we don't have any sites for misty grouper, but yet we've got some MARMAP data that suggests that there's one specific good misty grouper spawning site that could possibly be included as an MPA in these deep water areas; then that certainly would be an area that we would want to consider. If we're going to be serious about protecting these deep water groupers, let's try not to exclude anybody.

I think this gives us that opportunity, realizing again that we're early in the process and we've still got a fairly long review process ahead of us through snapper grouper.

Mr. Love: Tony, for the record, you don't think maybe we might to mention that there were 20 some odd sites and they are all still open for consideration.

Mr. Iarocci: Fulton, I did say that also in the opening. When I opened up the committee, I did state that, too, for the record. I wanted to get all that on the record.

Any further discussion? We do have a motion and a second, with a couple minor changes to this. I hope everybody totally understands it and where we're moving forward and this is the start of a lengthy process here.

I am going to call a vote on this if there is no further discussion. All those in favor of this motion, please raise your hand; all opposed. Passed. Thank you for this. Further motions?

**Mr. Cole:** Tony, it's very clear and we heard it in discussion on the last motion that we still have some undone business and some further work to do.

**If Kerry will roll up to the top of the next motion, I'm prepared to try to address where and how, this committee, how and where we go, having sent our first bunch on over to Snapper Grouper for action.**

**Therefore, Mr. Chairman, I'll move that the Council should continue to develop an integrated and ecologically-based network of MPAs as part of an ecosystem-based management program, with the principal focus on protecting and rebuilding all species of the snapper grouper complex.**

**Specifically, the Council should request that the Habitat, MPA and Snapper Grouper APs -- and Kerry, if I can, add Calico Scallop and Rock Shrimp there, too, please.**

Ms. O'Malley: Do you mean Coral as well? That is not on the list.

Mr. Cole: Yes, if you would. Let me start of that top of that.

**Specifically, the Council should request that the Habitat, MPA and Snapper Grouper, Calico Scallop, Rock Shrimp and Coral APs provide further input to the Snapper Grouper Committee and to the Council on actions needed to implement such a network, to include actions to protect and rebuild pertinent, pre-adult life history stages of severely overfished deep water snapper grouper species and actions to protect and rebuild pertinent life history stages for the other species of the complex.**

Dr. Daniel: Second.

Mr. Iarocci: We have a motion on the floor by Bill Cole, second by Louis Daniel. Any discussion please?

Lt. Cmdr. Cinalli: Thank you, Mr. Chair. Would you be opposed to adding the Law Enforcement AP as well?

Mr. Cole: Not at all, not at all, Kerry. And, Mr. Chairman, to that point, we have had an outstanding experience this week. One thing that those of us who have the fortune or misfortune sometimes of dealing with other councils quickly come to recognize what makes this Council stand out is our firm dedication to ourselves and to our advisory panels and our extensive use of using and

listening to and working with advisory panels.

I have attended other council meetings where they called the advisory panel there, and there are no council members there to discuss it with them. There's just staff, so the staff brings the recommendations forward.

I think that what this Council can long pride itself in, particularly over the years of the development of the Snapper Grouper Plan, is that we have the best advisory panel system in the country and we have, in my mind, the best advisors. Thank you.

Mr. Iarocci: To that point, Bill, I can look in the audience now and see some of our AP members that I'm very proud to work with, and they make my job, as chairman of this very controversial committee, a lot easier, and see them step forward to the plate and propose these sites in their areas and working with everybody -- no, I appreciate that and I just want to recognize that, also.

With that said, any further discussion on this minorly changed motion we have on the table, and we do have a first and a second. Okay, with that said, once again, I will call a vote on this.

All those in favor of this motion, please raise your hand; any opposed. All in favor, passed.

Thank you, I just wanted to get that on the record. Kerry, I believe we can now move into some habitat discussion before Dr. Daniel does his proposal.

Mr. Pugliese: Yes, and following up with Bill's comments about the advisory panels, I will compliment the Habitat and Coral Advisory Panels because we started the meeting with a full-blown Habitat Advisory Panel meeting in the beginning of the week and worked into our Advisory Panel review and beginning discussion on MPAs as well as with the Coral Panel.

They were here for the entire duration and did provide some additional general guidance and recommendations to the MPA process. I think it was probably encompassed to a great degree in the motions that have been just passed, but I'll just go through and reiterate some of these general concepts that were forwarded from the Habitat Advisory Panel as well as the Coral Advisory Panel as a second after we get through these first motions.

The first was to use an ecosystem basis for designating MPA networks, taking into account life histories and ecological processes in the snapper grouper complex.

The second was to protect all MPAs from all threats, both non-fishing and fishing, within jurisdictional limitations.

The third was to protect known spawning aggregations.

The fourth was to state clear goals of MPAs and MPA network and size those areas consistent with those goals.

Fifth was the Council should protect adequate spawning biomass and male biomass for each species in the complex.

And one specific to the deep water complex, to protect adequate habitat on the shelf break from North Carolina to Florida to protect deep water spawning, recognizing complexities and life history and ecology of the deep water complex.

And seven, that funding be provided to ensure that effective enforcement of MPAs will occur.

In addition, there was one additional motion that was forwarded on; that Council staff provide specific boundaries for those areas and information on the use of those areas of the species in the deep water complex.

The Coral Advisory Panel had one specific motion that was forwarded on, a general motion on MPAs, and was to charge the Council, when designating MPAs, that they maximize the spacial extent of coral or hard bottom habitat in those areas and minimize the impact thereto.

Those were forwarded from both the Habitat and Coral Advisory Panels for additional support and guidance into the MPA process; and from both panels, appreciation for getting deeper into this process at this point.

Mr. Iarocci: Definitely, and I did talk to Bill Cole about what went on during this meeting, and I think the Chairman and Co-chairperson should be congratulated for the work that their panel did put into this.

Like you said, right from Monday right to today, I think a lot of stuff was done and a lot of great work was put into this. With that said, Louis, unless there are any further comments on habitat, I think, Louis, if you would.

Dr. Daniel: Thank you, I appreciate you giving me some time. In North Carolina, this has been a real serious issue for us, and many of the reasons for that is because of some of the other actions that we've taken recently in North Carolina, and coming back with this concept of closing down areas.

And, particularly, if you look back at the history, back in the early '90s, when we came out with these large-scale closures; I mean, we're still fighting that concept and that perception today, that was what we were going out and trying to do again.

But what I think we've done here is we have very closely followed our stated intent in the scoping documents, Tony, and I think that's the best thing we could have done with this process.

I mean, there's no question that everything we've done to date very clearly follows that mandate. So, I think, probably, my biggest concern about this thing all along has been in some of the guesswork that's played in setting up some of these sites that have been done previously.

I think when you read some of the literature and you read some of the reports and you hear that -- you know, folks are quoted as saying or concede that some guesswork played heavily in the decisionmaking.

I read those types of comments in peer-reviewed refereed journals, and it worries me that we're going to go out and try to adopt management approaches that have a great potential to affect many people based on guesswork.

I think that's probably one of the most concerning aspects of it to me and so in order for us to develop a plan that's approvable, it's going to have to be concise, and it's going to have to be coherent.

I think we're going to have to go in and be able to measure our results and be able to do it relatively quickly if we want to proceed in this process that we're setting forth on.

So, I think it's critical that we find a mechanism, and it's going to take somebody a lot smarter than me to come up with a way to uniquely ascribe those successes or failures to MPAs with the myriad of existing regulations that we currently have on the books.

I mean, size limits, bag limits, closed seasons, spawning season closures, quotas, trip limits, et cetera, et cetera, some of that has been in place now for 10 years, 15 years, 20 years.

Those are some questions that are going to take our best folks to try to come up with some way of measuring those successes or failures.

But understanding that, this is only the first step. What we've done today is really taken the first step in what is a step-wise process to ultimately, I believe, develop a series of MPAs designed to protect all the species of the snapper grouper complex, their various life history stages and the habitats associated with those critical life history stages and adult stages.

So, really, I wanted to just -- I'm going to do this really briefly. I'm not going to go into the detail that I was going to go into because I think we've discussed a lot of it already.

But in my opinion, the primary issue that has confounded a consensus opinion among the Council members on the utility of MPAs in large degree is an enforcement issue.

I don't believe anyone could argue that enforceable MPAs would not be a tremendous asset to snapper grouper management. But there's no question in my mind that MPAs designed to protect the deep water groupers that are, at least for our area, going to be 30 to 80 miles offshore are mostly unenforceable.

Deep water marine protected areas aimed at protecting those groupers such as the snowys and the speckled hind, warsaws, as well as the tilefishes, will fail if implemented by themselves.

It's clear, based on the current stock status report from NMFS and several refereed journal articles, that some of these species are severely overfished, and bycatch during closed seasons or after quotas have been met are mortalities due to the depths in which they occur.

So, we're not getting any benefit from those closures. The bottom line is there needs to be a way to couple MPAs with our traditional management approaches to minimize an incentive to poach and essentially provide dockside enforcement of an offshore marine protected area.

We've taken this concept. We've always talked about MPAs being a tool in the toolbox -- which I hate that term -- but it's a management tool that can be used to supplement other measures.

The scoping document that we went out to the public with indicated that we were primarily interested and dedicated to developing MPAs for the deep water species of concern.

The first step in this process, once it goes to Snapper Grouper now, should be to examine the current stock status for the eight or so species in that deep water complex that we discussed and develop criteria that would kick in a requirement for a spawning season closure to protect these spawning aggregations.

That may be done through control rule parameters. It could be done through even using SPR values. But, it also sets a stage to provide for some consistency in how we start to manage this snapper grouper complex now.

We've managed it inconsistently for long enough. I mean, we've got, arguably, the most abundant

mid-shelf species in red porgy and we've got a moratorium on that stock. Yet we promote a directed harvest on snowy groupers with a 2,500 pound trip limit, and arguably they're the most depressed stock that we're dealing with in the snapper grouper complex.

So it may provide us a mechanism to provide some consistency in the way we're managing that stock. I mean, it's not a new approach.

This is not something earth shattering or rocket science or anything that we haven't really discussed before. But we currently have a spawning closure for gag during March and April with only the bag limit permitted during those times.

But that action really does nothing to reduce the effort in the recreational charter section, and also it doesn't permit the commercial harvest and retention until when the season opens on May 1st when they can be sold.

Also, a seasonal closure by itself does nothing to protect well- defined spawning aggregations that can be the target of not only recreational and commercial effort, but generate discards when they're targeting other species.

So, marine protected areas should be a tool used to supplement spawning season closures by developing marine protected areas on well-defined areas that support deep water aggregations, be they spawning or otherwise.

The goal would be to protect those aggregations as well as the specific habitat that draws the particular species to that location to feed or to spawn or whyever they're there.

Other species in the management unit may also be protected as well by that type of approach. A specific example, using a site that we have now adopted, is the Site C, or what was Site C -- it's now NC-1 -- a deep water area located sixty or so miles off Cape Fear in 3,4, 500 feet of water.

The site appears to be very near an important area where snowy grouper spawn, where they aggregate in large numbers. The recent SPR for snowy groupers is around 15 percent and the target is 45. Clearly, a goal of the Council is, and should be, to protect this severely overfished stock by some measures other than directed harvest with a 2,500 pound trip limit.

So, Area C, as shown to be a location critical to snowy grouper spawning aggregations, is a reasonable candidate as a snowy grouper MPA; coupled with if we had a spawning season closure that closed all harvest and possession through the snapper grouper FMP that removes the incentive to poach the area while the MPA, enforced or not, would reduce effort in the area and be a hammer

for habitat protection.

Designation as an MPA would result not only in reduced discards of snowy grouper during the closure, but mortality on harvest of other species in the MPA while protecting that habitat by preventing bottom-disturbing activities.

So, what I see in this process is that if these MPAs, if used by themselves, in my opinion, are not going to help us out. And I think some of the discussions that we had -- Ken Lindeman brought it up yesterday -- was map the areas, the hard bottom areas or the areas where snapper grouper occur off the South Atlantic and then compare the areas that we've closed down or propose to close down through the MPA. It's certainly less than one percent, I would submit.

But what I foresee us moving forward with is an amendment to the snapper grouper plan that deals with these deep water groupers after it has come through the assessment group and the SSC as to which are the most severely overfished; implement spawning season closures on those groups, and then have these MPAs to protect those aggregations as they occur.

And that's why it was so important, I think, in that original motion to have the ability now to go back in with this new MARMAP data that we received on Thursday afternoon, and many of these other sources of information, to make sure that we've covered all those species that we are going to show to have concern for.

I mean, based on what I've seen thus far -- and Kerry is working on putting together a table of the deep water complex with current SPR's and future SPR's and hopefully, we'll have some biomass-based estimates of abundance, which I think when we start to see the biomass-based abundance estimates like we did for red pogy, I think we're all going to be real surprised on the status of the deep water complex.

It's going to take, perhaps, even more than what we're proposing to do now to meet the mandates of the Magnuson-Stevens Act and rebuild some of these overfished stocks.

But I want that on the record, Tony. I think it's an important concept. The biggest concern that I've had all along is we go out and say, "Boy, that's a pretty piece of bottom and there's a lot of stuff that lives there, let's close it, that's a good MPA".

I think at this particular point in our history of this process, it's the worst type of MPA; that when we can set up specific MPAs that we know are species-specific and have that as supplemental to the spawning season closures, it gives us an opportunity now to move forward with this concept, to get these areas out there, get them on the charts, get people used to seeing these areas out there and then

have that review process in place to look at how they're affecting us; and then, ultimately, you know, begin to gradually move inshore so that we can protect the other species.

So, I would like to be able to present this to the Snapper Grouper Committee. I think it's going to take a lot of work by the Assessment Group, the SSC. I think we're going to have to understand -- in talking to Gregg, this is going to delay us a little bit, but I think the delay is justified.

I think the delay will give us an opportunity to perhaps add more sites, perhaps take a little more aggressive role in protecting these deep water groupers.

Mr. Iarocci: Thank you, Louis. I think you did a great job with that, and I'd like to see if Council could get that printed up and get it to everyone concerned so they have that beforehand to read into it and have it so they'll have the knowledge to do that.

It is very important to do that and thanks for taking the extra time. Like I said earlier, having committee members that's putting so much work into moving forward with this, it's great.

Mr. Lee: Mr. Chairman, I'm wondering, Louis, if we shouldn't make your proposal in the form of a motion to be moved forward from this committee, along with our other recommendations, as part of the consideration and review?

Dr. Daniel: I think we did. I mean, I think we said to use them as a supplemental management tool and that language was in that first motion intentionally to, hopefully, move forward with this concept.

I mean, I can tell you from looking at some of this information on these deep water groupers, that these little six or seven or eight MPAs, it ain't going to restore the deep water grouper complex. We're going to have to do more, and I think we've set the stage.

I think we've got a lot of snapper grouper members here. I think we can generate some interest with the scientific community as well as our APs. I think they'll take the ball and run with it.

I feel fairly comfortable with the way we've moved with it at this point, and we'll see in Charleston in three weeks or whenever we're going to be back; push it further then.

Mr. Lee: My concern though, Louis, I realize we left some words in that motion, but you've laid out a fairly, kind of a detailed process on the spawning area closures.

My concern was that specific language or piece of paper, or however you want to get it, is part of the

administrative record coming out of here. That was what I was trying to address.

Dr. Daniel: I'll get copies of that to Joe for the record as well as maybe clean it up a little bit and have it for your committee in September, so that, hopefully, we can begin to address it in that way.

As a member of the Snapper Grouper, I certainly don't intend on letting it die here on the vine, and I hope you, as the Chairman, will give me the latitude to move it forward as you see fit.

Mr. Lee: I certainly will do the best we can there. That's why I wanted to make it part of the administrative record.

Mr. Iarocci: Thank you, Wayne, and with the changes in the committee members that our Council Chairman, Fulton Love, has put through, I think you're going to see a closer working of all the committees, with the members working jointly together on the committees and then also following and working closer with the advisory panels.

Any further discussion on Louis' comments? If not, that goes through into Other Business, and the first thing I'd like to bring up is where we're going to go from here with getting the list out to the public, maybe a media release or something like that because by now, probably, word has filtered out to different areas about what's going on in certain areas, and I know Kim is going to have quite a job doing that.

I'd like to make sure that we do get the proper word out, once again, so we're not playing backup to some media that got out there and it's totally wrong. So I'd like to see if we could get some discussion on that.

Mr. Cole: What definition precisely would Kim give to the media? We're only recommending for further consideration to another committee a series of sites. There has been no Council action. I don't want to get ourselves into what we just got ourselves out of.

I certainly, as a Council member, don't want to incur the wrath of several other Council members that we incurred with the last thing. So, I just think that Kim, if anything, just to the media -- and I'm not trying to be evasive or dishonest about this, but there's a lot of work.

The committee has got to take some action on this and probably refer it for further work. It's just premature to mislead the public that these lines, however they're drawn here for our working use, are anything real at this time.

I'm just very nervous without Full Council attention to what goes out, particularly since we've had so many problems with lines on maps.

Mr. Iarocci: Bill, that's my specific point that I was trying to make. That's what I wanted to get because Kim has been doing a fantastic job.

The stuff that she has put out right now, I've been handing out throughout the Keys, and I mean everybody is going bonkers over this stuff. It's fantastic, Kim. I have to publicly thank you for the job you've done getting the regulations and the updates out.

It has helped me tremendously down in the Keys and in my area. But also, Bill, that's the kind of comment I wanted to get out because you know the rumors are going to start flying, and specifically what you said is what we need to get out to the people.

This is a starting point here. This is where it's at. Nothing is set in stone. The lines are right there. They're on the map, but this is what we're doing with it, and that's what we have to get out.

Dr. Crabtree: I just wanted to emphasize that, because I think it's crucial. Whatever we put out, let's be very clear that no action has been taken, we're very early in this process, because I know my phone will certainly start ringing off the hook.

Mr. Iarocci: Didn't we concur earlier that people in Florida that were going to be making phone calls, we were going to have them call Ebbie LeMaster, right? Is that what we talked about?

Dr. Crabtree: I think they still have Ken Haddad's phone number, don't they?

Dr. Daniel: I just think we really have followed our scoping document to the letter, I think, and I think that's the press release.

I mean, I think to be able to go out and say that the MPA Committee has now made recommendation that is very consistent with the goals and objectives put forward to the public through the scoping document and has recommended some preliminary sites to address the deep water grouper/tilefish complex, and those sites will be continually reviewed and modified as these other groups see fit.

I don't think we need to put out a map with a bunch of boxes on it saying that these are the new MPAs, which is just going to be a lightening rod. That's the story, to me.

Ms. O'Malley: Just for staff direction, we have not, in this process, made official maps that go out in a news release or anything, but through the work that we've had to do with the AP and people's clarification, we have had to put the last round of sites on charts.

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We do get requests and we get phone calls all the time, "I can't tell you about this site unless I see it on a chart". Just many phone calls.

I'm not sure what the direction is on how to handle that when those situations come up then because we, Kim and I, both worry about being evasive. So I would appreciate some direction on that.

Dr. Dean: I want to follow up with a comment that Bill made and concur as part of this process, and I think we have to emphasize process, the next step in the process is that it does go to the Snapper Grouper Committee, and one of the things that committee has to do and must do is, in fact, now move to using the criteria that are in our documentation.

They need to develop a metric -- the AP and the Committee need to develop some kind of scaling system that they can apply to that, because until then we cannot do a good comparison and have a rationale.

There's a lot of work yet to be done and there's a lot of opportunity for public input along the way. I think that the reality is that the maps are going to be -- these sites are identified now as very public and I think that we're going to take those sites out for public comment.

I think that we ought to put them on some document that we can live with work with and make it available and say, yes, these are the sites. But also we follow up and say but, you know, the others are still in the game. We just are not addressing them at this point. Something along those lines, but we want to keep the process as transparent and as inclusive as possible.

Mr. LeMaster: Thank you, Mr. Chairman. When we talked about the Islamorada Hump, I didn't have anything to say about that, but that is the major problem we have in Florida, all over Florida, that -- I think I gave the clippings to Fulton that our deliberations about the Islamorada Hump were written up in every major newspaper in Florida from north to south.

People asked me in Jacksonville why we would consider the Islamorada Hump when the only problem there is the commercial harvest of amberjack, why we don't control that, stop that, during the spawn and then we've essentially fixed the problem.

But we've now included this on our list, and Tony is going to get back to the Florida Keys before I will. Roy is going to have to respond next week to the Florida Fish and Wildlife Conservation Commission, and I'm going to have to respond everywhere I go as to why we've done this.

I don't know how to answer it. The problem with the Islamorada Hump is the commercial harvest of amberjack, period. There isn't any other problem with it. It is the life of that small village at

Islamorada.

It means everything to them, the use of that hump. It's accessible to recreational and commercial fishermen, it's inshore. As I mentioned one time before, somebody told me a long time ago that you don't want to get in a fist fight with a skunk, and that's what we're doing here in these issues.

We're getting into a major public relations battle over something that I'm not sure we ought to be doing. That's not in the form of a motion. That's just an observation. I think Tony would have been mad if I hadn't made it.

Mr. Iarocci: Thank you, Ebbie. I was wondering, you've been awful quiet through this whole thing and I was wondering when you were going to speak up to this.

But just to add to that, I did make a phone call yesterday morning down there, and all over the local radio stations, both stations, this meeting was being broadcasted and the main topic was discussion of the Islamorada Hump and how it would affect the local economy in the Islamorada area.

So, just to let you know, it is already being discussed, but none of the outcomes of the meetings. Ebbie, exactly what we're going through and -- I mean, I hope that you realize what's happened the last couple days also, that this is up for discussion.

It is nothing set in stone and these people now -- and they have been involved in this process -- are going to be even more so involved in the process and have to be involved in this process. They're going to have to come to the meetings.

They're going to have to get involved. The Islamorada Charter Boat Association has been at the table with this thing. We're going to have to work really closely with those people in the area. They know. They've played the game down there through the Florida Keys National Marine Sanctuary.

I've got, like I said earlier, Dan Kipnis. I think Roger and Jim, who we will hear from shortly, are going to be involved in that, any of the site areas that we're dealing with.

I know it is important, as Dr. Crabtree stated, in our area too, but we have to look at our whole realm of site areas right now.

It's all important to the people in that area, and we have to be site specific when dealing with that.

Yes, the Islamorada Hump is very important to myself, Ebbie and Roy, but all these sites are important to the Council as a whole, because we represent everybody.

Those sites are something we're all going to have to deal with in the future. Kim, also, I'd like to add, if we could, maybe prioritize some of the things to get out into the media; number one, the importance of enforcement that a lot of the people have been saying since day one; number two, the Type II preference on some of the sites that will allow some fishing, so it doesn't look like we're considering the one type or something like that.

If there are any other ways that the Council can get the word out from the Committee right now, I'd like to hear it.

Mr. Cole: Well, if we're going to send out something, okay, we are making a recommendation to a sister committee. That sister committee has got to take some actions; and until they've taken it and until they take their recommendation to the Full Council, this is all still very, very, very preliminary.

I don't think we need to get the skunks aggravated any more than we have to here by putting out any perception that lines on a map are anything much more than something that we've asked another committee to consider. I'm just very leery of that.

Please do not, Tony, any of us here, forget the last conversation that this Council had over the last news release that got out in the public. I caution you, please.

Mr. Iarocci: Bill, that's specifically the point I'm addressing here, and that's why I want to try to make Kim's job as easy as possible and as short and brief and concise and to the point as we can get out to the public so that doesn't happen again.

Mr. Waugh: On this subject of what's going out to the public, it's not our intent to prepare a press release before the Council meeting.

What we're going to be focusing on now is preparing the materials that will go from this committee to the Snapper Grouper Committee.

Tomorrow is the first day of September and on September 11th is our schedule for getting out an additional briefing book mailing to the Council in preparation for our Council meeting that starts on the 17th.

So that will be our focus. As a part of that briefing package will be all the support materials going from this committee to the Snapper Grouper Committee. That will, indeed, include charts and all the background material.

Once we have that ready and distributed to the Council members, then anybody that requests that

can get a copy of that material because all our materials are available to the public.

But we don't intend to do a separate press release or any specific activity with the press prior to our Council meeting, but certainly in asking questions we will be very careful to couch this in terms of exactly where we are in the process.

Anyone that wants copies of materials after they're available and distributed to the Council, they will be available for distribution.

Mr. Iarocci: Thank you, Gregg, because there will be plenty of questions, and I know Kim's phone is going to be ringing off the hook like a lot of us.

Dr. Dean: I would like to take one more run at Louis' cat on the road. I will, for hypothetical purposes, take Ebbie's comments at absolutely face value, as fact, this is why we need to use the criteria.

If it is as Ebbie says and you apply the criteria on the selection of an MPA site, then the Islamorada Hump would fall off as a low -- it would not have a priority, if I remember the criteria and we go through that, you see.

It could not have enough weight if that is the sole issue; whereas, by the same token, if we look at Louis' inshore site, which I threw some low salinity water on earlier, it could show that, in fact, these sites are very critical for juvenile recruitment for these species, in which case it would bump it up in value.

That's why we have to have some numerical weighting given to the criteria that the committee needs to develop and then apply those to the different sites, and I think a good way to look at this as an initial value is to go back and look at the Gray's Reef nomination, where they used the criteria in the development of their nomination. Thank you.

Mr. Love: I'd just encourage Kim and Kerry or anybody else that gets phone calls to be up front. The Council doesn't want to lose credibility with putting out gray areas here.

We want to let the public know what they're up against and give the public any opportunity to come forward and debate this thing. We don't want to put out a smoke screen of what we're thinking about and what may happen, and I think it would behoove this Council to be real straightforward with anything that people ask. If it's the Islamorada Hump thing or whatever, I think we should tell the truth, the whole truth, and nothing but the truth.

Mr. LeMaster: Thank you, Mr. Chairman. So far as the Islamorada Hump is concerned -- and I mainly do this because I feel protective of Tony, and he's going to be back down there -- I don't think it's the intent of this committee to infer in any way -- and this is just a public relations comment -- that we're going to recommend that the Islamorada Hump be closed to fishing.

I think if we can honestly say that as a group, that that's not our intent to close the Islamorada Hump to fishing, which is what is rumored and is being written up in the newspapers in Florida, but it is our intent to protect certain overfished species that are located there, everybody will understand that.

If we can just say we don't intend to recommend in any way that the Islamorada Hump will be closed to recreational or commercial fishing, but just to protect certain species that are located there that are overfished, we've solved the problem. If Tony can tell people that and if I can and Roy and others, that's what we're trying to do, they'll buy that, I think.

Mr. Love: A question. Isn't that what we are doing? We are saying that and I think that --

Mr. LeMaster: That's exactly what we're doing, but that's not what they think we're doing.

Mr. Love: Right. But if we are thinking about closing it to all fishing except for trolling, because I think the Type II is what we're looking at, I don't think we need to send them false hope if that's what we intend to do.

We may change our minds somewhere down the line, but I think we need to be straightforward and let people know what the intent is. It may be that we don't -- like John said, it may fall out of the cracks.

But at this time, I think it would be wrong not to let people know what the intent is and if they -- just like I read through a bunch of the stuff you gave me, and there is a lot of concern about it, but I think we still need to be truthful with them.

Ms. O'Malley: Yes, just a couple points. I will go back and make sure I pull out from the minutes from the Advisory Panel meeting -- and a lot of you were here for the discussion on that particular area, the Islamorada Hump.

The advisory panels did find some utility to protect the deep water snapper grouper species, not just amberjack, and that came out and so I don't think it's just an amberjack issue.

At least that's the direction we got from the advisory panels. I will make sure you have that information in front of you, again, for the Snapper Grouper Committee meeting.

Also, Ebbie, to your point, you know, Kim and I spend an incredible amount of time on the phone with the press, and I've been to the Keys so many times now it's not even fun anymore down there, talking to people.

I think they're always going to report that we're closing down fishing. We have done our absolute best to make sure that the Council's position is told to the press, but the press reports what sells newspapers.

I don't see any way around that. It's clearly stated in the record that this committee has recommended it being a Type II, and we will make sure they understand the definition of a Type II marine protected area. But as far as what's reported in the paper, I, for one, can speak, it's usually not what you tell them.

Mr. Iarocci: Thank you, Kerry. Before I address Fulton, I just want to say I hated missing the Habitat meeting Monday and Tuesday, but I was up in Woods Hole at an MPA symposium. The first day I was sitting in the audience, and a Mid-Atlantic member of the Recreational Fishing Alliance asked a question of a panel that was up.

There was a bunch of people, staffers and people from NOAA and NMFS at the front table, and he adamantly got up there and said that the South Atlantic Council is closing off vast areas, big areas, to their members and their fishermen and closing off recreational fishing areas.

He went through this whole thing and everybody was like -- they did not understand what was going on. I raised my hand and got up and went through exactly what the South Atlantic Council was doing and our process and the involvement and this meeting that we were holding on right now.

I can't begin to tell you -- I mean, the RFA people just slouched lower and lower in their seats as I spoke -- at the break and later on throughout the day how many people did come up and supported what the South Atlantic Council was doing and how they were dealing with the people and going forward with that.

A lot of the people had followed a little bit but didn't know exactly what was going on, and they were amazed that the Council was taking on a meeting, a Mega AP meeting, where you had 75 people in the same room and dealing with like 25 sites.

They thought that was unbelievable or incomprehensible where we could even think about doing that. But when you look at where we are today and how we pulled this off, I'm still utterly amazed and very thankful.

Mr. Love: Kerry, don't we have to look at the economic impact on communities with these, too, and see -- the Islamorada Hump will come into play in that, too.

Mr. Lee: Thank you, Mr. Chairman. The issue of marine protected areas is so contentious, and there's so much bad information out there, I don't think that there's anything that we could do or write that is going to stop the newspapers and the advocacy groups that are against MPAs from saying what they want to say about our process.

I think what Fulton said a while ago is very important, that we share with the public, we share with the people precisely what we're doing, how we're trying to do that, and the chips are going to fall from that point in time.

I just don't think we can cut off the criticism. I think it's going to stay there all through this process, but I think if our course -- if we all understand what we're doing and where we're going and we are honest with the public on our process, I think we'll end up, in the long run, of being successful.

Mr. LeMaster: I don't want to make it appear that I'm critical of the way that the Council has handled this; I'm not. I think it's been handled very well. But I think this is a major political issue. It's not a scientific issue right now; it's a political issue and it's going to get worse.

Even though our Council has advised the press accurately as to what's going on or what's going to happen, I'll guarantee that tomorrow the newspapers will report that this Council -- It's not the Council, but they will refer to it as the Council -- has decided to leave the Islamorada Hump on the list.

That's the way they're going to report it, and it's not true, but that's the reason it's going to become a major political issue in Florida; and that's what I'm cautioning you about, that when we go forward with these things, that there's our part, which is the scientific and the practical part of it, and then there's the political part.

This thing is going to have major repercussions as it goes forward, even though it's inaccurate what's reported, and I just caution you on that.

Dr. Kimmel: Yes, just to add to the record and maybe some advice when you go out to the public with the Islamorada Hump statements, the Islamorada Hump encompasses a much larger area than what the committees and the advisory panels over the days have talked about considering as a marine protected area.

We're not suggesting the entire Islamorada Hump as an MPA, but only a portion of it. Again, we need to let them know that we're real flexible about whatever boundaries we might choose in that area.

Mr. Iarocci: Thank you, Joe. If there's no further discussion on this, we are getting to break time, and we are moving right along. I would love to, since we do have Roger Griffis and Jim Bohnsack in the audience, if they could each give us a quick update.

If the committee would like to keep moving forward or take a short break, or you guys want to keep moving on -- all right, let's take 15-minute break and then we can come back.

(Whereupon, a short recess was taken.)

Mr. Iarocci: I'd like to call this meeting back to order; and if I could start with Roger Griffis, who will give us a short update on what's going on with the executive order, followed by Jim Bohnsack, please.

Mr. Griffis: Thank you, Tony and everyone. It's a pleasure to be here. I always enjoy coming down to be with you all. My name is Roger Griffis. I work with NOAA and I'm involved in development of this new Marine Protected Areas Center that NOAA is developing.

It's a partnership with the National Marine Fisheries Service, the National Ocean Service, Department of the Interior, and we're hoping many other partners as well.

Its goal, for those of you that aren't familiar with it, NOAA was required by the MPA Executive Order that was signed back in May of 2000 to develop an MPA center, one of several tasks to implement this order, to help provide support and help fill some of the science and other gaps related to MPAs so that decisionmakers and authorities, both on the federal and state and other level, would have the necessary tools to evaluate how to use these variety of things we call marine protected areas.

So, I just wanted to be clear for people that this is not some new authority that's going to come down and be designating anything. It has no authority to designate anything.

In fact, it's whole mission is to provide tools and support for those of you, the Councils and the states and others, that do have that authority, given that this tool, marine protected areas, seems to have some merit.

We, obviously, have many needs to evaluate how to best use that and you all are intimately familiar

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with that in your proceedings. So, I guess, Tony, you wanted me to give just a brief update on a very interesting and productive workshop up at Woods Hole, Monday through Wednesday.

Nearly 200 people came together. What began as a workshop to look at the science behind the design and implementation of marine protected areas for a variety of reasons, whether it be fisheries or other, the organizers, which was the Woods Hole Oceanographic Institute and its new Ocean Life Institute initially thought they'd get a few scientists and fishers together and have a small meeting.

They were overwhelmed by the response, and I think, as you know, it's a testimony to the interest and a lot of the work that's going on in this area.

So, 200 people later, they had what I thought was a very productive symposium; presentations by fishery management council members, people from the industry, scientists from all different walks of life, oceanography to genetics to social science, talking about what do we know, what we don't know, what have our experiences been.

I wanted to summarize just a couple things that really stood out in my mind -- and actually I want to first praise you all, because many of the lessons -- people are talking about lessons and how do we go about evaluating how to use this tool in a number of contexts.

The things you're dealing with here and the discussion you've had in the past two days since I've been with you since noon tomorrow, you all have captured and are very aware of those lessons.

I guess many of you would, if you had been at this meeting, been nodding your heads saying, boy, we all know that already down in the South Atlantic.

I'm not trying to trivialize the workshop, but I think the power here is to say you all are clearly on course, and you're wrestling with the very issues that other people are identifying from other systems.

One of the conclusions from the meeting was obviously that these marine protected areas can be powerful tools. It all depends on what the job is and what the task is, and so the question is how do you use it. There were a number of examples thrown out.

And the caveats were these. One, that these are not silver bullets -- and I was trying to do some overheads. It would have been all cartoons for you, but the first one would have been the big red circle with a line through it over the bullet and I think you've captured that well.

I think Dr. Daniel captured that in your statements. These are not silver bullets. There was a

misimpression by some of the industry folks that were at the meeting that somehow people were proposing that we should abandon traditional fishing management efforts and do MPAs instead.

It became abundantly clear that no one is proposing that. In fact, that would be fairly suicidal, I think, for resource management. So, MPAs are not silver bullets, and the whole discussion was how might this tool be useful in supplementing and augmenting the traditional tools.

I think some of the most powerful examples came out of the Georges Bank in the New England Council Fishery Management examples that the closed areas on Georges Bank were, in addition to massive cuts in effort and restrictions through the traditional measures -- and it's very interesting.

A lot of people are saying, wow, putting in those closed area up in the Georges Bank helped solve or solved the problem and had these huge impacts.

Well, the important discussion there was, yes, there were huge results, but that those closed areas were a package of things that were done, and I think Dr. Daniel, rightly, and other people have indicated the need for these monitoring and assessment efforts through time, so you can not only know what direct effects the MPA has had.

We hope that there will be some direct effects on fish growth and recruitment and that kind of thing, but it doesn't mean we can abandon then the -- these will always be combined with other measures on take size or effort and that kind of thing, and we've got to be sure that that's understood as well.

It was very clear that obviously the education and outreach and involvement of the constituents is critical. Again, a lot of examples from the New England region where much of the monitoring that's going on after measures have been put in place has actually been done in partnership with or by members of the industry in helping assess the impacts of those things.

There was a lot of discussion about how you then monitor and evaluate the effectiveness, and I was very pleased that you all are obviously acutely aware of the need to do that.

I think it's critical and I think all the other examples that were presented at this meeting confirm this, that we've got to set some deadlines for ourselves to do that kind of monitoring and assessment.

Otherwise, it becomes, unfortunately, the last thing that we allocate funding for, and if I could just completely support your discussion on this five-year assessment.

It becomes then -- the message that you send is that this is part of the priority that has to be considered, and it obviously then becomes part of hopefully the funding decision process as well.

So, those were the points I wanted to make and I'd be happy to provide the materials from the meeting to the staff if you'd like. It was a powerful presentation of current science.

I'll leave you with one last thought. There were a number of examples from the Tortugas, the Channel Islands in California. As many of you are probably aware, the state of California is trying to develop a network of marine reserves for the entire length of the state and wrestling with how do you do something like that to meet a variety of needs, biodiversity to fisheries.

It was interesting. People were talking a lot about how do you -- what's the next generation of tools to both involve people in the discussion and to visually lay out the incredible amount of information that one needs to have an intelligent conversation about this.

Each of these examples -- people talked about the Tortugas as being a success because they are, as I remember it -- Tony, you can correct me -- but early, early on they were laying over transparencies where people had kind of hand drawn and filled in little boxes to say, "Well, I fish here and this is where we think the coral is" and laying all this on top of each other.

People were talking about the Channel Islands process where they did this very interactively using computers and laying over information. My point here is, these potentially -- what are those next tools?

It may seem simple, but how do we design systems that allow us to bring in information from both fishers and scientists and then see it almost in this electronic age, see it quickly, and then have the ability, as you all are doing, is to quickly put it on a map and maybe even as we change box sizes or change location, have it kick out for us the implications.

You all, I think, talked yesterday about the need to go back and look at the impact of what you've drawn on how much area have you captured or not captured and what types.

I think that's an area that we certainly want to look at and would like -- in our talking with your folks, to say as you go forward in this process, what additional tools would you need or what you have wanted had you to start this over -- hopefully, you don't start over -- that would have made it easier for you, from simple maps to decision support tools. So, I'll end at that and thank you again for letting me be here.

Mr. Iarocci: Thank you, Roger, and briefly, if you could, because I've had some questions on the executive order and what's going on with the new advisory panel and number, the amount of people that are going to be on it and different things like that and what's going on with that, if you could.

Mr. Griffis: Okay, as you know, the Bush Administration decided to retain and go forward with the executive order. That announcement came in June.

In doing so, they said they wanted to form this federal advisory committee to advise the Secretary's of Commerce and Interior on issues related to marine protected areas and they have called for nominations.

The nomination period is open until September 15th for potential members to that advisory committee, and there were about 300 people nominated in the first round about a year ago.

So, those people before, and any new nominations, will all be combined into one pool and we'll go through a review and selection process again over the next couple months. The size of the committee is somewhere around 25 to 30.

It's fairly open at this point and we're hoping to get lots of nominations. We have lots in hand, but looking forward to new ones.

Mr. Iarocci: Thank you, Roger. Are there any questions?

Mr. Love: Roger, I think a good tool that all the councils could use in working with MPAs, if we had a track record of successes and failures, like the success of the sea scallop, how good it turned out. I don't know of any failures, but if there are, it would help us in planning for the future to try and not make the same mistakes.

Mr. Iarocci: Thank you, Fulton. Anyone else? Thank you, Roger, very much. Dr. Bohnsack, please, if you could.

Dr. Bohnsack: I'll try not to be redundant. I should point out this was a three-day, very intense meeting. The science is exploding and as a scientist, even I can't keep up, and that's supposed to be my job for the last ten years thanks to the South Atlantic Council. You put me in this business.

But all I can say is the economics, the social science, oceanography, genetics, models, the tools, the habitat, biology, there are all kinds of papers presented.

I mean, it's just very hard to keep up with the advancements being made on a scientific level and they pretty much generally are very positive that this is an important tool to use.

The reason I had that on there is to strongly urge that I show this for the Council. It's part of your

education process when you deal with the public. So, let me do it before it disappears off the computer here. It's a very simple model of reserves. I'm just going to show this. It just takes a second to do this.

It's about a fish reserve, the idea being that you remove fishing, bycatch, and any habitat effects of fishing for a fishery reserve, the first point being that you have growth within the reserve.

The fish grow and at fishing grounds they tend to grow and get caught. I'm saying this maybe in a public outreach tool you might want to try to use it to help visualize it versus explain it.

The idea, over time abundance increases in a marine reserve because there's less mortality, whereas in the fishing grounds, fish tend to get removed. The next phase, you tend to get increased diversity.

The more vulnerable species that disappeared years ago have a chance to recolonize and reoccupy the area, perhaps. So, diversity increase in a reserve compared to fishing grounds. And, of course, the spill-over effect, the fishes don't know the boundary.

They tend to move from a high density to a low density area and plus there's more food in the fishing grounds. They tend to wander out, the spill-over effect. There's a lot of interest in fishing. The most important, of course, is the increased reproductive potential and maintaining the population both in the reserve and the fishing grounds.

There's higher biomass, more fish, increased reproduction. The larvae are carried and dispersed by natural process ocean currents where the fish tend to settle out.

Some of them would settle back into the reserve. Some of them would be dispersed into the fishing grounds, which would provide the primary benefit to fishing, and some, of course, get dispersed very far away from the reserves itself.

So, it's a very simple visual model to help explain the process. I know you all understand it, but maybe it's one way to reach the public; and if you put it on your web, it's certainly available to you.

I should apologize. I'm your scientific representative from the National Marine Fisheries Service and because of our restrictions, I've not been able to come to all your meetings. So, this is the first time in a year and a half I've been here. But we are available to try to give you technical advice or information if you need it. So please use us.

Back to the meeting. The major themes were importance of precautionary, preventative

management and ecosystem management. I think there's pretty much consensus that this needs to be used as an ecosystem management tool.

Adaptive management is important. We're still developing the science, so each area should be looked at and treated as a spatial experiment, including the fishing grounds for spatial experiments, so we improve with knowledge, we adapt.

You're doing this with your five-year review process. You learn as we go along and try to do a better job. It's a social process as well as I just showed you the biological process. There's a social process involved.

Emphasis on representatives, habitat, and network design. I think you all have that concept. That was emphasized by many, many talks. It was also strongly emphasized, including the fishing community, especially, that you need to look both inside and outside.

This is not a tool by itself. It's in conjunction with other fishery management tools. I think you all understand that, and it must be linked and it's quite often -- and you're treating it as a separate tool still, and that was one of the concerns they have.

You have to look at the whole package and I think several of you have commented. I think Dr. Daniel did that also.

There was some concern on the role of single species management and how it works. Scale is important, a lot of talk of the Channel Islands. I just showed you the preferred alternative. It just came out last week. Several talks brought that up.

One of the dichotomies that the councils may need to deal with is they recognize that biodiversity goals may differ from fishery management goals, and clearly the councils are very focused on fishery management.

There was a lot of thought that fishery goals may benefit biodiversity goals and biodiversity goals may have minimal impact on fishery goals.

So, there's certainly room to work there and that one's probably going to be a lot of focus on future efforts, how to bring those two camps or concepts together.

And finally, there's a lot of talk -- the paper that's in your group from Jeremy Jackson et. al. in Science in July about changes in the past; that what we look at in the present may have no indication of what was there in the past or any indication of the future potential, and I think several talks

brought that up.

We call it the creeping baseline syndrome. There was a lot of talk about the Georges Bank. The focus of that meeting was pretty much on the Gulf of Maine with economists and fishery economists brought in also.

But I think most people concluded that it was probably successful beyond their wildest dreams, that most of those things that happened could not be predicted on current science. The fishermen were pretty excited about it.

So, keep that in mind, that maybe if we get through these hurdles we can go forward. With that, that's all I need to say to probably summarize that meeting. Thanks.

Mr. Iarocci: Thank you, Dr. Bohnsack. I had seen a lot of the slides up at Woods Hole, and you do have some new information and I appreciate you coming here today.

Is there any other discussion within the MPA Committee today that anybody wants to bring to the table?

Mr. Cole: Thank you, Mr. Chairman. Before we adjourn today, I think that over the last 15 years that I've been involved with this Council, this has to be a historic week.

For the first time I have ever seen, we have had all these advisors come in and really work very hard for us, and what's additionally unique about it is that we did this in a great big hurry. We arranged all of this at almost lightening speed, and we must, I think, as a committee acknowledge the tremendous amount of work that Kerry has done and the rest of the Council staff.

They have allowed us to look good this week and be effective and to them I think we owe a tremendous thanks.

Let me also say that Joe Graham, who sat out there in the middle and kept us all straight this week, has worked as hard as anybody and, Joe, thank you, as always.

Let me lastly say, for the Chairs of the AP committees, a lot of the success this week that we benefit from comes from the Chairs of our AP committees.

They seized the moment and showed great leadership, Tony, in getting this Council and this Committee through this, and I think we owe all of those Chairs a great deal of thanks. I'm amazed; I did not think we could get here. But I am awful glad we are. Thank you, Mr. Chairman.

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Mr. Love: I'd also like to compliment staff on the new devices we've got on the table. I think everybody enjoyed them except Joe.

Mr. Iarocci: Thank you. And I, too, Joe, I can say ditto to everything that Bill had stated; and especially to Kerry, who I know had a great amount of work to do to hold these people together.

All of the AP Chairmen, but some of them did extraordinary work and put this thing together and brought this committee to where we're at. Without further discussion, I believe we stand adjourned.

(Whereupon, the meeting was adjourned at 11:00 o'clock a.m., August 31, 2001.)

Tape Of Proceedings On File (3)

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**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

**MARINE PROTECTED AREA ADVISORY PANEL**

**Charleston, SC  
August 31, 2001**

**DRAFT SUMMARY MOTIONS**

**RESULTS FROM THE AUGUST 31, 2001 MARINE PROTECTED AREAS  
COMMITTEE MEETING**

At its August 31, 2001 meeting in Charleston, SC, after hearing deliberations and recommendations from the Marine Protected Areas, Snapper Grouper, Wreckfish, Habitat, Coral and Law Enforcement Advisory Panels, the Marine Protected Areas Committee voted to forward the following recommendations to the Snapper Grouper Committee with regards to marine protected areas:

1. The MPA Committee recommends that the Snapper Grouper Committee consider the use of MPAs to supplement management approaches to be considered for the deepwater grouper tilefish complex.
2. MPAs to consider are listed below, they have been discussed and recommended by the "mega-AP" (MPA, Snapper Grouper, Wreckfish, Habitat, Coral and Law Enforcement) at their Charleston meeting (August 29-30, 2001). The list provides areas identified to protect habitats known to be inhabited by the deepwater groupers and tilefish. Nominated sites not recommended

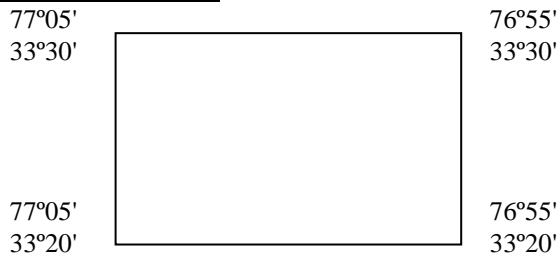
will be held for possible future consideration.

3. The Committee further recommends that the Snapper Grouper AP and Assessment Group review the data provided by MARMAP and other sources to determine if any additional sites may be reasonable candidates to further protect species of concern.

4. Finally the committee should move forward with the concept of the artificial refugia by endorsing site NC-2 and other possible sites in the region.

**List of Sites Recommended by the MPA Committee to Continue to be Considered as Marine Protected Areas**

**North Carolina Site 1:**



This box represents an area that encompasses a portion of the 30 fathom break. Water depth is approximately 128-148 fathoms.

**The MPA Committee's recommendation is to continue the consideration of this site but to move the eastern boundary 5 miles (Note: The above box and coordinates are the original location/size). They recommend the site be a Type 2 MPA, with no possession of prohibited species.**

**North Carolina Site 2:**

North Carolina site 2 is a recommendation for an artificial refugia site in an area approximately 12 miles south of Beaufort Inlet. This area would be about 2 square miles in approximately 10 fathoms.

**The MPA Committee recommendation is to continue the consideration of this site, accepting the MPA Advisory Panel's recommendation to ensure there is enough hard bottom for comparison and to make the area a Type 1 MPA.**

**South Carolina Site 1 (formerly N-4):**

The center point of suggested South Carolina site N-4 would lie at 33° 06.0' N; 77° 49.0' W and

the 5 x 10 nautical mile box surrounding it would be orientated horizontally.

**The MPA Committee recommends removing South Carolina site N-3 from consideration and moving forward with South Carolina site N-4 for consideration (with the possibility that it may need to be moved) as a Type 2 MPA.**

**South Carolina Site 2 (formerly C-3):**

The center point of suggested South Carolina site C-3 would lie at 32° 21.0' N; 79° 00.0' W and the 5 x 10 nautical mile box surrounding it would be orientated horizontally.

**The MPA Committee recommends moving forward with consideration of South Carolina site C-3 as a Type 2 MPA.**

**South Carolina Site 3 (formerly Site S-3) and Georgia Site 1 (formerly Site G-2):**

The center point of suggested South Carolina site S-3 would lie at 31° 24.3' N; 79° 32.0' W and the 5 x 10 nautical mile box surrounding it would be orientated vertically.

The NW corner Georgia site G-2 lies at 31° 32.275' N. Latitude, 79° 36.347' W. Longitude. Located in 600-650' water depths, this site is located on the continental slope, and consists of a one to three mile wide strip of predominately mud bottom that parallels the shelf edge in shallower depths.

**The MPA Committee recommends moving forward with the consideration of South Carolina Site 3 and Georgia Site 1 (NOTE: We believe it is the Committee's intent that through more analysis there will be only one site in this area, not two, but we will get clarification of this in September) as a Type 2 MPA.**

**Florida/ Experimental *Oculina* Research Reserve:**

Continue the current restrictions in the *Oculina* Experimental Research Reserve and improve upon enforcement to protect the habitat and deepwater snapper grouper species.

**The MPA Committee recommends moving forward with the Experimental *Oculina* Research Reserve as a Type 2 MPA.**

**Florida/ Sea Bass Rocks (formerly Hobe Sound Bars):**

The coordinates of Sea Bass Rocks are as follows: the NW corner lies at 27° 8' N latitude and 80° W longitude; the NE corner lies at 27° 8' N latitude and 79° 58' W longitude; the SW corner lies at 27° 4' N latitude and 80° W longitude; and the SE corner lies at 27° 4' N latitude and 79° 58' W longitude.

**The MPA Committee recommends moving forward with the consideration of Sea Bass Rocks as a Type 2 MPA.**

**Florida/ Islamorada Hump:**

The coordinates for the portion of the Islamorada Hump being considered are as follows: The NW corner lies at 24°48.882' N latitude and 80°28.794' W longitude; the NE corner lies at 24°48.882' N latitude and 80° 24.748' W longitude; the SW corner lies at 24°42.466 N latitude and 80°28.794' W longitude; and the SE corner lies at 24°42.466 N latitude and 80° 24.748' W longitude.

**The MPA Committee recommends moving forward with the consideration of a portion of the Islamorada Hump as a Type 2 MPA.**

**Formal Council Sanctioned Review**

**In addition to the above recommendations the MPA Committee has recommended that there be a Formal Council Sanctioned Review by which after 5 years the Council can evaluate the effectiveness of each site as a MPA.**

**Five Years after the implementation of regulations that designate each site as a marine protected area a Formal Council Sanctioned Review shall take place. At such time research reports, monitoring reports, law enforcement issues, public input or any other pertinent information regarding each marine protected area will be presented to the Snapper Grouper Committee. The Committee would then ask the Scientific and Statistical Committee, the Snapper Grouper Advisory Panel, and the Snapper Grouper Assessment Group for a recommendation on whether or not to continue with marine protected area regulations. After reviewing the recommendations from each of the advisory bodies, the Snapper Grouper Committee would then make a final recommendation to the Council on whether or not to repeal the restrictions within the marine protected area.**

**It is the Council's intent that the regulations that make each area a marine protected area would continue to remain in effect past this five year period, unless as a result of the Council's formal review it is determined the site should no longer continue as an MPA. At this point the Council would then develop an amendment to the Snapper Grouper Fishery Management Plan to repeal the regulations that created the marine protected area.**

**The MPA Committee also made the following recommendation:**

The Council should continue to develop an integrated and ecologically based network of MPAs as part of an ecosystem-based management program, with a principle focus on protecting and rebuilding all species in the snapper grouper complex.

Specifically, the Council should request that the Habitat, MPA Snapper Grouper, Wreckfish, Calico Scallop, Rock Shrimp, Law Enforcement, and Coral APs provide further input to the Snapper Grouper Committee and the Council on actions needed to implement such a network, including:

- a) Actions to protect and rebuild pertinent pre-adult life history stages of the severely overfished deepwater snapper grouper species, and
- b) Actions to protect and rebuild pertinent life history stages for the other species of the complex.