

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL  
JOINT CORAL/HABITAT PROTECTION COMMITTEES

Marriott Beachside Key West, Florida

June 23, 2014

**CORAL COMMITTEE VOTING MEMBERS**

- Roy Williams.....Florida
- Martha Bademan (designee for Nick Wiley).....Florida
- Dave Donaldson.....GSMFC
- Corky Perret.....Mississippi
- John Sanchez.....Florida

**HABITAT PROTECTION COMMITTEE VOTING MEMBERS**

- Dale Diaz (designee for Jamie Miller).....Mississippi
- Leann Bosarge.....Mississippi
- LCDR Jason Brand.....USCG
- Dave Donaldson.....GSMFC
- Harlon Pearce.....Louisiana
- Corky Perret.....Mississippi
- Patrick Riley.....Texas
- Bob Shipp.....Alabama
- Phil Steele (designee for Roy Crabtree).....NMFS
- Roy Williams.....Florida

**NON-VOTING MEMBERS**

- Kevin Anson (designee for Chris Blankenship).....Alabama
- Doug Boyd.....Texas
- Glenn Constant.....USFWS
- Pamela Dana.....Florida
- Myron Fischer (designee for Randy Pausina).....Louisiana
- John Greene.....Alabama
- Campo Matens.....Louisiana
- Lance Robinson.....Texas

**STAFF**

- Doug Gregory.....Executive Director
- Karen Hoak.....Administrative and Financial Assistant
- Morgan Kilgour.....Fishery Biologist
- Mara Levy.....NOAA General Counsel
- Phyllis Miranda.....Document Editor/Executive Assistant
- Emily Muehlstein.....Fisheries Outreach Specialist
- Mark Mueller.....GIS Analyst
- Ryan Rindone.....SEDAR Coordinator
- Charlotte Schiaffo.....Research & Human Resource Librarian
- Carrie Simmons.....Deputy Executive Director

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- 2 **OTHER PARTICIPANTS**
- 3 Captain Mike’s Island Lady Deep Sea Fishing.....Fort Myers, FL
- 4 Jeff Barger.....Ocean Conservancy, Austin, TX
- 5 Holly Binns.....Pew Charitable Trusts
- 6 Steve Branstetter.....NMFS
- 7 Eric Brazer.....Reef Fish Shareholder’s Alliance
- 8 JP Brooker.....Ocean Conservancy
- 9 Glen Brooks.....GFA, FL
- 10 Rita Cotter.....Congressman Garcia’s Office, Key West, FL
- 11 David Cupka.....SAFMC
- 12 Buddy Guindon.....Galveston, TX
- 13 Chad Hanson.....Pew Charitable Trusts
- 14 Don Jones.....Fort Myers, FL
- 15 Barbara Kelly.....FKCFA, FL
- 16 Bill Kelly.....FKCFA, FL
- 17 TJ Marshall.....
- 18 Sharon McBreen.....Pew Charitable Trusts
- 19 Bonnie Ponwith.....NMFS
- 20 Tom Steber.....Orange Beach, AL
- 21 Bob Zales.....Pensacola, FL

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24  
25 The Joint Coral/Habitat Protection Committees of the Gulf of  
26 Mexico Fishery Management Council convened at the Marriott  
27 Beachside, Key West, Florida, Monday afternoon, June 23, 2014,  
28 and was called to order at 1:30 p.m. by Chairman Roy Williams.

29  
30 **ADOPTION OF AGENDA**  
31 **APPROVAL OF MINUTES**  
32 **ACTION GUIDE AND NEXT STEPS**  
33

34 **CHAIRMAN ROY WILLIAMS:** This is the meeting of the Joint Coral  
35 Committee and Habitat Protection Committee and our briefing  
36 materials are behind Tab I and I would refer everyone to Tab I,  
37 Number 1, which is Adoption of the Agenda. Is there a motion to  
38 adopt the agenda?

39  
40 **MS. JOHN SANCHEZ:** So moved.

41  
42 **MS. MARTHA BADEMAN:** Second.

43  
44 **CHAIRMAN WILLIAMS:** It’s moved by John and seconded by Martha.  
45 Is there discussion? Hearing none, is there objection? Hearing  
46 none, the agenda is approved.

47  
48 The next thing would be Approval of the Minutes from the August

1 28, 2013 meeting and that's Tab I, Number 2. I think that's San  
2 Antonio and is there discussion of those minutes? Hearing no  
3 discussion, is there a motion to approve the minutes?

4

5 **MS. BADEMAN:** So moved.

6

7 **CHAIRMAN WILLIAMS:** It's moved by Martha and seconded by John  
8 and is there any more discussion? Hearing none, is there  
9 objection? Hearing none, the minutes are approved. The next  
10 item on this is Tab I, Number 3 and really, Tab I, Number 4. I  
11 think we can probably deal with both of those together and I am  
12 going to turn it over to Mark Mueller right now to go through  
13 these.

14

15 **MR. MARK MUELLER:** Thank you, Mr. Chairman. I have about a ten-  
16 minute presentation for you, in which I will summarize the  
17 meeting of the Joint Coral SSC and AP. This was April 24 in  
18 Tampa.

19

20 Here is what the meeting covered and I will detail each of these  
21 bullets in my presentation, but, in brief, we recapped the  
22 workshop from May of 2013, the workshop in interrelationships  
23 between corals and fisheries, which I presented at the August  
24 meeting. We discussed the Coral EFH map and some issues with  
25 that, along with a handful of relevant management issues and  
26 then went into detail about deepwater coral.

27

28 In August, I gave you this report here summarizing the May 2013  
29 workshop and following that, you asked that we convene the  
30 Special Coral SSC and Coral AP to review the findings and  
31 recommendations from that report and particularly to get the  
32 group's input on potential HAPC designation of some recommended  
33 areas that have large deepwater coral aggregations.

34

35 I explained to the SSC and AP what I told you in August, that  
36 the workshop provided the latest research and recommendations.  
37 It guided my data collection efforts over the last two years and  
38 was synthesized into that report as well a related book that  
39 expanded on a number of the topics from the workshop and which  
40 will be published next month. We will have copies of this book  
41 for all of you and that book, as well as everything else from  
42 that workshop I want to point out was funded by the Coral Reef  
43 Conservation Program, through your grant with this.

44

45 After I reviewed the workshop, the group passed a sort of  
46 general recommendation that the council continue encouraging  
47 efforts to, quote, understand, maintain, and restore, if  
48 necessary, healthy coral community structure and so basically

1 they encourage the council to continue doing what it can to  
2 improve our understanding and to help actions that will help  
3 maintain or improve coral health and condition.

4  
5 I explained to the group what I told you in August, that the  
6 textual definition of Coral EFH, and moving on to the next  
7 issue, is the legal description, which describes the total  
8 distribution of coral species throughout the Gulf, but in  
9 practice, what is really used is the map and the GIS layer and  
10 that's basically our best-guess representation of where coral  
11 are distributed.

12  
13 The group, the SSC and AP, agreed with the workshop participants  
14 that there are some problems with that current coral EFH map.  
15 It's a little hard to see and you may want to look in your  
16 briefing book materials for a better version of this map, but  
17 you can see in the red boxes here the orange polygon, the orange  
18 crosshatch polygon, is the current representation of coral  
19 essential fish habitat and there are large areas that we know  
20 for certain have significant coral aggregations, such as Pulley  
21 Ridge and surrounding areas and the Dry Tortugas and parts of  
22 the Florida Reef Tract, which for some reason were not covered  
23 under this 2005 created GIS layer.

24  
25 There are some obvious places that have coral that aren't  
26 included and, conversely, there is also some places, like I call  
27 it the large blob off of the West Florida Shelf, that the entire  
28 area was included as coral EFH, but we also know that the  
29 majority of the time, the majority of this area, there is a  
30 veneer of sand that covers any hard bottom and many parts of  
31 that area.

32  
33 In some cases, what we would be doing, if we were to fix this,  
34 is actually reducing the EFH map, while in other areas, where we  
35 know there are coral and they are not represented, we would be  
36 increasing it and so basically we would be using new best  
37 available science to improve it.

38  
39 Fortunately, thanks to this grant, I have been gathering a  
40 variety of different best available science datasets that will  
41 help us to address those problem areas and others and to  
42 generally help us improve our estimates of where coral and hard  
43 banks occur.

44  
45 For example, on this slide here, this is some high-resolution  
46 multibeam bathymetry from a PhD student, Harriet Nash, at Harte  
47 Research Institute in Texas. On this, if you can see, the green  
48 crosshatched areas are the current 2005 era EFH, whereas the

1 green to red shown there, and you can just ignore those white  
2 areas, those represent the actual locations of those banks and  
3 you can see black lines around the relief of the banks itself.  
4

5 What was going on here is there was some information that there  
6 are banks occurring out there, but in the last ten years, we've  
7 learned more precisely exactly where those are and the shape and  
8 so that's a zoomed-in of three of those banks. This is the  
9 South Texas Banks, all of them, with the previous best-guess  
10 representation right alongside the newer data. Just generally,  
11 this type of dataset can help us improve that representation.  
12

13 **CHAIRMAN WILLIAMS:** Mark, if I may ask a question, they should  
14 coincide, right? The gridded area should cover and they don't?  
15

16 **MR. MUELLER:** Exactly and that's -- If we were improving this,  
17 we would basically be shifting those, to make them be in the  
18 right place and also the right size. That was a good example  
19 where it was pretty close to begin with, but it's easy to see  
20 the improvement.  
21

22 This is the South Texas Banks and that's one of the areas where  
23 we have great data available and the Florida Reef Tract as a  
24 whole we also have a new dataset that we can provide that would  
25 much better represent that entire area.  
26

27 After I showed this to the SSC and the AP, they made this  
28 motion, that the council continue the effort to improve the  
29 coral EFH map, in coordination with the NOAA Office of Habitat  
30 Conservation and this is, in particular, David Dale and his  
31 group at the St. Pete Office.  
32

33 We have actually already had some conversations with David and  
34 they requested that we provide that Harriet Nash dataset that I  
35 just showed you as well as the reef tract one and so they are  
36 eager and willing to start making use of these data for their  
37 EFH consultations.  
38

39 There was also some background presentations at the meeting and  
40 Phil is going to describe the Coral ESA rule and so I'm not  
41 going to go into that. Mr. Perret had asked for an update on  
42 live rock aquaculture status and regulations and so we had a  
43 presentation from Jessica Beck-Stimpert about that.  
44

45 Just briefly, and if you need more detail later, Corky, I am  
46 glad to provide that, but she mentioned that they must be  
47 harvested by hand and any harvest is prohibited if there are  
48 endangered species present.

1  
2 There is about sixty-seven permitted sites in federal waters and  
3 Martha can speak to anything about the state waters and about  
4 twenty-five of those are renewed each year and so about twenty-  
5 five are being harvested in any given year.

6  
7 The permitted sites would not interfere with any of the  
8 potential regulatory actions that were also discussed about deep  
9 water. They are in completely different areas.

10  
11 We also had a presentation from Jim Nance at NMFS Galveston  
12 about royal reds and their species biology. He noted that the  
13 depth range is usually about 250 to 550 meters and he also  
14 talked about the general effort and the representation in the  
15 ELB data. The numbers seem to fluctuate from year to year. I  
16 have up there fewer than twenty vessels prosecuting that fishery  
17 and utilizing probably about five distinct ports.

18  
19 This is a map from Jim showing ELB data and he estimated that  
20 there's maybe five royal red vessels represented in the ELB  
21 program and so that's what we believe is showing up in these  
22 deeper water areas along the shelf and up here in the Viosca  
23 Knolls and that general area.

24  
25 The heart of this meeting though was about deepwater coral and  
26 specifically, we focused on its distribution and important known  
27 aggregations. We had four presentations from leading scientists  
28 working in the Gulf.

29  
30 As you have heard before from me and from Sandra Brooke, who  
31 presented to you a few years ago, we really have an increasing  
32 understanding that these deepwater reefs are -- Some of them are  
33 reef building and, through that, provide very important habitat  
34 for a number of fish, such as snowy grouper, and invertebrates,  
35 such as golden crabs, which is right there in that middle photo.

36  
37 We have also, at the same time, gotten an increasing  
38 understanding of the threats to these deepwater coral. There  
39 are concerns from both the workshop group and the Coral SSC  
40 about the high vulnerability of deepwater coral to anthropogenic  
41 threats, such as bottom disturbance. This is one from the  
42 nearby Pulley Ridge that was provided showing some sort of  
43 bottom disturbance of a lophelia reef.

44  
45 Sandra Brooke also noted that there may be increased effort for  
46 other fisheries, such as golden crab, that could have increasing  
47 interactions, from traps, for example.

48

1 Just a couple more slides. The group came up with a very  
2 detailed motion and I can pull that up if you would like. It's  
3 your PDF of the report, but we tried to represent it with this  
4 map here. It shows the areas that were named in the motion and  
5 so all of these individual orange points, if you can see on  
6 there, represent individual lease blocks, which is a very small  
7 area. I think it's a kilometer-by-a-kilometer.

8  
9 The Viosca Knolls had two of those and there's a couple of Grand  
10 Canyon, Garden Bank, Mississippi Canyon. They also identified  
11 the Pinnacles Trend Area, which is just north of Viosca Knolls  
12 and a couple of parts of the West Florida Slope shown there and  
13 some parts southwest of the existing HAPC for Pulley Ridge.

14  
15 They also talked generally about areas of the western and  
16 central Gulf. Part of, and I will get to it a second, what they  
17 recommended was because there is still data coming in on exact  
18 locations from this and not all of that data were available at  
19 the time of our meeting.

20  
21 To achieve their detailed motion naming all these individual  
22 sites and general areas, what they recommended was that the  
23 council form a working group to determine the criteria and  
24 boundaries and other specifics for the sites and members of that  
25 would include Sandra Brooke, Paul Sammarco, Peter Etnoyer, G.P.  
26 Schmahl, John Reed, Judy Lang, and Erik Cordes.

27  
28 The idea was that these specific deepwater coral experts could  
29 best get to the essence of the best available science, which, as  
30 mentioned, wasn't all available in April, but many of these  
31 folks have those data and they could develop the most  
32 appropriate boundaries that would be focused specifically on  
33 those known aggregations.

34  
35 After that group met, they would then return their specific  
36 recommendations to the full Coral SSC and AP for further  
37 discussion and so this working group would basically focus on  
38 where exactly these HAPCs should be focused.

39  
40 The last slide, this is just the two main action items for the  
41 consideration of the committees and this is also in your action  
42 guide. The first would be that the committee recommends that  
43 the staff initiate the appropriate action to modify coral EFH  
44 and identify new areas as potential HAPCs.

45  
46 The exact mechanism for that is we started having discussions  
47 about it and we didn't want to get too far ahead of ourselves  
48 until you had a chance to weigh in and give us some guidance on

1 that, but assuming that we had that, the next action would be to  
2 form that working group, as recommended by the SSC and AP, and  
3 then have them meet and then come back again to the full Coral  
4 SSC and AP to review their recommendations. That is all I have  
5 and I am happy to take any questions.

6  
7 **CHAIRMAN WILLIAMS:** Questions for Mark?

8  
9 **MR. CORKY PERRET:** Do we want to form that committee first and  
10 then have them work with staff to possibly identify and modify  
11 the current areas? Is that basically the way it should happen?

12  
13 **MR. MUELLER:** I will let Carrie and Morgan weigh in on that. I  
14 think it probably could go either way, unless they have other  
15 ideas.

16  
17 **DR. CARRIE SIMMONS:** I think you could it either way. I think  
18 our thinking was just have this working group get a better idea  
19 of exactly where these areas are and then look at any potential  
20 interactions with other fisheries and then the council would  
21 initiate some action, if they wanted to move forward, based on  
22 their recommendations, again, with more information, with the  
23 appropriate action as to designate these as potential HAPCs or  
24 not.

25  
26 Also, we need to document, as Mark mentioned, the modification  
27 to the GIS layers for the Coral EFH and so we somehow need to  
28 show how we have that new information and put it into a document  
29 and so we're hoping we can do that in one document right now.

30  
31 **CHAIRMAN WILLIAMS:** Corky, if I may add here, one thing that has  
32 really occurred that became apparent to me, having been at the  
33 joint SSC/AP coral meeting, is there is a lot of deepwater video  
34 now that was not available ten and twenty years ago when people  
35 started doing this. There is an awful lot of it out there,  
36 including areas where -- They had one picture there with a  
37 golden crab laying under one of these deepwater corals using it  
38 as protection and that kind of stuff didn't exist a decade ago  
39 or twenty years ago, for sure.

40  
41 **MR. PERRET:** Years ago when we spent time on coral and these  
42 habitat areas of special concern and all, there was a lot of  
43 concern about deterioration due to anchoring and all that sort  
44 of stuff and I think we put measures in to prevent that and the  
45 coral reefs were being reduced in size and who knew why,  
46 acidification and things like that.

47  
48 Is there -- There must be better data now to tell us the status



1 of these coral reefs or if they're increasing rather than  
2 decreasing or do these scientists that are doing this stuff, can  
3 they enlighten us on the status of the coral and the health of  
4 the coral, I guess?

5  
6 **MR. MUELLER:** We actually tried to capture that the best that we  
7 could in the workshop report, which was some sixty-seven pages.  
8 As far as deepwater coral, the main thing that's really been  
9 going on is every time there is a dive, they discover more of it  
10 and so in that sense, it's always increasing and we're always  
11 finding more of it.

12  
13 I don't know if there is enough data to kind of come up with a  
14 trend for the deepwater coral specifically. I know there were  
15 impacts from the oil spill documented in some locations.

16  
17 **MR. PERRET:** That's what I was wondering, since the accident of  
18 2010 and potential impacts on the deepwater corals and the  
19 affected area and if we had any information that we could use.

20  
21 **MR. MUELLER:** Yes, there's been a couple of papers and I can  
22 forward them to you. One documented pretty dramatic effects on  
23 one side about eleven kilometers southwest of Macondo and there  
24 has been a variety of other posters and things that I've seen  
25 documenting individual impacts. I think that's still kind of  
26 being synthesized in terms of overall impact on deepwater coral  
27 though.

28  
29 **MR. PERRET:** Big Boss Executive Director Gregory, if we were to  
30 form this committee, and I don't know how many times it would  
31 have to meet, do we have the funds for another committee, Mr.  
32 Gregory?

33  
34 **EXECUTIVE DIRECTOR DOUG GREGORY:** Yes, we do. We would be  
35 paying all their travel and they would not be getting stipends.  
36 Maybe if an SSC member was a part of the working group, they  
37 might get a stipend, but we would be paying for all the travel  
38 and setting up the meeting rooms and all that.

39  
40 **CHAIRMAN WILLIAMS:** Some of it could possibly be done by webinar  
41 too though.

42  
43 **MR. MUELLER:** Several of the members are NOAA and so we won't be  
44 paying for them either.

45  
46 **MR. KEVIN ANSON:** I'm not on your committee and I don't know if  
47 this is a question, Mark, you can answer or just council staff,  
48 but in setting up EFH, now that technology is progressing and

1 everything and you provided that slide off of Texas with those  
2 three pinnacles there, coral areas, when you set the boundary  
3 for that, is it just going to be the actual margin of the reefs  
4 or are you going to be providing a buffer to account for  
5 potential interactions and such, to try to keep it away from the  
6 margins of those areas? How is that going to develop, that  
7 process?

8  
9 **MR. MUELLER:** That's a good question and it may actually vary a  
10 little bit from place to place. In the case of the South Texas  
11 Banks, we had the expert who did her PhD on that define those  
12 boundaries and I talked with her and so I feel pretty confident  
13 about those particular ones.

14  
15 Also, in the Reef Tract, we have -- This is the FWRI product and  
16 what they gave us was the perfect level of information on the  
17 top and that was generally all coral and hard bottom in brown  
18 and if you look below that, there is individual aggregate or  
19 patch reefs defined within that and so in that case, it makes  
20 sense to sort of incorporate the natural buffer, in that it's  
21 really good habitat and probably was colonized in the past, even  
22 if it may not currently have an active coral head on it.

23  
24 The South Texas Banks and Reef Tract, I think we have that  
25 question answered, but that is one of the things I put in front  
26 of the SSC and AP, to try to get some more guidance for tougher  
27 to answer areas like the West Florida Shelf.

28  
29 I don't have a specific rule that will hold all the time.  
30 Basically, we try to talk to the right people and come up with  
31 the best representation of it that is neither too stringent nor  
32 too conservative, I guess.

33  
34 **MS. LEANN BOSARGE:** I just went to the South Atlantic Council  
35 meeting not last week, but the week before. They were dealing  
36 with a lot of this and I think they had gone about it in a  
37 little different way and I like our process for this.

38  
39 One thing I would like to see, which just looking at what they  
40 were dealing with and the problems and issues that they were  
41 confronted with, is when we put together this committee and then  
42 you said you want the committee to also get with the Coral AP  
43 and do a joint meeting with the Coral AP and the Coral SSC, you  
44 mentioned some royal red shrimpers.

45  
46 I would like at some point, before all this comes to us for us  
47 to actually analyze it and make some decisions, for those groups  
48 to also have a joint meeting with the Shrimp AP, and I am not

1 sure how many royal red representatives we have on that Shrimp  
2 AP and we would need to look at that and possibly pull some of  
3 those guys in if we don't have any of that representation, but I  
4 would like to see someone try and garner some input from those  
5 people, simply because -- I made this comment at the South  
6 Atlantic meeting.

7  
8 Shrimpers and coral are like oil and water. They want nothing  
9 to do with each other. We drag a net across the bottom and if  
10 you drag a net across the bottom with some sort of substrate,  
11 with some sort of coral or something, you put a lot of holes in  
12 your net and a net with a bunch of holes is not good for  
13 production. All your shrimp just go right out of it.

14  
15 We have logbook data and we have a lot of tracks that is  
16 information collected by the government and you can see the  
17 holes in that data where there are not tracks, where we are not  
18 dragging. I would like to see if that overlays with some of  
19 this information you have with Texas and if you can correlate  
20 those and validate that, yes, okay, these holes that we see,  
21 there's a possibility that that does represent some coral.

22  
23 In other words, before we go and encompass areas, I would like  
24 to make sure we get the input from those people, so that we  
25 don't encompass an area where we are taking away productive  
26 bottom that we don't have a lot of assurance that there is coral  
27 there. Let's just get their input and make sure, on the front  
28 end, we get all these opinions and information, instead of  
29 trying to do it on the back end and open up something that we've  
30 closed.

31  
32 **CHAIRMAN WILLIAMS:** Leann, what you would be looking for, if we  
33 approved a group to get together, a group of coral scientists to  
34 get together and recommend some deepwater areas, you would like  
35 to have them, after they're done, to meet with some shrimpers,  
36 royal red shrimpers or the whole Shrimp AP, to discuss that with  
37 them?

38  
39 **MS. BOSARGE:** Yes and I think the Shrimp AP would be the entity  
40 that I would want. I would want to have as much input as  
41 possible and we already have that Shrimp AP established. I  
42 would simply want to look at the AP and make sure that if there  
43 are no royal red representatives on that AP, bring some of those  
44 people in. As we said, there's less than twenty of them and so  
45 it's not a huge fishery and you could get some good input there.

46  
47 **CHAIRMAN WILLIAMS:** Does the Shrimp AP meet each year or it  
48 irregular like most of them? It's irregular? Okay.

1  
2 **MR. PERRET:** Leann, how many council meetings have you made?  
3

4 **MS. BOSARGE:** Three.  
5

6 **MR. PERRET:** I don't know who is influencing who. Are you  
7 influencing me or am I influencing you, but here's what I wanted  
8 to say and I am quoting from the minutes. I have been through  
9 and I was around when we set up these habitat areas of  
10 particular concern and we didn't always set them in the right  
11 places, but I am going to quote Mr. Cupka and this is our  
12 minutes of the last meeting.  
13

14 He emphasizes working with the fishermen and he talks about it  
15 gets very contentious and I remember when we set these up years  
16 ago that indeed it did and that the fishermen were, with the VMS  
17 and their track data, they were able to establish areas and  
18 modify boundaries and all that, which really worked very well  
19 and helped all groups kind of mesh things better.  
20

21 I am saying exactly the same thing Leann is saying and I quote  
22 Mr. Cupka again, to include fishermen very early on in the  
23 process and utilize their expertise. I think we do have to have  
24 fishermen involved that are fishing those areas.  
25

26 Roy, you mentioned the golden crab on the coral and years ago,  
27 we had a potential conflict or a conflict between that deepwater  
28 crab gear and royal red gear and do we still have a golden crab  
29 fishery that's going on and if we do, we probably should try and  
30 get somebody from that group, even though we don't have a golden  
31 crab plan, probably to offer their input.  
32

33 **CHAIRMAN WILLIAMS:** I think that golden crab fishery comes and  
34 goes, depending upon price. As I recall, that was kind of  
35 controlled by the price of the comparable crab in New England  
36 and fuel would have something to do with it too, but when price  
37 would get really high, then they would gear up and go do it.  
38 Otherwise, the fishery was dormant. That's my recollection.  
39

40 **MS. BADEMAN:** I was just going to echo what Leann and Corky  
41 said. I think it's really important to get the industry in here  
42 right off the bat. The South Atlantic has been pretty good  
43 about that as they've been going through this process, as Leann  
44 mentioned.  
45

46 They have some data that we don't have. They have that VMS  
47 data, because all the deepwater shrimpers over there have VMS,  
48 but I think the collaborative approach is definitely the way to

1 go. They did have, at one point, the Coral AP and maybe the  
2 Habitat AP and the Shrimp and the Law Enforcement APs kind of  
3 have representatives that got together at one time and met.

4  
5 David can probably remind me, but I think that was a good thing.  
6 I think staff was a little bit nervous about how that was going  
7 to go with so many people and so many opinions, but I think the  
8 exchange of ideas was pretty good and I think the council got  
9 some good information from that meeting.

10  
11 **CHAIRMAN WILLIAMS:** Would you object to putting together this  
12 Deepwater Coral AP to just meet by themselves initially and then  
13 have them meet jointly with the others? I mean it seems to me  
14 like it might go a little better that way.

15  
16 **MS. BADEMAN:** Yes, I think that's fine. I think the people have  
17 the scientific information definitely should iron out exactly  
18 what they have and where they want to start and then just pull  
19 the industry in early.

20  
21 **CHAIRMAN WILLIAMS:** Good suggestions. Mark, go ahead and then  
22 I've got John and then Phil.

23  
24 **MR. MUELLER:** Martha and Corky and Leann, I think that was the  
25 intention of this group, was not to exclude, but rather just to  
26 have their information solid before they approached them. We  
27 also did anticipate this need and actually built it into our  
28 grant funding for education and outreach and with the royal red  
29 fishermen directly and Morgan has also had conversations with  
30 Jim Nance and so we're getting ready to identify those  
31 individuals and boats so that we can do whatever the council  
32 wants us to do with them.

33  
34 There has never, at any point, been any intention to exclude  
35 them in any way, but it was just to get the science hashed out  
36 first. As a first step, before any sort of regulatory action  
37 occurs, then bring them in. Morgan may be able to answer the  
38 question about whether there is current representation of royal  
39 red fishermen on the shrimp committee.

40  
41 **EXECUTIVE DIRECTOR GREGORY:** No, there is not. I was just  
42 talking with them and so when we get to that point, if we have  
43 reached out to the royal red shrimp fishery and if that's the  
44 only part of the shrimp fishery affected, we might be able to  
45 just limit it to them, but we will talk about that again at a  
46 future meeting.

47  
48 **MR. PERRET:** Certainly now, but if indeed there are areas that

1 are proposed that are in shallower waters that may impact the  
2 penaeid shrimp fishery and whatever else, we certainly want  
3 input from people knowledgeable in the areas.

4

5 **MR. MUELLER:** There is proposed or limited to deepwater.

6

7 **MR. PERRET:** But I have learned one thing. Expect the  
8 unexpected and it's going to happen.

9

10 **MR. JOHN SANCHEZ:** I guess I would like to make a couple of  
11 motions and I will start with this one, but before that, I would  
12 just like to say let's not limit it just to royal red and let's  
13 consider some golden crab input, maybe, but, of course, the cart  
14 before the horse.

15

16 You've got to identify the areas specifically and so I think we  
17 should break this up accordingly and then make sure all user  
18 groups, deep-drop fishermen and bottom longline and anybody that  
19 might be impacted with displacement or something, be considered  
20 and keep them included in the process, all the industry folks.

21

22 **With that, I will make I guess the first motion and it's right**  
23 **from the document and it's one of the SSC/AP recommendations,**  
24 **that this council form this working group to determine the**  
25 **criteria, the boundaries, and other specifics for the sites**  
26 **identified. The working group consists of Sandra Brooke, Paul**  
27 **Sammarco, Peter Etnoyer, G.P. Schmahl, John Reed, Judy Lang, and**  
28 **Erik Cordes, and I guess if anybody has anybody else they might**  
29 **want to add to that, I wouldn't have a problem with that.**

30

31 **CHAIRMAN WILLIAMS:** Is there a second for that? Let's make sure  
32 we get the motion up there, John. Phil, while they're working  
33 on this, is what you wanted to say relevant to the motion?

34

35 **MR. PHIL STEELE:** No and it may be getting a little ahead of the  
36 game, but I can give you a little background on your regulatory  
37 authority and how you can go about establishing these deep-sea  
38 corals if you would like a little bit of background on that,  
39 just for your own info, or we can do it later or not at all.

40

41 **CHAIRMAN WILLIAMS:** Maybe we better get the motion up first  
42 here. This is basically the recommendation in 4(a), pages 5 and  
43 6, the bottom of 5 and the top of 6. John, do you want to look  
44 that over and see if that's your motion?

45

46 **MR. SANCHEZ:** Yes.

47

48 **CHAIRMAN WILLIAMS:** That's the motion.

1  
2 **MR. PERRET:** I assume that's the leading coral experts in the  
3 Gulf, but they are going to give us criteria and boundaries and  
4 other specifics and that's going to be their recommendations and  
5 when are we going to get the fishermen's recommendations that  
6 may totally, like Mark's slide he had up there -- We didn't do  
7 too well on some of them years ago and now, granted, technology  
8 is a lot better today, but it seems, to me, that in that working  
9 group we should have that practical experience from advisors who  
10 fish those areas and so on and when would their input come in?

11  
12 **CHAIRMAN WILLIAMS:** Mark, do you want to speak? Well, let me  
13 first. My impression is that we would get these people together  
14 and let them talk first and make some recommendations and then  
15 we can get the whole group together again with the shrimpers,  
16 but I think it would be easier to let just them -- Shrimpers and  
17 golden crabbers, but let them make the recommendations first and  
18 work by themselves and then get them together with the  
19 fishermen. That's the way I envision it and I think it would go  
20 the most smoothly that way.

21  
22 **MR. PERRET:** You give a scientist that opportunity and you might  
23 want to protect a really important ten-acre area and they may  
24 make the area a thousand acres and that's where the practical  
25 application needs to come in.

26  
27 **CHAIRMAN WILLIAMS:** I think there's a chance to fix that right  
28 behind if they do something like that.

29  
30 **MR. MUELLER:** The working group, the intention on that, was not  
31 that they would ever have the final word and that they would  
32 just come up with a draft for the larger group, with more  
33 perspectives. I think that would be the perfect time to have  
34 all the royal red and golden crab folks as well.

35  
36 **MR. PEARCE:** Corky, we might could solve that problem if we  
37 added -- This just says including these people, but we can  
38 include other people as well if you would like and maybe put a  
39 representative of each one of the fisheries that we're concerned  
40 about at this meeting to let them know exactly what our problems  
41 might be. I mean I'm just throwing it up for suggestions and,  
42 John, it's up to you.

43  
44 **MR. SANCHEZ:** I kind of started off my little diatribe with  
45 that, that I wanted industry included in this. I don't want to  
46 muddy the waters by having too much to do at one and then we're  
47 herding cats, but I am thinking we kind of start to identify the  
48 things and then ultimately this is going to get kicked back to

1 us with these recommendations from scientists or industry people  
2 and we're going to have the final say to forge these two things  
3 together and get rid of ridiculously large buffer areas and all  
4 these types of things and so whatever you want and it doesn't  
5 matter to me either way, to answer your question.

6  
7 **MR. PEARCE:** Just as a follow-up, as long as our fishery  
8 representatives have a say, I am fine, whether it's after the  
9 fact, but I don't see a mechanism for them to have a say yet and  
10 do you, Corky? I don't see anything that says we're going to  
11 sit them or talk to them or whatever. I know it will come back  
12 to the council, but I want to make sure that the people  
13 involved, the golden crab and the royal reds and pink shrimp or  
14 whatever it is, bottom lines or whatever, at least have an  
15 option to speak before we do something as a council.

16  
17 **CHAIRMAN WILLIAMS:** I think we've been pretty clear that we're  
18 going to work with industry to let them -- Before this comes to  
19 the council for any kind of final approval, we are going to have  
20 meetings with the golden crab fishery and the royal red fishery  
21 or any other fisheries if they're affected and give them a  
22 chance to speak to it.

23  
24 I don't think they would have -- Honestly, I don't think they  
25 would have a lot to contribute at this point. This is pretty  
26 specialized knowledge on most of this stuff and so I would let  
27 these scientists get together and make some recommendations and  
28 if they're too egregious in their recommendations, we will grab  
29 them by the short hairs and say this is too much and we're going  
30 to cut back and you can't have this much, but I just don't see  
31 it being all that useful. I think it would be a waste of the  
32 industry's time right now to be a part of this. Morgan, you're  
33 trying to get in on this too and I'm sorry.

34  
35 **DR. MORGAN KILGOUR:** I just wanted to echo what Mark said and  
36 the reason why these people were put on this working group is  
37 because they are currently doing coral work and so they have  
38 really fine-scale resolution of where these corals exist and so  
39 I don't think their goal is to do these enormous areas, but they  
40 just want to identify where are the deepwater corals, so that we  
41 can fine tune things.

42  
43 It was, like Mark said earlier, it was always our intention to  
44 bring in royal red shrimpers and any other affected groups  
45 before we even brought it back to the council to get their  
46 input.

47  
48 **MS. BOSARGE:** I understand some of the comments about not



1 muddying the waters and this is more of a scientific group,  
2 whereas if you put fishermen on it, you're pulling in a lot of  
3 different people together, but when I went to the South Atlantic  
4 meeting, what happened was that they did have these two groups  
5 separated.

6  
7 These shrimpers had their data and because the two groups were  
8 separated, even though the Shrimp AP had a chance to comments  
9 and things like that, their data never seemed to actually make  
10 it the SSC, to the scientific group, the unbiased scientific  
11 group that looks at the data and judges the data for what it is.

12  
13 I worry that we're going to put all this time and energy into  
14 the scientific side of it and not bring in that data from the  
15 industry side until they've drawn their boxes, whereas, if it  
16 was me and you wanted to be efficient with this, you would want  
17 all that brought to the table first for your scientists to look  
18 at and evaluate as a whole. Does that make sense?

19  
20 **MR. PERRET:** Martha has indicated that the system in the South  
21 Atlantic seems to be working pretty well and David, in the  
22 minutes from whatever meeting that was, talked about bringing  
23 fishermen in the process early on and that it works real well.

24  
25 With that, Mr. Cupka, since you guys have been at it, would you  
26 tell us how the South Atlantic does it? It seems, to me, if  
27 something is working that we ought to try and duplicate it.

28  
29 **MR. DAVID CUPKA:** It was mentioned earlier that we had what we  
30 called a mega AP meeting at one time, where we had our Coral AP  
31 and our Habitat AP and our Law Enforcement AP and our Shrimp AP  
32 and we've even done it with Golden Crab. We've had them all get  
33 together at one time and we were kind of leery of that.

34  
35 As Roy has pointed out, as time has gone on, there's a lot more  
36 information and it's kind of what you would expect. The  
37 scientists wanted to protect as much area as they could and the  
38 fishermen, of course, wanted to have access to as much area as  
39 they could, legitimate access, to areas that they could actually  
40 fish and not be fishing on coral.

41  
42 Actually, they played together pretty good and we were surprised  
43 at how well they did play and they brought forth some  
44 recommendations. I can tell you that neither side was  
45 completely satisfied, as you would expect, because you had to  
46 make some compromises, but I still think the earlier you can get  
47 industry involved in the process, the better off you're going to  
48 be.

1  
2 If they can work among themselves to resolve some of these  
3 things, I think it's better that you go that route than somebody  
4 sit down and tell them it's going to be this way or that way.  
5 As much as they can resolve themselves, I think you're better  
6 off for that.

7  
8 **MS. BADEMAN:** I was just going to say before that mega AP  
9 happened, the Coral SSC I guess had kind of figured out areas,  
10 which I think is important and I think we need to do that,  
11 because until we have the areas, we're not necessarily going to  
12 know who they're going to impact.

13  
14 I mean we kind of know that royal red shrimpers, yes, and maybe  
15 some golden crab, but who knows what else and so I think that  
16 getting this group together once and let them lay out some  
17 boundaries and then we get a mega group together, so to speak,  
18 of whatever scientific folks, whether it's these folks and the  
19 Coral SSC plus the royal red industry plus whoever else. I  
20 think that would be appropriate.

21  
22 **CHAIRMAN WILLIAMS:** I think that's good advice and I think  
23 that's the way to proceed. Let's create some kind of strawman  
24 and designate these areas and then let the fishermen speak to  
25 those areas.

26  
27 **MR. PERRET:** I am going to make a substitute motion and my  
28 substitute motion is to form a working group made up of Sandra  
29 Brooke, Paul Sammarco, Peter Etnoyer, G.P. Schmahl, John Reed,  
30 Judy Lang, and Erik Cordes to determine the criteria,  
31 boundaries, and other specifics for potential sites and once  
32 this has been determined, that this group meet with appropriate  
33 representatives of potentially impacted fisheries, i.e., royal  
34 red shrimp, golden crab -- Is there any fixed gear, John, that  
35 might -- And any potentially impacted fisheries. That's my  
36 motion.

37  
38 **CHAIRMAN WILLIAMS:** Your motion is really like the first one,  
39 except it's specific that after they've met that we will bring  
40 the fishermen in. Do we have a second? Second by Harlon and so  
41 we have a motion and a second.

42  
43 One thing that I didn't do early on that I should have done is  
44 we've got two different committees here and I think we can  
45 probably work by consensus and just consider it a committee of  
46 the whole. I think we're trying to all work together here and  
47 we're not really divisive on this issue and so I suggest and if  
48 nobody objects, we will just go ahead and vote as a committee of

1 the whole. Is there any objection to doing it that way? Okay.  
2 That's the way we'll do it.

3  
4 Is there -- We've given this a lot of discussion already and I  
5 kind of think we've reached a consensus on this and are people  
6 ready to vote on it? The motion before us is Corky's motion to  
7 form a working group made up of Sandra Brooke, Paul Sammarco,  
8 Peter Etnoyer, G.P. Schmahl, John Reed, Judy Lang, and Erik  
9 Cordes to determine the criteria and boundaries and other  
10 specifics for potential sites and once that has been determined,  
11 that this group meet with any potentially impacted fisheries.

12  
13 **MR. PERRET:** Meet with representatives of any potentially  
14 impacted fisheries.

15  
16 **CHAIRMAN WILLIAMS:** Okay. Does that look right now? She has  
17 modified it.

18  
19 **MR. PERRET:** I think we ought to have law enforcement. I think  
20 David said they brought them in also and I think we probably  
21 should have law enforcement.

22  
23 **CHAIRMAN WILLIAMS:** Impacted fisheries including members of law  
24 enforcement. Look that over. Is that your motion?

25  
26 **MS. BADEMAN:** I am assuming for the law enforcement that we're  
27 talking about the LEAP or --

28  
29 **MR. PERRET:** Probably, since it's going to be off your state and  
30 Texas and I guess knowledgeable people from those areas,  
31 wherever the potential sites may be.

32  
33 **CHAIRMAN WILLIAMS:** Is there further discussion on this motion?  
34 **Hearing no discussion, all in favor of the motion signify by**  
35 **saying aye; opposed. The motion carries.** Now we need to --  
36 Carrie, what do you have?

37  
38 **DR. SIMMONS:** I am a little concerned about our current APs,  
39 other than the Shrimp AP and the Law Enforcement AP, based on  
40 what I have heard from the committee, such as deep droppers and  
41 golden crab fishermen. Is this something you would like to  
42 advertise for and have a special ad hoc group, because I am not  
43 sure we have the correct membership potentially for this right  
44 now. I am not even sure we have any royal red shrimpers on our  
45 Shrimp AP. Morgan just said we don't and so -- Is it something  
46 that the council has an idea of the individuals they would like  
47 to appoint to this group? Right now, it's pretty vague to me.

48

1 **CHAIRMAN WILLIAMS:** Couldn't we, once we have some kind of a  
2 recommendation from this panel, advertise for interested  
3 parties, golden crabbers or royal red shrimpers, to be part of  
4 this? Would that work as well or not? I think it would. Is  
5 there any discussion of that? I think I threw a wet blanket  
6 over this.

7  
8 **MR. PERRET:** I think we did have royal red members on our Shrimp  
9 AP at one time and we had a golden crab committee and we had  
10 involvement with golden crab sometime back. It seems, to me,  
11 that's a very small number of people and that if indeed, as this  
12 thing progresses, when we get to that point, we certainly should  
13 be able to identify those handful of people involved in the  
14 fishery and give them a phone call and say, hey, look, this is  
15 what's coming down the pipe and we need some input and who would  
16 best represent your group. I don't think we'll have any problem  
17 and I don't think we have to make that effort at this time.  
18 That's just my feeling.

19  
20 **CHAIRMAN WILLIAMS:** Martha, do you want to speak to that?

21  
22 **MS. BADEMAN:** I was going to say we could certainly figure out  
23 who those people are that are fishing for golden crab. I just  
24 had a question. The last time that you all had a golden crab  
25 group, do you know if it was a lot of the same people that are  
26 fishing golden crab in the South Atlantic? A lot of those guys  
27 are based in Florida.

28  
29 **CHAIRMAN WILLIAMS:** When I was on the council before, they were  
30 mostly based out of the Tampa Bay area. They weren't coming  
31 around from the Miami/Fort Lauderdale area. Phil, do you have  
32 any -- You have worked with those groups off and on over the  
33 years, haven't you? Do you have any knowledge of that?

34  
35 **MR. STEELE:** That's a long time ago. I remember Mr. Nielson  
36 used to come around and participate a little bit and much more  
37 so I think as an advisor than as an actual fisherman, but most  
38 of the people in the Gulf gave up on that fishery a long time  
39 ago.

40  
41 **CHAIRMAN WILLIAMS:** Okay.

42  
43 **MS. MARA LEVY:** Just a question. Is this focused on deep-sea  
44 corals and looking at areas to protect those as either under the  
45 discretionary authority to protect deep-sea corals or  
46 potentially as essential fish habitat if it isn't already  
47 designated as such or is it about essential fish habitat or what  
48 exactly is the goal with respect to these sites?

1  
2 **CHAIRMAN WILLIAMS:** Goal in the legal sense? It's to protect  
3 them. The goal is to protect them, but you're asking do we want  
4 to do it through essential fish habitat or through some other  
5 authority and is that right?  
6

7 **MS. LEVY:** I guess I'm asking because this discussion about  
8 golden crab kind of threw me off and so there's no golden crab  
9 fishery in the EEZ and so whatever we're talking about would be  
10 in state waters?  
11

12 **CHAIRMAN WILLIAMS:** There used to be a golden crab fishery in  
13 the EEZ. It's come and gone and it's irregular, but there used  
14 to be one and only a few boats.  
15

16 **MS. LEVY:** Does the council manage that now? There is no golden  
17 crab --  
18

19 **CHAIRMAN WILLIAMS:** No.  
20

21 **MS. LEVY:** Right and so it actually looks like it's considered,  
22 quote, unquote, a -- Well, we have like a prohibition on fish  
23 traps and there's a very specific exception to that. I guess I  
24 just was trying to understand where the golden crab thing fit  
25 into the whole deepwater coral authority, if that's where you  
26 were going, but I will just let it progress and see what  
27 happens.  
28

29 **MR. STEELE:** Maybe I can shed a little light on that. Working  
30 with David Dale, it was our understanding that the original goal  
31 of the council was to get these new deep-sea corals identified  
32 as EFH/HAPC under the Coral FMP, but it came up at the CCC  
33 meeting that maybe there was a way to offer these some  
34 protection under the Magnuson discretionary authority, which  
35 some people think it might be a little quicker and dirtier and  
36 I'm not quite sure that's the case, but all it does to these  
37 deep-sea corals under the Magnuson is protect it from fishing  
38 and fishing gear.  
39

40 Now, if you want to extend this to non-fishing activities like  
41 oil exploration or whatever, then you would want to go through  
42 the EFH consultation cycle, which would be amending your FMP and  
43 so forth and so on.  
44

45 You can do either and/or at this stage of the game. I don't  
46 think there's a lot of threat to these currently and so you've  
47 got a little time to go either way you want. You could either  
48 go through this discretionary and handle it maybe quickly and it

1 only protects it partially or you go through the normal -- Get  
2 the FMU cleaned up, for one thing.

3  
4 I think there's some concerns about whether these DSEs actually  
5 are essential fish habitat and habitat areas of particular  
6 concern under the current definitions under the Coral FMU. That  
7 needs to be straightened up first and that would be my  
8 recommendation and we might want to go down the FMP route and  
9 develop our FMP and get our EFH consultation done, because it  
10 will take a little bit of time, but then you will have thorough  
11 and complete protection for these HAPCs once all of this is  
12 decided.

13  
14 **CHAIRMAN WILLIAMS:** I was just wondering, if we get this group  
15 together, could you and staff talk about this sort of thing with  
16 the Chair and figure out what the right avenue to do this is? I  
17 mean I don't think this committee is going to be able to figure  
18 that out right now.

19  
20 **MR. STEELE:** Yes, our folks in Habitat, David Dale and his  
21 folks, are well up on this and he gave me this language here to  
22 present to you folks and so I think we just need to proceed and  
23 get this committee established that you're talking about, so you  
24 get the areas that you know what you're talking about, and then  
25 we can come in and decide what we want to do with them.

26  
27 **MR. MUELLER:** That was exactly the intention of the group and  
28 David was there and we've had some preliminary discussions with  
29 him and basically, we've identified that we need to figure out  
30 exactly what the appropriate action is, but we didn't want to do  
31 too much work on that before we got your approval to start that.

32  
33 **CHAIRMAN WILLIAMS:** I think we've reached the end of that  
34 portion of the agenda and have we not? Morgan, do you have  
35 something or Carrie?

36  
37 **DR. SIMMONS:** I mean I guess just to follow up a little bit on  
38 what Mr. Steele said. We have been talking to the Regional  
39 Office staff in a lot of detail about this, but we just wanted  
40 the council to tell us to start initiating an action and form  
41 this working group and then as we move forward, we will see the  
42 best way the council would like to move forward with  
43 establishing these areas.

44  
45 I think that's kind of the steps we were thinking of taking and  
46 the other thing I wanted to bring to the joint committee's  
47 attention and the council is, as Mr. Steele mentioned, we will  
48 start our generic five-year EFH review and that will help us

1 gather a lot of the information and that's a requirement. We  
2 have to do that every five years.

3  
4 That has to be completed in October of 2015 and so that is  
5 something else that staff will be working on and it kind of goes  
6 alongside these various actions, but we will have to start  
7 working on that and we will have to figure out, with the  
8 Regional Office, how much detail we're going to have to go into,  
9 based on all this new information and how much of it will have  
10 to go into the review and how much of it will potentially go  
11 into any amendments you make in a Coral FMP or some other  
12 document, another generic document, depending on the best way to  
13 go, but I just wanted to let you know that we will be working on  
14 that as well.

15  
16 **CHAIRMAN WILLIAMS:** Mark and I were just talking and under Tab  
17 I, Number 3, the first bullet really, it says the committee may  
18 recommend that staff initiate appropriate action to modify coral  
19 EFH and identify new areas as potential habitat areas of  
20 particular concern. Would it be helpful if we approved a motion  
21 to that effect? It would be? Would somebody on one committee  
22 or the other be willing to make that as a motion? It's under  
23 that very first bullet of Tab I, Number 3, to recommend staff  
24 initiate action. The Chairman would make the motion if he  
25 could, but he can't. Martha, would you care to make that  
26 motion?

27  
28 **MS. BADEMAN:** Yes and can it be as simple as a motion to have  
29 staff initiate the appropriate action to modify coral EFH and  
30 identify new areas as potential HAPCs or do we need to be more  
31 specific than that?

32  
33 **CHAIRMAN WILLIAMS:** I think that would do it. Carrie or Mark?

34  
35 **MR. MUELLER:** That's good.

36  
37 **MS. BADEMAN:** Perfect. I will make that motion then.

38  
39 **CHAIRMAN WILLIAMS:** John seconds the motion. I really doubt --  
40 Hopefully this doesn't need a lot of discussion. Does anybody  
41 want to discuss it? Hearing no discussion, is there any  
42 objection to this motion? **Hearing no objection, the motion is**  
43 **approved.**

44  
45 I think the only other thing -- That brings us to the end of  
46 that portion of the agenda and then Phil is going to give us an  
47 Update on the ESA Coral Listing Final Rule.

48

UPDATE ON ESA CORAL LISTING FINAL RULE

1  
2  
3 **MR. STEELE:** Sure. As a way of background, for you all who  
4 haven't stayed up late at night and read the Federal Register  
5 notice like we all should, as you know, in late December of  
6 2012, the Federal Register came out with a notice for a proposed  
7 rule to list sixty-six species of reef-building corals and  
8 fifty-nine of them in the Pacific and seven of them in the  
9 Caribbean. Mark is telling me now that the Caribbean and the  
10 Gulf are all considered as one water body and so I found that  
11 quite interesting.

12  
13 Also, it to reclassify two of the threatened species of Acropora  
14 up to endangered. It had a ninety-day comment period and they  
15 extended that for another thirty days and the commenters raised  
16 a lot of concerns about risk of extinction and extinction levels  
17 and so forth and so on and so what we did then was extend the  
18 comment period for another six months and that came out in late  
19 2013 when we extended that comment period.

20  
21 Given all the new information that we are working on and trying  
22 to incorporate into the final coral listing, we are not  
23 confident that we will have a final rule in June, but we are  
24 confident that we'll be able to make the final determination on  
25 these corals this summer and that's about all I have to give you  
26 right now, Mr. Chairman. It's a work in progress.

27  
28 **CHAIRMAN WILLIAMS:** Any questions for Phil? Thank you, Phil.  
29 That was a good short report and we appreciate that. Any other  
30 business to come before these committees? Hearing no other  
31 business, we are adjourned.

32  
33 Whereupon, the meeting adjourned at 2:30 p.m., June 23, 2014.)

34  
35 - - -  
36