

# **Final Summary Report**

## **Protected Resources Committee**

March 2016  
Jekyll Island, GA

The Protected Resources Committee met on March 7, 2016. The agenda was adopted, and the minutes of the December 2015 meeting were approved.

### **South Atlantic Protected Resource-Related Updates**

Jennifer Lee, SERO Protected Resources Division (PRD), provided the Committee with an update on protected resources issues in the South Atlantic region. PRD filed a notice of intent for sea turtle conservation measures in the shrimp fishery and will be holding a scoping meeting in Morehead City on April 13<sup>th</sup>, 2016.

Formal consultation was reinitiated for the South Atlantic Snapper Grouper Fishery due to recommended actions in Regulatory Amendment 16. Regulatory Amendment 16 recommended reopening the black sea bass pot fishery during the winter.

### **Right Whale Critical Habitat Final Rule**

Jennifer Lee, SERO Protected Resources Division (PRD), presented the final rule for Right Whale Critical Habitat to the Committee. In the South Atlantic, Right Whale Critical Habitat extends from Cape Fear Shoals to south of Cape Canaveral and encompasses 8,429 square nautical miles. The final area was increased from the proposed area based on comments received during scoping the rule that identified consistent and predictable mother/calf pairs; habitat included the essential features, and the area required similar management to proposed calving areas. The classification of critical habitat may impact National Pollution Discharge Elimination System (NPDES) permitting, oil spill response, dredging and spoil disposal, marine construction permitting, construction and operation of energy facilities, oil and gas and development, offshore alternative energy development, directed copepod fisheries, and marine aquaculture

### **ESA/MSA Integration Agreement**

In January 2015, NMFS released a policy directive on ESA/MSA Integration. The directive implemented recommendations from the ESA Working Group, which was convened by the Marine Fisheries Advisory Committee (MAFAC) and the Council Coordination Committee (CCC) to make recommendations on how to improve the involvement of regional management councils in the ESA Section 7 consultation process. The ESA Working Group also provided recommendations on how to improve transparency in data used for ESA jeopardy determinations, but these will be addressed by NMFS in a separate document.

Council staff presented an updated draft ESA/MSA Integration Agreement to the Committee. The Committee discussed some questions raised by NMFS and General Counsel and prepared for adoption.

### **Updates on Atlantic Sturgeon Stock Assessment and Red Knot Listing**

Dr. Wilson Laney provided an update for the Atlantic States Marine Fisheries Commission (ASMFC) and US Fish and Wildlife Service related to protected resources.

No new information was presented on Red Knot. Critical Habitat is under preparation by USFWS staff.

With regard to the Atlantic Sturgeon stock assessment, Max Appelman of the ASMFC staff provided the following information which Dr. Laney reported:

On the last Stock Assessment Subcommittee (SAS) conference call, members were assigned specific assessment tasks (e.g., index standardization, bycatch estimation, growth analysis, trend analysis, etc.), and are responsible with oversight of that task throughout the assessment process (a summary of that call should be posted to the ASMFC website by the end of the week). A tentative date for the Stock Assessment Workshop is mid-late July, somewhere near Raleigh, North Carolina. This tentative date also serves as a target deadline for members to complete tasks and/or generate preliminary results, as these will be the foundation for discussion at the workshop.

Staff is still working to acquire the last of the acoustic telemetry data sets (19 of 22 data providers have submitted their data, or confirmed that they will be submitting by end of March). Bycatch estimates for NC, SC, and the Federal observer data are nearly complete, and DPS-level estimates are being explored. Criteria for selecting usable indices have been developed. A genetics-based stock comparison analysis is being explored to look at changes in stock mixture in different regions through time. A draft report outline has been developed. Atlantic Sturgeon Technical Committee members (and some SAS members) have begun writing parts of the draft assessment report; primarily data descriptions and non-assessment type sections (e.g., management history, fishery history and habitat info).

The assessment appears to be on schedule for review in early-mid 2017.

No motions were made by the committee.

#### Other Business

No other business was brought before the committee.

#### MOTION

### **MOTION: APPROVE THE ESA/MSA INTEGRATION AGREEMENT**

APPROVED BY COUNCIL

#### Timing and Tasks