

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
PROTECTED RESOURCES COMMITTEE**

**Hilton Wilmington Riverside Hotel  
Wilmington, North Carolina**

**December 3, 2013**

**SUMMARY MINUTES**

**Committee Members:**

David Cupka, Chair  
Dr. Michelle Duval  
John Jolley

Anna Beckwith  
LT Morgan Fowler  
Dr. Wilson Laney

**Council Members:**

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Zack Bowen  
Jack Cox  
Doug Haymans  
Charlie Phillips

Mel Bell  
Chris Conklin  
Dr. Roy Crabtree  
Jessica McCawley

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John Carmichael  
Julie O'Dell

Gregg Waugh  
Amber Von Harten  
Myra Brouwer  
Dr. Mike Errigo  
Dr. Brian Chevront  
Mike Collins

**Observers/Participants:**

Rich Chessler  
Phil Steele  
Dr. Bonnie Ponwith  
Dr. Luiz Barbieri  
Dr. Michael Larkin  
Dr. Jack McGovern  
Dr. George Sedberry

Doug Boyd  
Otha Easley  
Dr. Marcel Reichert  
Pres Pate  
Andy Herndon  
Monica Smit-Brunello

Other observers attached

The Protected Resources Committee of the South Atlantic Fishery Management Council convened in the Cape Fear Ballroom of the Hilton Wilmington Riverside Hotel, Wilmington, North Carolina, December 3, 2013, and was called to order at 9:47 o'clock a.m. by Chairman David Cupka.

MR. CUPKA: I would like to call the Protected Resources Committee to order. The first order of business is the approval of the agenda. Are there any additions to our agenda? Seeing none; then our agenda is approved. Next is the approval of the September 2013 Protected Resources Committee Meeting Minutes. Are there any additions or corrections to the minutes? Seeing none; then those minutes are approved.

Next is an update on ongoing consultations. You will recall that we have two formal consultations underway. The first deals with coastal migratory pelagics and was triggered when some of the distinct population segments or Atlantic sturgeon were classified as endangered under the Endangered Species Act. The second one has to do with the southeast shrimp fisheries; it includes both the Gulf and the South Atlantic. It is to examine the effects of skimmer trawls without TEDs.

You will recall that the council asked for updates during our meetings on any ongoing formal consultations. We have a member of the Southeast Regional Office Protected Resources Division staff. I understand Jennifer had a conflict and so Andy Herndon is going to be giving us an update on these two ongoing formal consultations. I will turn it over to Kari and Andy.

MR. HERNDON: Good morning, everyone. My updates are going to be rather quick. We're still kind of in the same place we were the last time Jennifer Lee gave you guys an update. The coastal migratory pelagics consultation is moving forward. We're reviewing the existing biops and see what information needs to be updated and make sure the approach that we use to analyze potential impacts the last time around might still work this time around. The biologist who has been assigned that biop is currently working on that.

With respect to the shrimp fishery; that is actually moving along. It should move into a – we have three or four levels of internal review, and it will be moving into the third or fourth level of review coming up here pretty quickly. As of right now, it looks like we're shooting for at the earliest the end of this year for the biop to be completed, and more likely probably early 2014. With that, I guess I will take any questions if anybody has any.

MR. CUPKA: Are there any questions for Andy on either of those two consultations? I don't see any, Andy. We appreciate the update and look forward to a similar update at our next council meeting. Thanks again, Andy. Okay, next on our agenda is an update on the Endangered Species Act Working Group. I am going to ask Kari to bring us up to date on that.

DR. MacLAUHLIN: Okay, just to recap; this is a joint working group made up of the Marine Fisheries Advisory Committee, MAFAC, and CCC members and folks from NOAA Fisheries. It was put together to make recommendations to increase transparency and improve the confidence in the ESA consultations on fishery management plans.

I had given you guys a briefing about the working group and their meetings at the September meeting. Then they were supposed to meet in October and finalize their recommendations, but the shutdown delayed that meeting. The recommendations haven't quite been finalized yet. They were meeting in mid-November, and then they will make the final report to MAFAC at the MAFAC December meeting for their approval.

Then the CCC will review at their February meeting. Hopefully, either at the March meeting or whenever the Protected Resources Committee meets again, then I will be able to provide those final recommendations once they have been approved by everybody, by the groups.

MR. CUPKA: Any questions for Kari on that? Seeing none, then we'll move ahead to our next agenda item, which is an update on American Eel Status Review.

DR. LANEY: Everyone has the attachments that are in the package there. One of them is just a briefing on the American eel and general information about how the Service will proceed with that. The second one I believe is the letter that the Service sent to the council just notifying the council of the ongoing status review and seeking any additional information on American eel that the council may wish to provide.

The Service has put together a core team. There is representation – Sara Laporte from the NMFS Northeast Region is on that team as the NOAA representative. A decision has not been made yet with regard to whether or not the Service will assemble a formal status review team or whether, as with the last American eel status review, we will just convene workshops of interested parties to discuss the needed updates and to address the issues that caused the last petition to be deemed warranted. That is pretty much my report, Mr. Chairman. If anybody has any questions, I will attempt to answer those.

MR. CUPKA: Are there any questions for Wilson regarding the American Eel Status Review? We will be hearing more on this I guess, once the Service decides which way it wants to move ahead and we'll have an opportunity to comment as appropriate.

DR. LANEY: Yes, sir, that will be the case. I am the southeast region representative on the core team, so I will keep the council briefed on what is happening on that. Just one other thing I will just real quickly mention is the last time I asked for an update on the numbers of American eels that were being passed above Roanoke Rapids Dam via the two eelways at that facility, which in on the Roanoke River in North Carolina, the number for this year was up to 802,000 and we were looking to possibly break a million.

That is an order of magnitude increase over the previous year, which is consistent with the findings from the ASMFC's Glass Eel Surveys along the east coast, which showed a huge jump in 2012 and 2013 I believe in the numbers of glass eels that folks were sampling. If you figure that those 150 to 180 millimeter elvers that are arriving at the Roanoke Rapids Dam are probably about a year old; then that makes sense that if we saw a big jump in glass eels in 2012, we would see a big jump in elvers in 2013 upriver. That is about 137.5 miles upriver from the Albemarle Sound. They still have to come in Oregon Inlet or one of the other inlets and cross Albemarle Sound to get to the river mouth. That is interesting that those numbers are so high this year.

MR. CUPKA: Are there any questions or comments for Wilson?

MR. HARTIG: A gee whiz question. Has there any work been done between the two stages in the two years of survivability between the two?

DR. LANEY: No, there hasn't, and that is a topic of discussion. The ASMFC will actually be having a conference call. The American Eel Technical Committee and Stock Assessment Subcommittee are getting together two days from now on December 5th to talk about updating the stock assessment which ASMFC did.

That is one of the questions that has come up, Ben, because a number of the states – in view of the extremely high dollar value of glass eels, which has approached \$2,500 a pound, some of the states are potentially interested in establishing glass eel fisheries. There are only two legal glass eel fisheries right now; those being South Carolina and Maine.

The question has arisen from some of the state partners as to whether or not they could possibly develop some sort of conservation equivalency ratio between glass eels and elvers or yellow eels, and thereby agree to reduce their yellow eel fisheries by an amount equivalent in poundage of glass eels. Well, there just simply isn't any information.

What we're talking about is the fact that if we had a watershed wherein we could monitor glass eels and elvers and yellow eels, then we might be able to get a sense of what the incremental mortality is between those life stages and come up with some rationale for a ratio. Right now anything we tried would just be mostly pure speculation about what the mortality rate is.

The question is how many glass eels does it take to make a yellow eel? The general consensus; I know Michelle's boss, Louis, has very strong feelings that the mortality rate on glass eels is probably extremely high. It probably is, but we don't have a good sense for how high it is and how many it takes to make a yellow eel. That is a question very much of interest to a number of the states, and it will be under discussion later this week by the ASMFC Technical Committee and Stock Assessment Subcommittee.

MR. CUPKA: All right, that brings us down to other business. Is there any other business to come before the committee? Seeing none; then Mr. Chairman; I will turn it back to you.

(Whereupon, the meeting was adjourned at 10:00 o'clock a.m., December 3, 2013.)

Transcribed By:  
Graham Transcriptions, Inc  
January 2014

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# PLEASE SIGN IN

So that we will have a record of your attendance at each meeting and so that your name may be included in the minutes, we ask that you sign this sheet for the meeting shown below.

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Tuesday, December 3, 2013

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68	Ballenger, Joseph	<a href="mailto:ballengerj@dnr.sc.gov">ballengerj@dnr.sc.gov</a>	80 min
62	Mehta, Nikhil	<a href="mailto:nikhil.mehta@noaa.gov">nikhil.mehta@noaa.gov</a>	59 min
59	Raine, Karen	<a href="mailto:karen.raine@noaa.gov">karen.raine@noaa.gov</a>	152 min
58	Gerhart, Susan	<a href="mailto:susan.gerhart@noaa.gov">susan.gerhart@noaa.gov</a>	51 min
57	Wynn, Chris	<a href="mailto:chris.wynn@myfwc.com">chris.wynn@myfwc.com</a>	16 min
55	holland, jack	<a href="mailto:jack.holland@ncdenr.gov">jack.holland@ncdenr.gov</a>	28 min
50	meyers, steve	<a href="mailto:steve.meyers@noaa.gov">steve.meyers@noaa.gov</a>	152 min
47	burton, michael	<a href="mailto:michael.burton@noaa.gov">michael.burton@noaa.gov</a>	69 min
46	E, A	<a href="mailto:annemarie.eich@noaa.gov">annemarie.eich@noaa.gov</a>	48 min
42	Moss, David	<a href="mailto:david@smoss.com">david@smoss.com</a>	93 min
42	Bademan, Martha	<a href="mailto:martha.bademan@myfwc.com">martha.bademan@myfwc.com</a>	109 min
40	Swatzel, Tom	<a href="mailto:tom@sustainablefishing.or...">tom@sustainablefishing.or...</a>	120 min
37	Cairns, Kalani	<a href="mailto:kalani1@bellsouth.net">kalani1@bellsouth.net</a>	126 min
36	Miller, Savannah	<a href="mailto:sgmill3@emory.edu">sgmill3@emory.edu</a>	49 min
36	merrifield, jeanna...	<a href="mailto:jeannam@wildoceanmarket.c...">jeannam@wildoceanmarket.c...</a>	152 min
35	DeVictor, Rick	<a href="mailto:rick.devictor@noaa.gov">rick.devictor@noaa.gov</a>	70 min
32	Bresnen, Anthony	<a href="mailto:anthony.bresnen@myfwc.com...">anthony.bresnen@myfwc.com...</a>	91 min
31	Takade-Heumacher, ...	<a href="mailto:htakade@edf.org">htakade@edf.org</a>	152 min
30	Byrd, Julia	<a href="mailto:julia.byrd@safmc.net">julia.byrd@safmc.net</a>	152 min
30	Helies, Frank	<a href="mailto:fchelies@verizon.net">fchelies@verizon.net</a>	91 min
29	c, m	<a href="mailto:mec181@yahoo.com">mec181@yahoo.com</a>	150 min
29	Newman, David	<a href="mailto:dnewman@nrdc.org">dnewman@nrdc.org</a>	92 min
28	blough, heather	<a href="mailto:heather.blough@noaa.gov">heather.blough@noaa.gov</a>	58 min
27	Knowlton, Kathy	<a href="mailto:kathy.knowlton@gadnr.org">kathy.knowlton@gadnr.org</a>	77 min
27	Baker, Scott	<a href="mailto:bakers@uncw.edu">bakers@uncw.edu</a>	100 min
25	sandorf, scott	<a href="mailto:scott.sandorf@noaa.gov">scott.sandorf@noaa.gov</a>	66 min
24	Sedberry, George	<a href="mailto:george.sedberry@noaa.gov">george.sedberry@noaa.gov</a>	4 min
24	Denit, Kelly	<a href="mailto:kelly.denit@noaa.gov">kelly.denit@noaa.gov</a>	27 min

21	Fey, Kasey	<a href="mailto:info@keykeeper.org">info@keykeeper.org</a>	5 min
80	L, I	<a href="mailto:captaindrifter@bellsouth...">captaindrifter@bellsouth...</a>	247 min
78	Bademan, Martha	<a href="mailto:martha.bademan@myfwc.com">martha.bademan@myfwc.com</a>	209 min
76	Morgan, Jerry	<a href="mailto:b8ntackle@aol.com">b8ntackle@aol.com</a>	165 min
74	Moss, David	<a href="mailto:david@smoss.com">david@smoss.com</a>	108 min
64	Fey, Kasey	<a href="mailto:info@keykeeper.org">info@keykeeper.org</a>	27 min
64	Cairns, Kalani	<a href="mailto:kalani1@bellsouth.net">kalani1@bellsouth.net</a>	1 min
49	Raine, Karen	<a href="mailto:karen.raine@noaa.gov">karen.raine@noaa.gov</a>	102 min
48	holiman, stephen	<a href="mailto:stephen.holiman@noaa.gov">stephen.holiman@noaa.gov</a>	124 min
46	Mehta, Nikhil	<a href="mailto:nikhil.mehta@noaa.gov">nikhil.mehta@noaa.gov</a>	103 min
40	blough, heather	<a href="mailto:heather.blough@noaa.gov">heather.blough@noaa.gov</a>	92 min
39	meyers, steve	<a href="mailto:steve.meyers@noaa.gov">steve.meyers@noaa.gov</a>	62 min
37	DeVictor, Rick	<a href="mailto:rick.devictor@noaa.gov">rick.devictor@noaa.gov</a>	87 min
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34	E, A	<a href="mailto:annemarie.eich@noaa.gov">annemarie.eich@noaa.gov</a>	124 min
33	malinowski, rich	<a href="mailto:rich.malinowski@noaa.gov">rich.malinowski@noaa.gov</a>	28 min
31	Gore, Karla	<a href="mailto:karla.gore@noaa.gov">karla.gore@noaa.gov</a>	38 min
31	Michie, Kate	<a href="mailto:kate.michie@noaa.gov">kate.michie@noaa.gov</a>	96 min
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28	Lloyd, Vic	<a href="mailto:vic_lloyd@bellsouth.net">vic_lloyd@bellsouth.net</a>	50 min
28	Herndon, Andrew	<a href="mailto:andrew.herndon@noaa.gov">andrew.herndon@noaa.gov</a>	85 min
27	Helies, Frank	<a href="mailto:fchelies@verizon.net">fchelies@verizon.net</a>	77 min
27	Package-Ward, Chri...	<a href="mailto:christina.package-ward@no...">christina.package-ward@no...</a>	23 min
27	Tsao, Fan	<a href="mailto:fan.tsao@noaa.gov">fan.tsao@noaa.gov</a>	54 min
26	c, m	<a href="mailto:mec181@yahoo.com">mec181@yahoo.com</a>	127 min

26	Byrd, Julia	<a href="mailto:julia.byrd@safmc.net">julia.byrd@safmc.net</a>	69 min
24	burton, michael	<a href="mailto:michael.burton@noaa.gov">michael.burton@noaa.gov</a>	75 min
24	merrifield, jeanna...	<a href="mailto:jeannam@wildoceanmarket.c...">jeannam@wildoceanmarket.c...</a>	94 min
24	sandorf, scott	<a href="mailto:scott.sandorf@noaa.gov">scott.sandorf@noaa.gov</a>	38 min
22	Takade-Heumacher, ...	<a href="mailto:htakade@edf.org">htakade@edf.org</a>	37 min