

# **Draft Summary Report**

## **Protected Resources Committee**

December 2015  
Atlantic Beach, NC

The Protected Resources Committee met on December 10, 2015. The agenda was adopted, and the minutes of the September 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. Actions covered by PRD included Nassau Grouper, Atlantic Sturgeon, North Atlantic Right Whale Critical Habitat, Green Sea Turtle DPS Rule, MMPA Pelagic Longline Take Reduction Team, and Large Whale Take Reduction Team. Green sea turtle nesting numbers in 2015 were finalized and were the highest on record. There was also a reported observation of a hawksbill sea turtle nesting near Cape Hatteras.

### **Compliance Policy for Turtle Excluder Devices**

Jennifer Lee, SERO Protected Resources Division (PRD), provided the Committee on the NMFS Turtle Excluder Device (TED) Compliance Policy. The 2014 Southeast Shrimp Fishery Biological Opinion listed as a term and condition of the biological opinion that NMFS must develop methods and standards for determining non-compliance of turtle excluder device (TED) requirements in the Southeast Shrimp Fishery. The SERO Protected Resources Division has developed a draft policy for monitoring TED compliance. The policy has been updated since the May draft and the final policy will be released mid-December 2015 which will become effective March 1, 2016. The new policy includes three sample periods: Mar-Jun, Jul-Oct, and Nov-Feb. A closure would not occur until compliance falls below an 84% compliance rate for two consecutive periods. The closure would last for 30 days. There was discussion on the reporting form, the use of the law enforcement for monitoring compliance, and impacting the entire fishery for the actions of a few individuals.

### **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 a draft ESA/MSA Integration Agreement to the Committee. General Counsel requested additional time to review the document. The integration agreement will be presented in March, 2016.

## Updates on American Eel Status Review, Atlantic Sturgeon, and Red Knot Listing

Wilson Laney, US Fish and Wildlife Service, gave an update for US Fish and Wildlife Services related to protected resources. Information on the American Eel 12-Month Finding as well as the Species Biological Report are available online and glass eel data from the NMFS Beaufort Bridge Net survey will be available online through 2013. The Atlantic Sturgeon stock assessment is ongoing and the assessment will include analysis of data from acoustic tagging.

## Other Business

The Committee discussed a new appointee for the Large Whale Take Reduction Team. Council member Jack Cox agreed to consider taking on that responsibility, depending on the timing of the 2016 meetings.

The Committee did not make any motions:

### MOTION.

**MOTION:** APPROVE THE FOLLOWING TASK AND TIMING ITEMS:

#### Timing and Tasks

The committee recommended staff revise the integration agreement and work with SERO Protected Resources staff to further develop the document and present the document at the March Council Meeting.

APPROVED BY COUNCIL