



Atlantic States Marine Fisheries Commission

75th Annual Meeting Summary

Vision: Sustainably Managing Atlantic Coastal Fisheries

75th Annual Meeting
Bar Harbor, ME
October 23 – 27, 2016

Toni Kerns, ISFMP, or
Tina Berger, Communications
For more information, please contact
the identified individual at
703.842.0740

Meeting Summaries, Press Releases and Motions

TABLE OF CONTENTS:

ACFHP MELISSA LASER HABITAT CONSERVATION AWARD (OCTOBER 23, 2016)	3
<i>Summary</i>	3
SPINY DOGFISH MANAGEMENT BOARD (OCTOBER 24, 2016).....	4
<i>Press Release</i>	4
<i>Motions</i>	5
COASTAL SHARKS MANAGEMENT BOARD (OCTOBER 24, 2016)	5
<i>Meeting Summary</i>	5
<i>Motions</i>	6
ATLANTIC STRIPED BASS MANAGEMENT BOARD (OCTOBER 24, 2016)	6
<i>Meeting Summary</i>	6
<i>Motions</i>	7
EXECUTIVE COMMITTEE (OCTOBER 24, 2016)	7
<i>Meeting Summary</i>	7
LAW ENFORCEMENT COMMITTEE (OCTOBER 24 & 25, 2016)	8
<i>Meeting Summary</i>	8
SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (OCTOBER 25, 2016)	10
<i>Press Release</i>	10
<i>Meeting Summary</i>	11
<i>Motions</i>	12
TAUTOG MANAGEMENT BOARD (OCTOBER 25, 2016)	13
<i>Meeting Summary</i>	13
<i>Motions</i>	14
SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (OCTOBER 25, 2016).....	14
<i>Press Release</i>	14
<i>Motions</i>	15
SHAD AND RIVER HERRING MANAGEMENT BOARD (OCTOBER 25, 2016).....	15

<i>Meeting Summary</i>	15
<i>Motions</i>	15
HORSESHOE CRAB MANAGEMENT BOARD (OCTOBER 26, 2016)	16
<i>Press Release</i>	16
<i>Motions</i>	17
ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM COORDINATING COUNCIL (OCTOBER 26, 2016)	17
<i>Meeting Summary</i>	17
<i>Motions</i>	18
BUSINESS SESSION (OCTOBER 26, 2016)	18
<i>Meeting Summary</i>	18
<i>Motions</i>	18
CAPTAIN DAVID H. HART AWARD LUNCHEON (OCTOBER 26, 2016)	19
<i>Press Release</i>	19
ATLANTIC MENHADEN MANAGEMENT BOARD (OCTOBER 26, 2016)	21
<i>Press Release</i>	21
<i>Meeting Summary</i>	21
<i>Motions</i>	22
INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (OCTOBER 27, 2016)	23
<i>Meeting Summary</i>	23
<i>Motions</i>	25
ATLANTIC HERRING SECTION (OCTOBER 27, 2016)	25
<i>Press Release</i>	25
<i>Meeting Summary</i>	26
<i>Motions</i>	26
AMERICAN LOBSTER MANAGEMENT BOARD (OCTOBER 27, 2016)	27
<i>Press Release</i>	27
<i>Meeting Summary</i>	28
<i>Motions</i>	29

ACFHP MELISSA LASER HABITAT CONSERVATION AWARD (OCTOBER 23, 2016)

Summary

Bonnie Bick and Jim Long of the Mattawoman Watershed Society were awarded the Atlantic Coastal Fish Habitat Partnership (ACFHP)'s 2016 Melissa Laser Habitat Conservation Award at the Commission's 75th Annual Meeting Reception on Sunday, October 23rd in Bar Harbor, Maine.

Over the past two decades this year's awardees have worked tirelessly without financial compensation to protect one of the most important fish breeding grounds in the Chesapeake Bay watershed, Mattawoman Creek. It is used by striped bass, American and hickory Shad, alewife, and blueback herring for spawning and nursery habitat. It is one of the more productive and high quality tributaries to the Bay and is also facing significant development pressure. Their successful efforts to preserve a watershed threatened with conversion to other uses in this southern Maryland stream system are important to maintain the ecological resiliency of the watershed. Their penultimate achievement has been the recent resource-friendly comprehensive growth plan adopted by Charles County. Among other things, this plan recognizes the role of conserving Mattawoman Creek's watershed for anadromous fish – a groundbreaking achievement. This comprehensive growth plan, the blueprint for future growth, opens a new door for managing fisheries in Maryland that, hopefully, will become widespread. They have been tireless volunteers that have greatly aided the Department of Natural Resources by collecting data that otherwise would not exist. In turn, they have used the science generated by these data to defend their beloved watershed.



From Left: ACFHP Steering Committee member Dr. Wilson Laney, Award recipient Jim Long, Mrs. and Mr. Laser, Award recipient Bonnie Bick, and Maine Commissioner Patrick Keliher

In addition to the comprehensive growth plan, their accomplishments include protecting more than 1,000 acres along Mattawoman Creek, stopping the proposed Cross County Connector Extension across the watershed's headwaters in Charles County, and encouraging replacement of the road project with a proposed bike path, as well as promoting a 10% impervious surface cap within the watershed, and serving as enthusiastic citizen scientists collecting the critical fish spawning and habitat data necessary to support their efforts. They also attend and testify at countless development hearings.

Bonnie and Jim display tenacity, energy, intelligence, and organizational skills in protecting fish habitat in Mattawoman Creek. Managing inland fish habitat is challenging because these watersheds are under the jurisdiction of local, not state or federal, governments, with which the natural resources management community often do not have sufficient collaboration. The awardees provide a glowing

example of how to achieve significant success through positive influence on local decision-making processes.

The Melissa Laser Fish Habitat Conservation Award is bestowed upon individuals deemed to further the conservation, protection, restoration, and enhancement of habitat for native Atlantic coastal, estuarine-dependent, and diadromous fishes in a unique or extraordinary manner. The award was established in memory of Dr. Melissa Laser who passed away unexpectedly on April 27, 2010. Melissa was a biologist with the Maine Department of Marine Resources where she worked tirelessly to protect, improve, and restore aquatic ecosystems in Maine and along the entire Atlantic Coast. As an astute strategic thinker and leader, Melissa edited and coordinated the Strategic and Operational Plan for the Restoration of Diadromous and Resident Fishes to the Penobscot River. She coordinated fish passage projects, managed and oversaw the biological field staff for the Maine Western Region, and was the Bureau of Sea Run Fisheries and Habitat Program lead for habitat restoration studies and projects. She was also an effective champion for Atlantic salmon, directing and coordinating Endangered Species Act-related actions pertaining to the species. Melissa brought her smiling dedication and enthusiasm to the Commission’s Habitat Committee and ACFHP’s Steering Committee, catalyzed by ASMFC in 2006.

Dr. Wilson Laney, ACFHP Steering Committee member and previous award recipient, and Patrick Keliher, Annual Meeting host and Melissa’s former boss, presented the award, and Melissa’s family were in attendance to share in the celebration as well.

For more information, please contact Dr. Lisa Havel, ACFHP Coordinator, at lhavel@asmfc.org or 703.842.0740.

SPINY DOGFISH MANAGEMENT BOARD (OCTOBER 24, 2016)

Press Release

ASMFC Spiny Dogfish Board Approves 2017 Fishery Specifications

Bar Harbor, ME – The Commission’s Spiny Dogfish Management Board approved a spiny dogfish commercial quota of 39,099,717 pounds for the 2017 fishing season (May 1, 2017 – April 30, 2018). The Board maintained a 6,000 pound commercial trip limit in state waters (0-3 miles from shore) in the northern region (Maine through Connecticut). States in the southern region (New York to North Carolina) have the ability to set state-specific trip limits based on the needs of their fisheries.

	Northern Region (ME-CT)	NY	NJ	DE	MD	VA	NC
Possession Limit	6,000	To be specified by the individual southern region states					
Allocation	58%	2.707%	7.644%	0.896%	5.92%	10.795%	14.036%
2017 Quota	22,677,836	1,058,429	2,988,782	350,333	2,314,703	4,220,814	5,488,036

The quota and northern region trip limit are consistent with the measures recommended to NOAA Fisheries by the Mid-Atlantic Fishery Management Council. Although the spiny dogfish commercial quota represents a slight decrease from the previous year, the 2015 assessment update projects spawning stock biomass to increase starting in 2019. Therefore, the commercial quota is expected to increase in the next specifications cycle if the projection is supported by catches in the Northeast Fisheries Science Center spring survey.

The 2017 spiny dogfish commercial quota allocations (in pounds) for the northern region and the states of New York through North Carolina are described below. Any overages from the 2016 season will be deducted from that region's or state's 2017 quota allocation.

For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at mappelman@asmfc.org or 703.842.0740.

###

PR16-28

Motions

Move to adopt the 2017 commercial quota of 39,099,717 pounds, which is consistent with the commercial quota recommended by the Mid-Atlantic Fishery Management Council to NOAA Fisheries, and a 6,000 pound trip limit for the Northern Region.

Motion made by Mr. Stockwell and seconded by Mr. Reid. Roll call vote. Motion passes unanimously.

Move to approve the 2016 Spiny Dogfish FMP Review and state compliance, and *de minimis* status for Delaware in 2016.

Motion adopted by consensus.

COASTAL SHARKS MANAGEMENT BOARD (OCTOBER 24, 2016)

Meeting Summary

The Coastal Sharks Management Board received an overview from NOAA Fisheries Highly Migratory Species (HMS) Management Division on four proposed rules. Amendment 5b to the 2006 Consolidated HMS Fishery Management Plan (FMP) proposes a range of management measures to prevent overfishing and rebuild overfished shark stocks. These measures are based on recent assessments that determined dusky sharks are overfished and experiencing overfishing. NOAA Fisheries is accepting public comment through December 22, 2016. If alternative management measures are implemented by HMS, they will apply to commercial fishermen with HMS permits and recreational fishing in federal waters. The Coastal Sharks Board has implemented some management measures that are complementary to the federal FMP, therefore these alternatives may be considered by the Board at a future date. Interested states should forward their comments to staff by November 15. If comments are received, they will be compiled and sent in the form of a letter to NOAA Fisheries HMS as part of public comment.

The Board reviewed the Draft Environmental Assessment for Amendment 10 to the HMS FMP on essential fish habitat (EFH). As proposed it would update and revise existing HMS EFH, modify existing Habitat Areas of Particular Concern (HAPCs) or designate new HAPCs for bluefin tuna and sandbar, lemon, and sand tiger sharks, and analyze fishing and non-fishing impacts on EFH since 2009. Draft

Amendment 10 does not propose implementing regulations. States are encouraged to submit individual public comments to NOAA Fisheries through December 22, 2016.

A proposed rule that would establish a commercial retention limit (CRL) for blacknose sharks was presented; the HMS preferred alternative would establish a CRL of 8 blacknose sharks/trip. The public comment period is closed. If the preferred alternative is implemented in the final rule then the Coastal Sharks Board can consider establishing an 8 blacknose shark/trip possession limit for commercial fishermen with state licenses at a future Board meeting.

The proposed specifications for the 2017 Atlantic shark fishing season were presented. Similar to the 2016 fishing season, NOAA Fisheries is proposing a January 1 opening date for all shark management groups and a variable CRL for sharks in the aggregated large coastal and hammerhead management groups. The Board will set the 2017 coastal shark specifications via an email vote after the final rule is published.

For more information, please contact Ashton Harp, Fishery Management Plan Coordinator, at aharp@asmfc.org or 703.842.0740.

Motions

Move to approve the 2017 coastal sharks specifications via an email vote after NOAA Fisheries publishes the final rule for the 2017 Atlantic Shark Commercial Fishing season.

Motion made by Mr. Baum, seconded by Mr. O'Reilly. Motion carries without objection.

Move to approve Roger Wooleyhan Jr. and Charles Witek as members of the Coastal Sharks Advisory Panel.

Motion by Mr. Luisi and seconded by Mr. Heins. Motion carries without objection.

ATLANTIC STRIPED BASS MANAGEMENT BOARD (OCTOBER 24, 2016)

Meeting Summary

The Atlantic Striped Bass Management Board (Board) met to review the Technical Committee's (TC) report evaluating the variables affecting the harvest in 2015 under Addendum IV, and to review the 2016 stock assessment update.

The Atlantic Striped Bass Plan Review Team (PRT) conducted a preliminary review on the performance of the Addendum IV measures during the annual FMP review process to determine if the target reductions in harvest had been achieved in each region and sector. The PRT review indicated that realized harvest from the commercial fisheries, and on a coastwide scale, was very close to those estimated by the TC. However, 2015 harvest from the recreational fisheries in the ocean and in the Chesapeake Bay diverged significantly from those estimated by the TC. At its August meeting, the Board tasked the TC to investigate a number of variables for the recreational fisheries to explain the large differences in the realized harvest in 2015 compared to those predicted by the TC. The TC concluded that changes in effort and changes in the size and age structure of the population, and the distribution of the 2011 year class along the coast relative to the Chesapeake Bay were the most significant variables contributing to the

large differences in the realized harvest compared to those estimated by the TC. Effort (i.e., number of trips targeting striped bass) in the Chesapeake Bay recreational fishery increased by 50% in 2015 compared to the reference period, while effort in the ocean recreational fisheries decreased by 27%. Additionally, age and length structure of the recreational catch data suggest that the large 2011 year class was nearly fully recruited to the Chesapeake Bay fisheries, but only partially available to the ocean fisheries. In other words, not only are these fish just starting to migrate into the ocean populations, but a large proportion of fish from this year class are of harvestable size in the Bay (i.e., greater than or equal to 20" total length).

The 2016 stock assessment update results indicated that although the Atlantic striped bass stock is not overfished and overfishing is not occurring, spawning stock biomass (SSB) continues to decline towards the threshold level. SSB in 2015 was estimated at 58,853 metric tons with a 40% probability of being below the SSB threshold level of 57,626 metric tons. Fishing mortality (F) in 2015 was estimated at 0.16 which is below the threshold and the target levels (0.22 and 0.18, respectively). A primary goal of Addendum IV was to bring F back down to the target level. Since F was estimated to be below the target in 2015, the Board tasked the TC to determine the percent liberalization in harvest that would increase F from the 2015 point estimate of 0.16 to the target level of 0.18. As part of this tasking, and because Addendum IV continues to set the regulatory program for Atlantic striped bass (i.e., commercial quotas, and recreational size and bag limits), the TC will provide a recommendation to the Board on the preferred dataset using updated length-frequency data for states to use when preparing conservation equivalency proposals.

For more information please contact Max Appelman, Fishery Management Plan Coordinator, at mappelman@asmfc.org or 703.842.0740.

Motions

Move to task the Striped Bass Technical Committee to 1) determine the percent liberalization in harvest that would increase fishing mortality (F) from the 2015 terminal year estimate of 0.16 to the FMP target F of 0.18, and 2) to recommend a preferred dataset using updated length frequency data for states to use when preparing conservation equivalency proposals for recreational regulations.

Motion made by Mr. Luisi and seconded by Mr. Clark. Motion carries (8 in favor, 6 opposed).

EXECUTIVE COMMITTEE (OCTOBER 24, 2016)

Meeting Summary

The Executive Committee reviewed the FY16 Audit and deferred approval until the February meeting to allow staff additional time to resolve some issues identified in the draft audit. The committee reviewed the updated Conservation Equivalency guidance document and recommended it for approval by the ISFMP Policy Board. They reviewed an updated draft of the ASMFC standard meeting practices document and provided additional editorial feedback. This document will be considered for approval by the policy board at the February 2017 meeting. The Executive Committee discussed a number of Human Resources issues associated with having multiple ASMFC employees housed in our member states. The Committee agreed to include an ACCSP goal in the Commission's annual action plan. Under other business, the committee discussed pending MRIP economic surveys. They agreed to engage MRIP staff on to determine if there is a more appropriate way to collect this information.

For more information, please contact Laura Leach, Director of Finance and Administration, at lleach@asmfc.org or 703.842.0740.

LAW ENFORCEMENT COMMITTEE (OCTOBER 24 & 25, 2016)

Meeting Summary

The Law Enforcement Committee (LEC) met over two days during the 2016 annual meeting of the Atlantic States Marine Fisheries Commission (ASMFC) in Bar Harbor, Maine. The LEC welcomed new LEC member Grant Burton representing Florida.

Species Issues

American Lobster — Megan Ware of ASMFC staff briefed the LEC on development of an addendum to address the Southern New England stock. One issue of concern was the possible increase in regulatory complexity in offshore harvest areas, given the recent work of a subcommittee to address existing enforcement limitations in the offshore trap fishery. The LEC will review and comment on proposed management measures as they are developed.

The **Lobster Enforcement Subcommittee** also reported on its work to identify and recommend enhancements to existing enforcement efforts for the lobster trap fishery. The subcommittee was formed to proactively address enforcement needs in response to trap limitation programs and increasing activity in more remote waters. The LEC reviewed language in a draft letter from the ASMFC requesting that NOAA Office of Law Enforcement increase its priority ranking for American lobster work. The ranking is important to providing federal reimbursement to states for enforcement activities targeting the fishery. The NOAA representative to the LEC confirmed that it is timely to submit such a letter now in advance of planning for 2018-2023 priorities. The LEC continued a discussion of the limitations of enforcement vessels for reaching and checking offshore lobster trap lines. Where enforcement actions have occurred, untagged traps are being discovered. The United States Coast Guard District 5 considers American lobster a priority species for their work, but they are not set up to pull and check traps on their vessels. In addition to increased federal funding to support enforcement efforts, the LEC concluded that the next best area to focus on would be the comprehensive establishment of a vessel monitoring system (VMS) for the lobster fishery, with design characteristics suitable for law enforcement uses.

Jonah Crab — Megan Ware provided information on a proposed addendum to address claw harvest and bycatch standards. After reviewing management options the LEC expressed its continued support for a whole-crab-only harvest. Given the direction of the ASMFC to allow claw harvest, the LEC discussed one complication. If a minimum claw size is specified along with a whole-crab minimum size, confusion in the markets could ensue if claws removed from legal whole crabs do not meet the minimum claw size. This confusion would lead to greater difficulty in enforcing any minimum size limit for claw harvest. The LEC also supported reintroducing an option to allow a 5-gallon bucket volume allowance for harvesting crabs for personal consumption as a relatively straightforward means of enforcing a bag limit. The LEC opposes a bycatch definition based on percent composition as difficult to manage and monitor by both the fisherman and a checking officer. They are also difficult cases to successfully prosecute. The ASMFC's *Guidelines for Resource Managers on the Enforceability of Fishery Management Measures*,

Second Ed. 2015 ranked bycatch limits based on percent composition the 3rd lowest of 26 management measures included in the guidelines.

American Eel — Kirby Rootes-Murdy reviewed the modifications to the eel aquaculture plan from the state of North Carolina. The LEC discussed the removal of warrantless search provisions that were part of the 2016 plan. Despite this change, the LEC reaffirmed its support of the proposed aquaculture operation. Recognizing that the North Carolina General Assembly has provided statutory direction to disallow such warrantless searches, the LEC felt that the remaining general permit conditions and limitations of the proposal, along with its limited application to a single Permittee, would be sufficient to monitor and ensure compliance. On a broader level, the LEC established that under nearly all situations with which it is familiar, issuance of permits or licenses allows for such searches and is considered a vital component of enforcement to ensure compliance with regulations and harvest limits. The LEC is concerned about the possible precedent of removing what is considered an effective compliance tool; namely the ability to conduct warrantless inspections and searches directly related to the actions of permitted or licensed individuals, and where such inspections or searches are made a condition of the permit or license. That ability was a primary consideration of the LEC in rating “Permits” among the most enforceable management measures in its *Guidelines for Resource Managers on the Enforceability of Fishery Management Measures, Second Ed. 2015*.

Summer Flounder — Kirby Rootes-Murdy requested input from the LEC on current state safe harbor provisions and the related idea of landings flexibility for summer flounder that is being considered in the ongoing development of a summer flounder ‘Comprehensive’ amendment. Members pointed out that these items should be understood or seen as two separate issues. For the first issue, Safe Harbor requests are essential to address safety-at-sea concerns, and should be kept separate from management considerations of multi-state landings allowances and quota transfers. Members pointed out recent increases in safe harbor requests in the summer flounder fishery, often from the same individuals or vessels. It is a concern that safe harbor requests may be abused in the interest of off-loading catches for business or convenience purposes. Several states have now adopted policies for handling legitimate safe-harbor requests, and the LEC supports development of a single, standardized policy that all states could adopt. On the second issue as states move towards more and more management policies that allow flexibility in landings (e.g. aggregate, dual-landings permits, out-of-state) the result is inevitably less and less enforceability. The LEC expressed concern that abuse of safe harbor requests is already leading to harvest of flounder that are not accounted for, or ultimately become commercial discards. It was highlighted that this byproduct of abuses of safe harbor may be contributing to fishing mortality that is currently accounted for in a limited capacity, and may have implications on recent stock assessment findings (2015 and 2016 Summer Flounder Stock Assessment Update). Moving forward, Kirby will work to get information on active/in-active permits and dual-state permit holders at the state level to better understand the number of individuals or vessels that may benefit from ‘landings flexibility’, and share this information with the LEC as soon as possible. Kirby will likely schedule a call with the LEC prior to the joint ASMFC and MAFMC Meeting in December 2016.

Other Issues

The LEC reviewed proposed **2017 Action Plan** items and confirmed that its work will address the tasks outlined in Goal 3 of the plan.

Members shared information on their states' participation levels in the **Interstate Wildlife Violators Compact**. In most cases adherence to the compact includes recognition of another state's action to suspend or revoke licenses of a resource violator, and an equivalent suspension in the cooperating state. Members discussed problems of sharing data on license suspensions, and inconsistencies among the states in how provisions of the compact may be applied. While the language of the compact is general in nature, some states do not apply it to commercial or fisheries violations. The LEC Coordinator will review and compile information for more in-depth review by the committee.

Dan McKiernan requested information from the LEC on state regulations or statutes that address **combining recreational and commercial landings** on the same trip. Members provided general information from their states, which varied widely in approaches. Mark Robson was directed to forward additional details of state regulations for Massachusetts' use when those are provided.

The work of the **Aerial Enforcement Subcommittee** was reported to the LEC. There are two primary issues. First, the current *Enforceability Guidelines* ratings of management measures include separate ratings for "Aerial Enforcement". The LEC has concluded that these ratings are not justified as a stand-alone category. Rather, as with vessels, vehicles and other equipment, aerial resources are part of the suite of tools that enable at-sea and dockside enforcement. The LEC recommends that this category be removed from the rating system, conduct an updated survey with the current LEC members, and amend the guidelines document. The second issue relates to funding of aerial enforcement work by NOAA through joint enforcement agreements (JEAs) with the states. NOAA OLE reported on changes underway that will guide how state enforcement activities will be reimbursed through JEAs.

Commissioner Dennis Abbott presented information on a fund-raising **effort to honor Chris Schoppmeyer** for his years of dedication to the Town of Newmarket, NH, and for his distinguished career in conservation enforcement. Funds will be used to secure land for a local park dedicated to Mr. Schoppmeyer.

Members shared information from their respective agencies on recent **staffing and training activities**. Several LEC members reported on the high-value training offered by the National Association of Conservation Law Enforcement Chiefs Leadership Academy. The LEC currently has two members of the Academy steering team and three additional recent graduates.

For more information, please contact Mark Robson, LEC Coordinator, at markrobson2015@outlook.com.

SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (OCTOBER 25, 2016)

Press Release

ASMFC South Atlantic Board Approves Cobia PID for Public Comment

Bar Harbor, ME – The Commission's South Atlantic State/Federal Fisheries Management Plan approved for public comment the Public Information Document (PID) for the Interstate Fishery Management Plan (FMP) for Cobia. As the first step in the FMP development process, the PID provides stakeholders with an opportunity to inform the Commission about changes observed in the

fishery and provide feedback on potential management measures as well as any additional issues that should be included in the Draft FMP. Specifically, the PID seeks comment on the management unit; goals and objectives of the plan; commercial and recreational measures; coastwide, regional or state-by-state measures; and other issues.

This action responds to a request by the South Atlantic Fishery Management Council (SAFMC) for the Commission to consider joint or complementary management of the resource in light of the significant overage of the 2015 recreational annual catch limit (ACL) and the impact of those overages to state management. Further, during most recent years, a majority of recreational landings of cobia along the Atlantic coast occurs in state waters. The Commission considered this request in August and agreed to move forward with the development of a complementary FMP.

Widely distributed throughout the western Atlantic and Gulf of Mexico, cobia are managed as two distinct groups – the Gulf Migratory Group and the Atlantic Migratory Group. The Atlantic Migratory Group, which range from New York to Georgia, is managed by the SAFMC. The east coast of Florida falls under the Gulf Migratory Group. The SAFMC manages the east coast of Florida sub-ACL which is set by the Gulf of Mexico Fishery Management Council. Recreational landings of the Atlantic Migratory Group in 2015 were approximately 1.5 million pounds, 145% over the ACL, resulting in a June 20, 2016 closure of the fishery by NOAA Fisheries. Commercial cobia landings in 2015 were 83,148 pounds, 38% over the ACL. Late landings reports in 2015 precluded a timely closure of the commercial fishery.

Concerns were expressed by some states whose recreational seasons would have been significantly reduced by federal waters closure due to the 2015 quota overage. Instead of following the federal closure, several states developed alternate management strategies to reduce economic impacts to their state fisheries which resulted in differing regulations for federal and state water fishing. An intent of the complementary Cobia FMP is to provide the states the flexibility to respond to changes in the fishery and stock that meet their state fisheries needs without impacting federal fishermen while meeting the goals and objectives of the FMP.

The PID will be available on the Commission website early next week under Public Input (<http://www.asmfc.org/about-us/public-input>). It is anticipated states from Delaware through Florida will be conducting hearings over the next couple of months. The details of those hearings will be released in a subsequent press release. For more information, please contact Louis Daniel at ldaniel@asmfc.org or 252-342-1478.

###

PR16-29

Meeting Summary

The South Atlantic State/Federal Fisheries Management Board met to review the Red Drum Technical Committee (TC) and Stock Assessment Subcommittee (SAS) to investigation of the appropriateness of current biological reference points and development of an overfished reference point, investigate the feasibility of an F-based reference point that looks strictly at the harvest of juvenile red drum, evaluate how red drum life history and current regulations may limit the validity of an age-based model, and provide a recommendation on how to proceed with the Stock Synthesis III (SS3) model. The Red Drum

TC and SAS jointly constructed a report recommending the use of spawning potential ratios as appropriate reference points for management use. The TC and SAS do not recommend using a reference point for overfished status because of difficulties in reliably estimating spawning stock biomass for this stock. The TC and SAS do not recommend using a juvenile fishing mortality reference point for management because this reference point would require information on a stock-recruit relationship (which is currently unreliable), would not account for adult mortality, and would not be able to reliably account for recruitment variability. The TC and SAS recommended the use of an age-structured model and did not recommend SS3 as the modeling framework at this time due to current data limitations. The TC and SAS recommended using a statistical catch-at-age model (consistent with that used in SEDAR 18), with the addition and continuation of current survey indices, as the base model for the stock assessment.

The Board discussed the timing and ways in which the red drum stock assessment could be completed. Currently, only data through 2013 is being used in the assessment model. The decision before the Board was to complete the ongoing assessment using the currently available data and plan to update the assessment soon after its completion or to delay the completion of the assessment until data for more recent years could be compiled and incorporated into the stock assessment data set. The Board decided to have the TC/SAS complete the ongoing assessment through 2013, with the intent of updating with data through 2015 or 2016 soon after the assessment's completion.

Lastly, the Board approved FMP Reviews, State Compliance Reports, and *de minimis* statuses where applicable for black drum, Spanish mackerel, and spotted seatrout.

For more information, please contact Michael Schmidtke, Fishery Management Plan Coordinator, at mscmidtke@asmfc.org or 703.842.0740.

Motions

Move to accept the Draft Cobia FMP Public Information Document for public comment as amended.

Motion made by Mr. Boyles and seconded by Ms. Fegley. Motion passes unanimously.

Move to accept the FMP Review and compliance reports for the black drum 2014 and 2015 fishing years.

Motion made by Dr. Rhodes and seconded by Dr. Laney. Motion passes unanimously.

Move to approve the FMP Review and compliance reports for the Spanish mackerel 2015 fishing year, approve *de minimis* status for Georgia, New Jersey, and Delaware.

Motion made by Dr. Rhodes and seconded by Mr. Clark. Motion passes unanimously.

Move to accept the FMP Review and compliance reports for the spotted seatrout 2015 fishing year, and approve *de minimis* status for New Jersey, and Delaware.

Motion made by Mr. Boyles and seconded by Mr. Geer. Motion passes unanimously.

Move to accept Bill Parker, Glenn Ulrich, Lee Southward, and Aaron Kelly to the South Atlantic Advisory Panel.

Motion made by Dr. Rhodes and seconded by Mr. Batsavage. Motion passes unanimously.

TAUTOG MANAGEMENT BOARD (OCTOBER 25, 2016)

Meeting Summary

The Tautog Management Board reviewed the regional and coastwide assessment update results. The update includes data through 2015 for all regions which include Massachusetts-Rhode Island (MA-RI), Long Island Sound (LIS), New Jersey-New York Bight (NJ-NYB) and Delaware-Maryland-Virginia (DMV). See the table for regional stock status.

Stock Region	Maximum Sustainable Yield (MSY) or Spawning Potential Ratio (SPR)	Spawning Stock Biomass (SSB) Target (mt)	SSB Threshold (mt)	SSB 2015 (mt)	Fishing Mortality (F) Target	F Threshold	F 3-year Avg (2013-15)	Stock Status
MA-RI	MSY	3,631	2,723	2,196	0.14	0.28	0.23	Overfished, Overfishing not occurring
	SPR	2,684	2,004	2,196	0.28	0.49	0.23	Stock not overfished, Overfishing not occurring
LIS	MSY	2,865	2,148	1,603	0.28	0.49	0.51	Overfished, Overfishing
	SPR	2,980	2,238	1,603	0.27	0.46	0.51	Overfished, Overfishing
NJ-NYB	SPR	3,154	2,351	1,809	0.20	0.34	0.54	Overfished, Overfishing
DMV	SPR	1,919	1,447	621	0.16	0.24	0.16	Overfished, Overfishing not occurring
Coastwide	MSY	14,944	11,208	6,014	0.17	0.24	0.38	Overfished, Overfishing
	SPR	9,448	7,091	6,014	0.25	0.43	0.38	Overfished, Overfishing not occurring

The Board provided the Plan Development Team with guidance on Draft Amendment 1 management options. Specifically, the Board discussed the following issues: reference points, projections to reduce fishing mortality, rebuilding plan, commercial and recreational harvest reductions, commercial quota, commercial harvest tagging program and management within a region. The Board elected to create regional working groups that will meet prior to the February 2017 Board meeting to further discuss the issues and the best approach relative to the region. Feedback from the working groups will be presented at the February 2017 Board meeting and Draft Amendment 1 for public comment will be presented at the May 2017 Board meeting.

The Board received an update on the tautog tagging trial that is underway. The research team will prepare a project report after the trial has concluded. It will be presented to the Law Enforcement Subcommittee in the fall and to the Board at the February 2017 meeting.

For more information, please contact Ashton Harp, Fishery Management Plan Coordinator, at aharp@asmfc.org or 703.842.0740.

Motions

No motions made.

SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (OCTOBER 25, 2016)

Press Release

ASMFC Summer Flounder Board Initiates Draft Addendum for Alternative Management Options for 2017 Recreational Fishery

Bar Harbor, ME – The Commission’s Summer Flounder, Scup and Black Sea Bass Management Board initiated development of Draft Addendum XXVIII to the Summer Flounder Fishery Management Plan (FMP) to consider alternative management approaches, including regional options, for the 2017 recreational summer flounder fishery. The Draft Addendum will have options which are designed to achieve the 2017 recreational harvest limit (RHL).

Changes in summer flounder distribution, abundance and availability created problems under the static state-by-state allocations, with overages often occurring. In response, states would implement regulations to reduce harvest, resulting in differing regulations between neighboring states. In 2014, the Board shifted away from traditional state-by-state allocations to a regional approach for managing summer flounder recreational fisheries. A benefit of the regional approach is it provides the states the flexibility to temporarily share allocations. The intent is to set regulations that account for shifting distribution, abundance and availability while providing stability and greater regulatory consistency among neighboring states as well as individual states in achieving but not exceeding the coastwide RHL.

In August, the Board and Mid-Atlantic Fishery Management Council (Council) approved a 30% reduction in the 2017 coastwide RHL relative to 2016. This was in response the 2016 Stock Assessment Update which found fishing mortality was higher in recent years and population estimates were lower than previously projected.

The Draft Addendum will be presented to the Board for its consideration and approval for public comment at its joint meeting with the Council in December in Baltimore, Maryland. At that meeting, the Board and Council will also consider extending ad-hoc regional approaches for 2017 black sea bass and scup recreational management in state waters. The Board and Council are scheduled to review the Black Sea Bass Stock Assessment Report and Peer Review Report and consider possible management responses at their joint meeting in February 2017 in Kitty Hawk, North Carolina.

For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at krootes-murdy@asmfc.org or 703.842.0740.

###

PR15-36

Motions

Move to initiate an addendum to consider adaptive management, including regional approaches, for the 2017 summer flounder recreational fishery.

Motion made by Mr. Clark and seconded by Mr. Simpson. Motion passes (11 in favor, 1 opposed).

SHAD AND RIVER HERRING MANAGEMENT BOARD (OCTOBER 25, 2016)

Meeting Summary

The Shad and River Herring Management Board met to consider approval of Massachusetts's Nemasket River Sustainable Fishery Management Plan for River Herring. The Massachusetts Division of Marine Fisheries developed the plan in partnership with the Middleborough-Lakeville Herring Fishery Commission. The proposed management measures include an allowance of unlimited local permits (residents of the towns of Middleborough and Lakeville) and restricts the non-resident permits to 250 per year. It also restricts the harvest period to 3 days of fishing per week over 5 weeks and a weekly catch limit of 20 fish per person. The primary sustainability measure to monitor run status is the ongoing run count. Harvest will be capped at 10% of the time series mean (TSM) and recalculated each year. Action thresholds such as, exceeding the catch cap or a run count that is below the 25th percentile, will trigger management action. Potential management responses include an allowable harvest reduction from 10% to 5% of the TSM or a three-year closure (refer to the SFMP for a complete overview of the sustainability measures). The Technical Committee reviewed the Nemasket River Sustainable Fishery Management Plan and had no critiques. The Board approved the Nemasket River Sustainable Fishery Management Plan for river herring.

The Board reviewed a timetable for existing sustainable fishery management plans to be updated in 2017. Three plans will be reviewed at the February meeting (2 river herring and 1 shad). Eight plans will be reviewed at the May meeting (2 river herring and 6 shad).

The Board received an update on the Mid-Atlantic Fishery Management Council's (Council) decision regarding shad and river herring management. In October the Council determined management of shad and river herring through a Council fishery management plan is not warranted. The Council will continue to use catch caps to incentivize harvesters to reduce shad and river herring bycatch.

For more information, please contact Ashton Harp, Fishery Management Plan Coordinator, at aharp@asmfc.org or 703.842.0740.

Motions

Move to approve the Nemasket River, Massachusetts Sustainable Fishery Management Plan for river herring.

Motion made by Mr. Adler and seconded by Mr. Simpson. Motion passes unanimously.

HORSESHOE CRAB MANAGEMENT BOARD (OCTOBER 26, 2016)

Press Release

ASMFC Horseshoe Crab Board Sets 2017 Specifications for Horseshoe Crabs of Delaware Bay Origin

Bar Harbor, ME – The Commission’s Horseshoe Crab Management Board approved the harvest specifications for horseshoe crabs of Delaware Bay origin. Under the Adaptive Resource Management (ARM) Framework, the Board set a harvest limit of 500,000 Delaware Bay male horseshoe crabs and zero female horseshoe crabs for the 2017 season. Based on the allocation mechanism established in Addendum VII, the following quotas were set for the states of New Jersey, Delaware, Maryland and Virginia, which harvest horseshoe crabs of Delaware Bay origin:

	Delaware Bay Origin Horseshoe Crab Quota (no. of crabs)	Total Quota**
State	Male Only	Male Only
Delaware	162,136	162,136
New Jersey	162,136	162,136
Maryland	141,112	255,980
Virginia*	34,615	81,331

*Virginia harvest refers to harvest east of the COLREGS line only

** Total male harvest includes crabs which are not of Delaware Bay origin.

The Board chose a harvest package based on the Technical Committee and ARM Subcommittee recommendation. The ARM Framework, established through Addendum VII, incorporates both shorebird and horseshoe crab abundance levels to set optimized harvest levels for horseshoe crabs of Delaware Bay origin. Previously, the horseshoe crab abundance estimate was based on data from the Benthic Trawl Survey conducted by Virginia Polytechnic Institute. However, due to a lack of funding, the Benthic Trawl Survey has not been conducted in recent years. Therefore, a composite index of the Delaware Trawl Survey, New Jersey Delaware Bay Trawl Survey, and New Jersey Ocean Trawl Survey was used instead. The Benthic Trawl Survey has been funded for 2016 and is currently underway. Funding for future years is being explored.

Given the upcoming benchmark stock assessment in 2018 and the potential for management changes resulting from the assessment, the Board postponed any further action of Draft Addendum VIII until after the assessment and peer review. In preparation for the assessment, the Horseshoe Crab Technical Committee, Delaware Bay Ecosystem Technical Committee, and the ARM Subcommittee emphasized the need for information on sex-specific mortality of horseshoe crabs from the time of collection to release by biomedical bleeding facilities. Further, the committees recommended the states conduct surveys of eel and whelk fishermen to gain information on current baiting practices for these fisheries. The states agreed to work on both issues with its biomedical industries and fishermen. Results of these surveys are expected to be made available to the Board in May 2017.

For more information, please contact Michael Schmidtke, FMP Coordinator, at 703.842.0740 or mschmidtke@asmfc.org.

###

Motions

Move to postpone development of Draft Addendum VIII until after the 2018 Horseshoe Crab Benchmark Stock Assessment has been completed.

Motion made by Mr. Luisi and seconded by Mr. Miller. Motion passes (15 in favor).

Move to select harvest package 3 for 2017 horseshoe crab harvest in Delaware Bay.

Motion made by Mr. Luisi and seconded by Mr. Michels. Motion carries without objection (Roll Call Vote: In favor - MA, RI, CT, NY, NJ, DE, MD, DC, PRFC, VA, NC, SC, GA, FL, NMFS, USFWS).

Move to accept the Horseshoe Crab 2016 FMP Review and state compliance reports, and approve *de minimis* requests for the Potomac River Fisheries Commission, South Carolina, Georgia, and Florida.

Motion made by Mr. Boyles and seconded by Mr. Adler. Motion is adopted unanimously.

Move that the Board approve the request to transfer quota (1,250 crabs) from Georgia to North Carolina.

Motion made by Dr. Duval seconded by Mr. Geer. Motion is adopted unanimously.

ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM COORDINATING COUNCIL (OCTOBER 26, 2016)

Meeting Summary

The ACCSP Coordinating Council met to receive Program and Committee Updates, an overview presentation on “The Universe of Electronic Reporting Efforts on the Atlantic Coast”, take Final Action on the FY17 funding distribution and approval of the Addendum to the Memorandum of Understanding and the Governance Transition Document. Both the Chair and the Vice-chair requested that ACCSP take an opportunity to give a presentation of the “Universe of Electronic Reporting on the Atlantic Coast”. This presentation encompassed the status of reporting whether electronic or paper, of dealers, commercial fisheries and for-hire fisheries for both federal and state reporting requirements. This presentation will likely be used to discuss the electronic reporting status on the Atlantic Coast for external ACCSP presentations such as at the regional councils. The Council took final action and approved the consensus recommendation of the Advisory and Operations Committee to fully fund all Maintenance proposals, fully fund the MA DMF sea bass aging and the GA DNR trip ticket new proposals and partially fund the SEFSC snapper-grouper observer new proposal. If additional funds are available the ACCSP Leadership Team will meet to determine the additional allocation. The Council also took final action and approved the Governance Transition Workgroup’s unanimous recommendation to approve the ACCSP Transition Document and MOU Addendum thereby approving the transfer of ACCSP from an independent program to a program of the ASMFC.

Finally, under Other Business Mark Alexander presented the Council with a concern from SeaPlan (who conducted andocean use pilot using eTrips/Mobile). There are concerns about the collection and retention of vessel location data. Mike Cahall will have a conference call with SeaPlan to determine the best way to proceed. SeaPlan will be closing by the end of the year, thus the outcome will be coordinated through the Leadership Team.

For more information, please contact Mike Cahall, ACCSP Director, at mike.cahall@accsp.org.

Motions

Motion to accept the Operations and Advisory Committee recommendation of funding all maintenance proposals, fund MA DMF sea bass aging and GA DNR trip ticket and partially fund the SEFSC snapper-grouper observer project. If additional funds are available the ACCSP Leadership Team will meet to determine additional allocation.

Motion made by Mr. Stockwell and seconded by Ms. Patterson. Motion carries.

Motion to accept the Governance Transition Workgroup unanimous recommendation of the approval of the ACCSP Transition Document and MOU Addendum thereby approving the transfer of ACCSP from an independent program to a program of the ASMFC.

Motion made by Mr. Heins and seconded by Dr. Duval. Motion carries.

BUSINESS SESSION (OCTOBER 26, 2016)

Meeting Summary

The Business Session reelected Douglas Grout of New Hampshire and James Gilmore of New York as its Chair and Vice-chair, respectively. It also reviewed and approved the 2017 Action Plan, to guide Commission activities throughout the coming year. The approved Action Plan will be available on the Commission website, www.asmfc.org, early next week. For more information, please contact Bob Beal, Executive Director, at rbeal@asmfc.org or 703.842.0740.

Motions

On behalf of the Nominating Committee, I move to nominate Jim Gilmore as the ASMFC Vice Chair for 2017.

Motion made by Mr. Miller. Motion passes unanimously.

Move to add task 1.2.7 to work with the regional fishery management councils and NOAA Fisheries to review changes in national standard 1 guidelines and their implications for alignment of state and federal fishery management programs.

Motion made by Dr. Pierce and seconded by Mr. McNamee. Motion carries unanimously.

On behalf of the Administrative Oversight Committee, I move to recommend approval of the 2017 ASMFC Action Plan as amended today.

Motion made by Mr. Grout. The motion passes unanimously.

CAPTAIN DAVID H. HART AWARD LUNCHEON (OCTOBER 26, 2016)

Press Release

ASMFC Presents William Goldsbrough Prestigious Captain David H. Hart Award

Bar Harbor, ME – The Atlantic States Marine Fisheries Commission presented William “Bill” Goldsbrough of the Chesapeake Bay Foundation the Captain David H. Hart Award, its highest annual award, at the Commission’s 75th Annual Meeting in Bar Harbor, Maine. Bill is the first person to receive all three Commission awards, having previously received an Annual Award of Excellence for Management & Policy Contributions and the Atlantic Coastal Fish Habitat Partnership (ACFHP) Melissa Laser Fish Habitat Conservation Award.



Hart Award recipient Bill Goldsbrough (front row center) joined by ASMFC Executive Director Bob Beal, ASMFC Chair Doug Grout and 10 previous Hart Award recipients.

Throughout his 30 years on the front lines of fisheries management and conservation, Bill has remained a thoughtful and persistent voice of reason in his commitment to science-based decision making. A senior scientist for the Chesapeake Bay Foundation since 1988, Bill has provided an independent, conservation-oriented voice to the fisheries discussion. Bill joined the Commission in 1995 after having served as a member of the Commission’s Atlantic Coastal Fisheries Cooperative Management Act Transition Team. From 1995 through 2004 he was the Maryland Governor’s Appointee and again from 2007 until this year.

During his career, Bill has made significant contributions to the protection and recovery of several key Chesapeake Bay fishery species. He played a central role in the striped bass recovery, beginning with the

implementation of the Maryland moratorium in 1985 and continuing through to the reopening the fishery in 1990, having achieved consensus among diverse stakeholders to move towards a conservation-based approach to striped bass management. He also led a public blue crab conservation campaign that resulted in a broad commitment to cap effort in the fishery and led to the adoption of bay-wide fishery management plans under the Chesapeake Bay Agreement.

A passionate advocate for aquatic habitat, Bill made habitat protection and restoration a topic of critical and common concern among fishermen. Regionally, he brought together a diverse group of commercial and recreational fishermen to adopt codes for protecting the Chesapeake Bay. Coastwide, he has left an indelible mark on the Commission's Habitat Program as one of the earliest members of the Habitat Committee and its longest serving Chair, having serving in that position for 10 years. Thanks to his leadership and participation, the Committee has developed habitat sections for many of the Commission's fishery management plans and released numerous publications – all of which have elevated our understanding that healthy aquatic habitats are the foundation of abundant fisheries. As a Steering Committee member, Bill also played an important role in the development and launching of the Atlantic Coastal Fish Habitat Partnership.

Perhaps one of Bill's most notable and lasting endeavors is his commitment to ecological fisheries management, which the Atlantic Menhaden Board is now pursuing through Amendment 3. In 2005 and 2006, he was instrumental in developing the Chesapeake Bay reduction cap for menhaden and prompting a five-year Chesapeake Bay population research program. Throughout the oftentimes contentious deliberations, Bill's was the calm voice reminding us to stay the course.

His contributions and composure in the face of challenging decision-making negotiations undoubtedly spring from his concurrent participation in other fisheries management fora, including his work with the EPA Chesapeake Bay Program where he serves on the Sustainable Fisheries Goal Implementation Team, and his tenures as a member of the Chesapeake Bay Program's Fishery Management Workgroup (1987-2001), Aquatic Reef Habitat Workgroup (1993-2000), Fish Passage Workgroup (1987-2000), and the Fishery Management Plan Review Taskforce (1993). From 1996 through 2003, he was a member of NOAA's Bi-State Blue Crab Advisory Committee. For eight years (2002-2010), he was the NGO representative on NOAA's Chesapeake Bay Fisheries Steering Committee.

These are only some of the highlights in the remarkable career of an exceptional ecologist who has found ways to bridge gaps between stakeholders and the environment while deftly negotiating the terrain between what could be ideal and what is humanly possible.

The Commission instituted the Award in 1991 to recognize individuals who have made outstanding efforts to improve Atlantic coast marine fisheries. The Hart Award is named for one of the Commission's longest serving members, who dedicated himself to the advancement and protection of marine fishery resources.

###

PR16-32

ATLANTIC MENHADEN MANAGEMENT BOARD (OCTOBER 26, 2016)

Press Release

ASMFC Atlantic Menhaden Board Sets 2017 TAC at 200,000 MT & Approves Draft Amendment 3 Public Information Document for Public Comment

Bar Harbor, ME – The Commission’s Atlantic Menhaden Management Board approved a total allowable catch (TAC) for the 2017 fishing season of 200,000 mt, a 6.45% increase from the 2016 TAC. According to Technical Committee analysis this increase has a zero percent probability of resulting in overfishing. The TAC will be made available to the states/jurisdictions based on the state-by-state allocation established by Amendment 2 (see accompanying table).

“Given the healthy condition of the resource, this modest increase provides additional fishing opportunities while the Board proceeds with the development of Draft Amendment 3 to the Interstate Fishery Management Plan.” stated Board Chair Robert Ballou from Rhode Island.

Additionally, the Board approved the Public Information Document (PID) for Draft

Amendment 3 for public comment. As the first step in the amendment process, the PID provides stakeholders with an opportunity to inform the Commission about changes observed in the fishery and provide feedback on potential management measures as well as any additional issues that should be included in the Draft Amendment. Specifically, the PID presents a suite of tools to manage the menhaden resource using ecological reference points as well as options to allocate the resource among the states, regions, and user groups.

The PID will be available on the Commission website, www.asmfc.org, early next week. It is anticipated that the majority of states will be conducting public hearings over the next couple months. A subsequent press release to provide the details of those hearings. For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

2017 ATLANTIC MENHADEN QUOTAS*		
STATE	QUOTA (MT)	QUOTA (LBS)
ME	77.96	171,882
NH	0.06	131
MA	1,660.35	3,660,454
RI	35.47	78,195
CT	34.54	76,152
NY	109.78	242,032
NJ	22,159.75	48,853,880
DE	26.15	57,646
MD	2,717.77	5,991,662
PRFC	1,229.15	2,709,809
VA	168,937.75	372,443,990
NC	975.68	2,150,995
SC	-	-
GA	-	-
FL	35.58	78,449
TOTAL	200,000	440,924,524

*Quotas may be adjusted pending final 2016 landings. Total landings after 1% set-aside for episodic events.

###

PR16-32

Meeting Summary

At their October 2016 meeting, the Atlantic Menhaden Management Board (Board) set fishery specifications for the 2017 fishing year, approved a Public Information Document (PID) for Draft Amendment 3, and approved nominations to the Atlantic Menhaden Advisory Panel (AP).

The Board set the 2017 Total Allowable Catch (TAC) at 200,000 metric tons, a 6.45% increase from the 2016 TAC. The TAC will be provided to jurisdictions based on the state-by-state allocation method established in Amendment 2. The Board also approved the Amendment 3 PID for public comment. The document presents a suite of management tools regarding ecological reference points and allocation methods, and provides stakeholders the opportunity to inform the Commission of changes in the fishery.

A TC report reviewing the paper “The Fate of an Atlantic Menhaden Year Class” was presented to the Board as well as an update from the Biological Ecological Reference Point (BERP) Working Group. Multispecies models from the BERP Working Group are expected to be peer reviewed in 2019. Finally, the Board approved Bob Hannah (MA), Patrick Paquette (MA), Dave Monti (RI), Meghan Lapp (RI), Paul Eidman (NJ), Leonard Voss (DE), Peter Himchak (VA), and Scott Williams (NC) to the Menhaden AP. The Board also approved Jeff Deem as a third representative from Virginia, adding another seat to the AP.

For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

Motions

Tabled Motion from August 2016

Motion to set the 2017 coastal total allowable catch (TAC) for the Atlantic menhaden fishery at 255,456 metric tons (20% increase).

Motion made by Mr. Gary and seconded by Mr. Schill. Motion amended.

Motion to Amend

Move to amend the motion to set the 2017 coastal total allowable catch for Atlantic menhaden at 200,000 metric tons (approximate 6.45% increase).

Motion made by Dr. Rhodes and seconded by Mr. Stockwell. Motion passes unanimously. Roll Call Vote: In favor – ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, PRFC, VA, NC, SC, GA, FL, NFMS, USFWS.

Main Motion as Amended

Move to set the 2017 coastal total allowable catch for Atlantic menhaden at 200,000 metric tons (approximate 6.45% increase).

Motion to Amend

Move to amend to set the 2017 coastal total allowable catch for Atlantic menhaden at 187,880 metric tons (status quo).

Motion made by Mr. Goldsborough and seconded by Mr. White. Motion fails (8 in favor, 10 opposed). Roll Call Vote: In favor – NH, MA, CT, PA, SC, GA, FL, USFWS; Opposed – ME, RI, NY, NJ, DE, MD, PRFC, VA, NC, NMFS.

Main Motion as Amended

Move to set the 2017 coastal total allowable catch for Atlantic menhaden at 200,000 metric tons (approximate 6.45% increase).

Motion passes (16 in favor, 2 opposed). Roll Call Vote: ME, NH, MA, RI, CT, NY, NJ, DE, MD, PRFC, VA, NC, SC, GA, FL, NMFS; Opposed – PA, USFWS.

Move to approve the Atlantic Menhaden PID with the additions suggested and discussed by the Board today, and including editorial changes submitted to the FMP Coordinator by Friday COB.

Motion made by Mr. Boyles and seconded by Mr. Gilmore. The motion passes unanimously.

Move to appoint Bob Hannah (MA), Patrick Paquette (MA), Dave Monti (RI), Meghan Lapp (RI), Paul Eidman (NJ), Leonard Voss (DE), Peter Himchak (VA), and Scott Williams (NC) to the Atlantic Menhaden Advisory Panel.

Motion made by Dr. Duval and seconded by Mr. Adler. The motion is approved by consent.

Move to appoint Jeff Deem as a third member from Virginia to the Atlantic Menhaden Advisory Panel.

Motion made by Mr. O'Reilly and seconded by Ms. Meserve. The motion is approved by consent.

INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (OCTOBER 27, 2016)

Meeting Summary

Chair Grout updated the ISFMP Policy Board on the actions of the Executive Committee (see Executive Committee Meeting summary). The Board reviewed and approved the second edition to the Conservation Equivalency Guidance Document. The Commission employs the concept of conservation equivalency in a number of interstate fishery management programs (FMPs). Conservation equivalency allows states/jurisdictions the flexibility to develop alternative regulations that address specific state or regional differences while still achieving the goals and objectives of interstate FMPs. The guidance document was updated to reflect the current practices of the Commission. It includes standards for proposals, submission timelines, and review and evaluation protocols.

The Risk and Uncertainty Policy Workgroup updated the ISFMP Policy Board on its progress to develop a policy that provides a way to account for both scientific and management uncertainty in the Commission's decision making process. The Workgroup presented a white paper which outlines the goals and objectives of the Commission's policy as well as an example of a decision-tree framework. This framework would allow the Commission to set acceptable risk levels when determining quotas for data-rich species. The Board agreed the Workgroup should host a workshop for the Board that tests the decision-tree approach for Atlantic striped bass during an ASMFC meeting next year.

The Habitat Committee presented a summary of the activities from its meeting in October. The Board reviewed and approved sending a letter drafted by the Habitat Committee to BOEM regarding its concerns with seismic testing. The letter highlights that fish and other marine resources depend on sound for vital life functions and there is insufficient information on how seismic surveys and G&G activities affect fisheries and ecosystem structure and function. Research is needed to better understand the consequences of these activities. The letter, which also extends an invitation to BOEM to join the

Habitat Committee as a member, is similar to that already sent by the Mid-Atlantic and South Atlantic Fishery Management Councils. The Board also approved the Sciaenid Habitat Source Document, which covers the biology, habitat needs, habitat research needs and habitat stresses for Atlantic croaker, black drum, red drum, spot, spotted seatrout, weakfish, northern kingfish, southern kingfish and Gulf kingfish. The Committee identified ongoing practices in each state's coastal regulatory planning that address climate change impacts which were compiled into a report.

The Atlantic Coast Fish Habitat Partnership (ACFHP) Steering Committee met in November and reported a summary of its activities to the Board. The Committee received presentations from the Gulf of Maine Research Institute on an overview of coastal ecosystem monitoring projects, and from the Great Bay-Piscataqua Waterkeepers on the status of submerged aquatic vegetation (SAV) in the Great Bay Estuary and the Exeter Dam Removal endorsed by ACFHP. The Committee received updates on the National Fish Habitat Partnership (NFHP), Coastal FHPs, and Whitewater to Bluewater Initiatives. A report on progress with the Mid-Atlantic black sea bass habitat research project was also provided. The Science and Data Subcommittee updated the Steering Committee on recruiting new membership, and the status of the NOAA-funded Southeast Habitat Mapping Project to prioritize restoration and protection areas. ACFHP also developed recommendations for habitat restoration projects to be supported by FY2017 USFWS-NFHAP funding.

From 2010 to 2016 the USFWS has awarded more than \$480,000 to partners to complete 15 on-the-ground projects from Florida to Maine. Funding supported three marsh/mangrove projects, two SAV projects, two oyster reef restoration projects, seven fish passage projects, and one sturgeon spawning habitat restoration project. The Steering Committee had a working session to further develop ACFHP's new five-year Conservation Strategic Plan. An update was provided on ACFHP operations funding, and reallocation of \$20,000 in unspent FY16 funds towards the Bradford Dam removal. Finally, the Committee visited two habitat restoration project sites, Edwards Dam removal on the Kennebec River, and the Coopers Mill Dam and fishway on the Sheepscot River.

The National Parks Service (NPS) released updates to the Director's Order on Fishing. The policies in the Order are not new but derived directly from the 2006 version of the NPS management Policies. Some of these policies are specific to regulations for commercial and recreational fishermen that could be in conflict with state regulations. The Board formed a working group to review the Order and make recommendations on comments to the NPS regarding fishing regulations.

The American Fisheries Society (AFS) developed a document to provide the next Administration with a summary of the challenges faced by fisheries in 2017 and beyond. AFS is asking groups with interests in fisheries to endorse the document. Given there was not a consensus to support the document, the Commission decided not to become signatories.

The Board agreed to send several letters. The first is a letter to HMS for comments that will be collected from the states on the proposed Dusky Shark Amendment 5b (see coastal sharks meeting summary). The second is a letter to NOAA requesting fishermen be allowed to transit through federal waters in possession of species which have open seasons in state waters but closed in federal waters. The third is a letter to NOAA's Office of Law Enforcement requesting lobster become a higher enforcement priority within the Northeast Region.

For more information, please contact Toni Kerns, ISFMP Director, at tkerns@asmfc.org or 703.842.0740.

Motions

Move that we approve the Conservation Equivalency Guidance Document as modified today.

Motion made by Dr. Duval and seconded by Mr. Fote. Motion is approved by consensus (Roll Call Vote: In Favor - ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, PRFC, VA, NC, SC, GA, FL, NMFS, USFWS).

Move to approve the Sciaenid Habitat Source Document, with editorial discretion to staff.

Motion made by Mr. Fote and seconded by Dr. Laney. Motion is approved by unanimous consent.

Move to approve the draft letter to BOEM regarding seismic testing.

Motion made by Mr. Fote and seconded by Mr. Blazer. Motion is approved by unanimous consent.

Main Motion

Move to send a letter to NOAA's Office of Law Enforcement asking for lobster to become a higher priority within the northeast region through their Joint Enforcement Agreements Program.

Motion made by Mr. Borden and seconded by Mr. Keliher.

Motion to Postpone

Move to postpone the motion until a draft set of priorities is developed for each region within the Commission's range.

Motion made by Mr. Simpson and seconded by Mr. Gilmore. Motion fails (6 in favor, 8 opposed, 1 null).

Move to send a letter to NOAA's Office of Law Enforcement asking for lobster to become a higher priority within the Northeast region through their Joint Enforcement Agreements Program.

Motion made by Mr. Borden and seconded by Mr. Keliher. Motion carries (11 in favor, 3 opposed, 2 abstentions).

ATLANTIC HERRING SECTION (OCTOBER 27, 2016)

Press Release

ASMFC Atlantic Herring Section Initiates Addendum to Improve Performance of Area 1A Fishery

Bar Harbor, ME – The Commission's Atlantic Section initiated Addendum I to Amendment 3 of the Interstate Fishery Management Plan for Atlantic Herring to improve the performance of the Area 1A (inshore Gulf of Maine) Atlantic herring fishery. The purpose of the addendum is to develop additional management alternatives for the days out program. It is in response to the accelerated pace of Area 1A Trimester 2 (June through September) landings in recent years and the increasingly dynamic nature of days out measures to control Trimester 2 effort that have varied across states.

The Section utilizes days out of the fishery to slow the rate of Area 1A catch so the seasonal quota can be distributed throughout each trimester. Currently, the days out program is specific to landing day

restrictions. The increase in the number of larger carrier vessels in the area has rendered days out less effective in controlling effort because vessels can transfer catch to large carrier vessels at-sea, allowing harvesters additional days of fishing beyond the days that are open to landings.

In 2016, Maine's Department of Marine Resources (DMR) implemented a series of emergency rules that were more restrictive than Commission measures in an attempt to extend the Trimester 2 quota into September. These rules included a weekly landing limit, restricted landing and fishing days, as well as at sea transfer restrictions. DMR's measures only applied to vessels landing in Maine. New Hampshire and Massachusetts implemented one of these management measures – three consecutive landing days. The Draft Addendum will explore these measures and potentially others that could be uniformly applied by the Area 1A of Maine, New Hampshire and Massachusetts.

For more information on Area 1A fishery performance in the 2015 and 2016 fishing year that brought about the need for alternative management measures refer to a white paper, which is available on the Commission website at http://www.asafc.org/uploads/file/58124582AtHerringArea1AFisheryPerformance_2015_2016.pdf.

For more information, please contact Ashton Harp, Fishery Management Plan Coordinator, at aharp@asmfc.org or 703.842.0740.

###

PR16-34

Meeting Summary

In addition to initiating an addendum to consider improvements to Area 1A days out measures (see above), the Section allocated the 2017 Area 1A sub-ACL seasonally with 72.8 percent available from June through September and 27.2 percent allocated from October through December. The fishery will close when 92 percent of the seasonal period quota has been harvested. Quota underages from June through September may be rolled into the October through December period. For more information, please contact Ashton Harp, Fishery Management Plan Coordinator, at aharp@asmfc.org or 703.842.0740.

Motions

Move to elect Mark Gibson as vice-chair of the Atlantic Herring Section.

Motion made by Mr. Abbott and seconded by Mr. Simpson. Motion carries without objection.

Move to initiate an Addendum to improve the performance of the Area 1A Atlantic herring fishery. The purpose of this addendum is to develop additional management alternatives for the landings day program. These measures will include:

- 1. Mandatory daily reporting. Two options: Category A, B and C permits and Category A and B permits.**
- 2. Modify the day out program such that the small-mesh bottom trawl fleet (SMBT) with C or D herring permits could have a different allocation of landings days and times that are separate from the purse seine and mid-water trawl fleet landing days.**

3. **Modify the program to restrict fishing days for purse seiners and midwater trawlers, in addition to landing days. Two options: Category A, B and C permits and Category A and B permits.**
4. **Modify the program to create a weekly landing limit (pounds or trucks) for purse seines and midwater trawls. Two options: Category A, B and C permits and Category A and B permits.**
5. **Modify the program to restrict harvester vessels making at-sea transfer for purse seine and midwater trawls. Two options: All carrier vessels landing herring are limited to receiving at-sea transfers from one vessel per week and no transfer at sea.**
6. **Modify the program to implement a tiered weekly landing limit for Category A and B permits.**
7. **Modify the program to allow for a set-aside a percentage or value of the Area 1A sub-ACL for the SMBT.**
8. **Modify the program to restrict a vessel from using a different gear type mid-season within Area 1A.**
9. **Clarify what it means for states to “agree” on the numbers of days out in the fishery, does this mean consensus or vote? If states, cannot agree then what is the default landing day scenario, 7 landing days?**

Motion by Mr. Stockwell, seconded by Mr. Grout. Motion carries without objection.

Move to allocate the 2017 Area 1A sub-ACL seasonally with 72.8 percent available from June through September and 27.2 percent allocated from October through December. The fishery will close when 92 percent of the seasonal period quota has been harvested; and underages from June through September may be rolled into the October through December period.

Motion made by Mr. Grout and seconded by Mr. Stockwell. The motion passes unanimously.

AMERICAN LOBSTER MANAGEMENT BOARD (OCTOBER 27, 2016)

Press Release

ASMFC American Lobster Board Approves Jonah Crab Draft Addendum II for Public Comment

Bar Harbor, ME – The Commission’s American Lobster Management Board approved Draft Addendum II to the Jonah Crab Fishery Management Plan (FMP) for public comment. The Draft Addendum considers establishing a coastwide standard for claw harvest to address concerns regarding the equity of the current claw provision. Specific options include establishing a whole crab fishery or allowing for the harvest of claws coastwide. The Draft Addendum also considers establishing a definition of bycatch, based on a percent composition of catch, in order to minimize the expansion of a small-scale fishery under the bycatch allowance.

The FMP currently establishes a whole crab fishery with the exception of fishermen from NJ, DE, MD, and VA who have a history of claw landings prior to June 2, 2015. Following approval of the FMP, claw fishermen from NY and ME were identified. Currently, these fishermen are required to land whole crabs. As a result, jurisdictions have expressed concern regarding the equity of this provision as some fishermen with a history of claw landings are allowed to continue this practice while others must land whole crabs.

In order to address concerns regarding the expansion of a small-scale fishery, consideration of a bycatch definition was added as a second issue in the Draft Addendum. Addendum I established a bycatch allowance of 1,000 crabs per trip for non-trap gears and non-lobster trap gears (i.e., fish pots, crab pots, whelk traps). Fishermen using these gears are not required to have other species on Board when harvesting Jonah crab. As a result, fishermen harvesting Jonah crab under the bycatch limit may, in fact, directly target Jonah crab by landing 1,000 crabs per trip and nothing else. This does not reflect the intention of the bycatch allowance which is to account for Jonah crab caught while targeting another species.

The Draft Addendum will be available on the Commission website, www.asmfc.org (under Public Input) by mid-November. It is anticipated that the majority of states of Maine through Maryland will be conducting public hearings; the details of those hearings will be released in a subsequent press release. The Board will review submitted public comment and consider final action on the Draft Addendum at the Commission's Winter Meeting in February. For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

###

PR16-35

Meeting Summary

The American Lobster Management Board met to discuss Draft Addendum XXV to Amendment 3 to the American Lobster Fishery Management Plan (FMP), Draft Addendum II to the Jonah Crab FMP, and consider improvements to the harvester reporting requirements for lobster.

The Board reviewed Draft Addendum XXV, which seeks to address the poor condition of the Southern New England (SNE) lobster stock. Results of the 2015 stock assessment found the SNE stock to be depleted, with record low abundance and recruitment. In response, the Board initiated Addendum XXV with the goal of increasing egg production and reducing fishing mortality. The Draft Addendum outlines a suite of targeted increases in egg production, ranging from 0% to 60%, as well as potential tools to achieve them (i.e., gauge size changes, trap reductions, and season closures). The document also considers where these management measures should apply in Lobster Conservation Management Area (LCMA) 3 (offshore waters), since the LCMA contains both the Gulf of Maine/Georges Bank and SNE stocks. Following review of the document, the Board decided to provide an opportunity for industry input via Lobster Conservation Management Teams (LCMTs) prior to approving the document for public comment. States will submit industry comments to the Commission by November 30th and these will be reviewed by a subset of Commissioners and the Plan Development Team. The Board will consider approving Draft Addendum XXV for public comment in February 2017.

The Board also reviewed and approved Draft Addendum II to the Jonah Crab FMP for public comment. The Draft Addendum considers establishing a coastwide standard for claw harvest and proposes a definition for bycatch in the fishery. Further information on Draft Addendum II and public hearings can be found in above press release.

Given the increasing need for improved harvester reporting in the lobster fishery, the Board reviewed goals and recommendations proposed by the Lobster Reporting Work Group. These included a higher percentage of harvester reporting, the collection of additional data on trap hauls, soak time, and gear configuration, and the incorporation of VMS on lobster vessels. The Board will consider the initiation of an addendum in February 2017 to comprehensively examine reporting in the fishery.

The Board also reviewed a report by the Trap Cap Working Group which discussed the implementation of trap caps in federal waters, as specified in Addenda XXI and XXII. Currently, NOAA Fisheries has suspended its rule-making process for trap caps and banking as the Commission considers changes to the management of SNE lobster. The Board decided to re-examine this issue following final action on Draft Addendum XXV. Finally, the Board approved the 2016 FMP Review, state compliance reports, and *de minimis* status for DE, MD, and VA.

For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

Motions

Move to include in Option C a range of small volumetric claw harvest from 5 gallons to the bycatch limit of 2,000 claws.

Motion made by Mr. Luisi and seconded by Mr. Clark. Motion postponed until October meeting.

Motion to postpone indefinitely.

Motion made by Mr. Gibson and seconded by Mr. Gilmore. Motion passes by unanimous consent.

Move to add option D (Claw Harvest Permitted Coastwide) under Section 3.0 Management Measures.

Under this option, there shall be no minimum size for claws. Claws may be detached and harvested, but may not exceed a volumetric limit of 5 gallons. If a fisherman chooses to participate in the claw fishery, possession of whole crabs is prohibited.

Motion made by Mr. Keliher and seconded by Mr. Gilmore. Motion postponed indefinitely.

Motion to postpone indefinitely.

Motion made by Mr. Grout and seconded by Mr. Gibson. Motion passes.

Move to add under option C, if a volumetric measure greater than 5 gallons is retained, the claws must meet a minimum size of 2.75 inches.

Motion made by Mr. Keliher and seconded by Mr. Grout. Motion passes by unanimous consent.

Move to approve Draft Addendum II to the Jonah Crab FMP for public comment as modified by the comments today.

Motion made by Mr. Heins and seconded by Mr. Keliher. Motion passes by unanimous consent.

Move to approve the 2016 Lobster FMP Review, state compliance reports, and *de minimis* status for Maryland, Delaware, and Virginia.

Motion made by Mr. McKiernan and seconded by Mr. Muffley. Motion passes by unanimous consent.