



# Atlantic States Marine Fisheries Commission

## 2019 Spring Meeting Summary

*Vision: Sustainable and Cooperative Management of Atlantic Coastal Fisheries*

2019 Spring Meeting  
Arlington, VA  
April 29 – May 2, 2019

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### Meeting Summaries, Press Releases and Motions

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## **AMERICAN LOBSTER MANAGEMENT BOARD (APRIL 29, 2019)**

### ***Meeting Summary***

The American Lobster Management Board met to review a number of issues, including the recommendations of the Atlantic Large Whale Take Reduction Team (ALWTRT); progress on Draft Addendum XXVIII; an update on the implementation of Jonah crab regulations; and an update on the lobster benchmark stock assessment. Colleen Coogan from NOAA Fisheries presented a summary of the April 2019 ALWTRT meeting. The ALWTRT met to identify and recommend modifications to the ALWTR Plan to further reduce impacts of U.S. fixed gear fisheries on large whales and reduce mortality and serious injury to below the potential biological removal (PBR) for right whales. The ALWTRT was tasked with developing consensus recommendations on a suite of measures that would achieve a 60 to 80% reduction in mortality and serious injury of right whales in U.S. fisheries to support NMFS rulemaking that will be initiated in May 2019. At the ALWTRT meeting, a NOAA-developed risk reduction decision support tool was used to provide insight on the potential impacts proposed management options would have on whales. The ALWTRT came to near consensus to achieve an approximate 60% reduction in mortality and serious injury risk to right whales through vertical line reductions and weak rope requirements. NOAA will work with the states to determine the best method to implement ALWTRT recommended measures. In light of the future actions, responding to the ALWTRT recommendations, the Board established a lobster and Jonah crab fishery control date of April 29, 2019 for LCMA 1. The intention of the control date is to notify current state and federal permit holders and any potential new entrants to the fishery that eligibility to participate in the commercial fishery in the future may be affected by the person's or vessel's past participation and associated documentation of landings, effort, and/or gear configuration prior to the control date. The Commission will recommend NOAA Fisheries establish the same control date for federal waters of LCMA 1.

In February, the Board initiated Draft Addendum XXVIII to reduce the number of vertical lines in the lobster fishery. The Board acknowledged the need to respond proactively to the growing challenges facing the lobster fishery and North Atlantic right whale recovery in order to ensure effective conservation measures can occur in a manner that preserves, to the extent practicable, the lobster fishery and its culture. The Plan Development Team (PDT) was tasked with completing a draft addendum for public comment for Board review in May. The PDT has made significant progress, however, due to the timing of data and the decision support tool delivery, as well as the complexity of the issue, the PDT was unable to present a document for Board review at the Commission's Spring Meeting. When the Board initiated the Draft Addendum, it did not anticipate the ALWTRT would bring forward vertical line reductions. Given the significant conservation benefits expected from the recommended ALWTRT measures, the Board decided to pause further development of the Draft Addendum until NOAA has determined if a jeopardy finding will be avoided by the ALWTRT actions.

The Board also received updates on the implementation of Jonah crab regulations in New York and Delaware. Both states have begun regulatory processes and are expected to have regulations in place by early Fall 2019.

Finally, Jeff Kipp provided a progress update on the 2020 Lobster Benchmark Stock Assessment. The Stock Assessment Subcommittee will assess the current timeline due to some delays in supporting analyses and determine next steps. Currently, a second Assessment Workshop, scheduled for this fall,

will focus on finalizing the base run of the model. For more information, please contact Toni Kerns, ISFMP Director, at [tkerns@asmfc.org](mailto:tkerns@asmfc.org) or 703.842.0740.

***Motions***

**Move to establish a lobster and Jonah crab fishery control date immediately (4/29/19) for LCMA 1, and to forward a recommendation to NOAA Fisheries to implement one in federal waters. The intention of the control date is to notify current state and federal permit holders and any potential new entrants to the fishery that eligibility to participate in the commercial fishery in the future may be affected by the person's or vessel's past participation and its documentation of landings, effort, and/or gear configuration prior to the control date.**

Motion made by Mr. McKiernan and seconded by Mr. Keliher. Motion carries (11 in favor, 1 abstention).

**ATLANTIC HERRING MANAGEMENT BOARD (APRIL 30, 2019)**

***Press Release***

**ASMFC Atlantic Herring Board Approves Addendum II  
Addendum Increases Protection of Spawning Herring  
in the Inshore Gulf of Maine**

Arlington, VA – The Commission's Atlantic Herring Management Board approved Addendum II to Amendment 3 of the Interstate Fishery Management Plan for Atlantic Herring. The Addendum strengthens spawning protections in Area 1A (inshore Gulf of Maine) by initiating a closure when a lower percentage of the population is spawning (from approximately 25% to 20%), and extending the closure for a longer time (from four to six weeks). The Addendum also modifies the trigger level necessary to reclose the fishery, with the fishery reclosing when 20% or more of the sampled herring are mature but have not yet spawned. These changes to spawning protections are in response to the results of the 2018 Benchmark Stock Assessment which showed reduced levels of recruitment and spawning stock biomass over the past five years, with 2016 recruitment levels the lowest on record.

Under Amendment 3, the Board uses a series of closures to protect spawning aggregations in the Gulf of Maine. Biological samples are used to annually project the start of the spawning closures. Recent analysis by the Atlantic Herring Technical Committee found that while the spawning closure system was significantly improved under Amendment 3, the protocol could continue to be strengthened by considering when, and for how long, a closure is initiated. Specifically, the analysis showed greater protection could be provided by initiating a closure when a lower percentage of the population is spawning and extending the closure for a longer time.

The states are required to implement Addendum II's measures by August 1, 2019. The Addendum will be available on the Commission website ([www.asmfc.org](http://www.asmfc.org)) on the Atlantic Herring page by mid-May. For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at [krootes-murdy@asmfc.org](mailto:krootes-murdy@asmfc.org) or 703.842.0740.

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PR19-13

## **Meeting Summary**

In addition to approving Draft Addendum II (see press release), the Board was presented an update on 2020-2021 Atlantic herring specifications; receive an update on Draft Addendum III; discuss current management tools for Area 1A; and consider approval of the 2019 FMP Review and state compliance. The New England Fishery Management Council (Council) met in April to consider Draft Framework 6, which provides options on 2020-2021 specifications that are consistent with the results of the 2018 Benchmark Stock Assessment. Framework 6 also includes other specifications such as quota transfers between the US and Canada; fixed gear quota set-aside; research quota set-aside. The Council will consider final action on Framework 6 in June. Once the Council has approved Framework 6, the Board will consider final action on 2020 specifications later this year.

The Board received an update on Draft Addendum III, which was initiated in October 2018 to establish spawning protections in Area 3 (offshore waters). As part of its efforts to make spawning protection in Area 3 a priority this year, the Council will hire a consultant to develop a discussion document to help inform future management action on spawning protections by the Board and Council. The consultant will work with the Commission's Technical Committee and the Council's Plan Development Team in drafting the discussion document, which will be completed and presented to the Council in September and the Board in October. After the review, the Commission will work with the Council on next steps for the draft addendum after.

The Board also received an overview of the Area 1A (inshore Gulf of Maine) management tools. Addendum I to Amendment 3 established management tools such as days out, weekly landings limits, permit restrictions, and restrictions on transfers at sea. The 2019 quota is significantly lower than recent years and the current management tools may not allow the quota to be effectively distributed throughout the quota periods. Staff will work with the states to monitor the Area 1A fishery over the next couple of months and report back to the Board.

Finally, the Board approved the 2019 FMP Review, state compliance reports, and *de minimis* status for New York. For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at [krootes-murdy@asmfc.org](mailto:krootes-murdy@asmfc.org) or 703.842.0740.

## **Motions**

### **Main Motion**

**Move to approve the following options for Addendum II to the Atlantic Herring FMP:**

- **Option C: GSI30 Trigger Value = 23 under Issue 1: GSI<sub>30</sub> trigger values**
- **Option B: Five Week Initial Closure under Issue 2: Spawning Closure Length**
- **Option A Sub-Option 2: 20% or more mature herring under Issue 3: Re-closure Protocol**

Motion made by Mr. Grout and seconded by Mr. Borden. Motion amended.

### **Motion to Amend**

**Move to amend to replace Option B with Option C: Six Week Initial Closure under Issue 2: Spawning Closure Length.**

Motion made by Dr. Pierce and seconded by Mr. Abbott. Motion passes Roll Call: In Favor – MA, RI, CT, NY; Opposed – ME, NH, NJ; Abstentions – NEFMC, NMFS.

**Main Motion as Amended**

**Move to approve the following options for Addendum II to the Atlantic Herring FMP:**

- **Option C: GSI30 Trigger Value = 23 under Issue 1: GSI<sub>30</sub> trigger values**
- **Option C: Six Week Initial Closure under Issue 2: Spawning Closure Length**
- **Option A Sub-Option 2: 20% or more mature herring under Issue 3: Re-closure Protocol**

Motion passes (6 in favor, 1 opposed, 1 abstention).

**Move that states implement Addendum II no later than 8/1/19 and move to approve Addendum II as modified today.**

Motion made by Mr. Grout and seconded by Mr. Train. Motion passes, Roll Call: In Favor – ME, NH, MA, RI, CT, NY, NEMFC; Opposed – NJ; Abstentions – NMFS.

**Move to approve the 2019 Atlantic Herring FMP Review, state compliance reports, and *de minimis* status for New York.**

Motion made by Mr. Grout and seconded by Mr. Kane. Motion carries without objection.

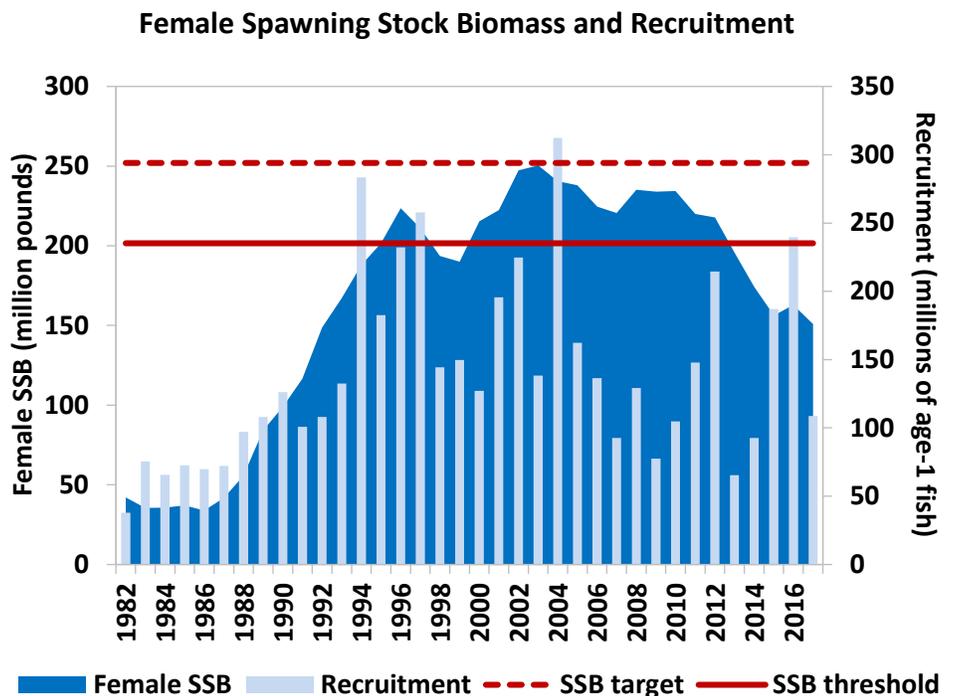
**ATLANTIC STRIPED BASS MANAGEMENT BOARD (APRIL 30, 2019)**

***Press Release***

**Atlantic Striped Bass Benchmark Stock Assessment  
Finds Resource Overfished and Overfishing Occurring  
*Board Initiates Addendum to Reduce Total Fishing Mortality***

Arlington, VA – The 2018 Atlantic Striped Bass Benchmark Stock Assessment indicates the resource is overfished and experiencing overfishing relative to the updated reference points defined in the assessment. Female

spawning stock biomass (SSB) was estimated at 151 million pounds, below the SSB threshold of 202 million pounds. Despite recent declines in SSB, the assessment indicated the stock is still significantly above the SSB levels observed during the moratorium in the mid-1980s. Total fishing mortality (F) was estimated at 0.31, above the F threshold of 0.24. The benchmark assessment and its single-stock statistical catch-at-



age model was endorsed by the Peer Review Panel and accepted by the Atlantic Striped Bass Management Board (Board) for management use.

Based on these findings and the tripping of Amendment 6's reference point management triggers relating to F and SSB thresholds (e.g., F in 2017 is above the threshold level and SSB is below the threshold level), the Board initiated the development of a Draft Addendum to consider measures aimed to reduce F to the target level. The Technical Committee estimates it would require roughly a 17% reduction in total removals (commercial and recreational harvest, including dead releases) to reduce F to the target in 2020 relative to 2017 levels. The Draft Addendum will explore a range of management options, including minimum size and slot size limits for the recreational fishery in the Chesapeake Bay and along the coast, as well as a coastwide circle hook requirement when fishing with bait. The Board also provided guidance on how to apply the necessary reductions to both the commercial and recreational sectors. The Draft Addendum will be presented to the Board for its consideration and approval for public comment in August. If approved, it will be released for public comment, with the Board considering its final approval in October for implementation in 2020. Additionally, the Board postponed a motion to initiate the development of an Amendment until its next meeting in August.

Atlantic striped bass experienced a period of strong recruitment (estimated as number of age-1 fish) from 1994-2004, followed by a period of lower recruitment from 2005-2011 (although not as low as the early 1980s, when the stock was considered collapsed). This period of low recruitment contributed to the decline in SSB in recent years. Recruitment was high in 2012, 2015, and 2016 (corresponding to strong 2011, 2014, and 2015 year classes), but recruitment estimates were below the long-term average in 2013, 2014, and 2017. Recruitment in 2017 was estimated at 108.8 million age-1 fish, below the time series average of 140.9 million fish.

A more detailed description of the stock assessment results is available on the Commission's website at <http://www.asmfc.org/uploads/file/5cc9ba4eAtlStripedBassStockAssessmentOverview.pdf>. The 2018 Atlantic Striped Bass Benchmark Stock Assessment, Stock Assessment Summary and Peer Review Report can be obtained via the following links:

Full assessment report - <https://www.nefsc.noaa.gov/publications/crd/crd1908/crd1908.pdf>

Summary Report - <https://www.nefsc.noaa.gov/publications/crd/crd1901/crd1901.pdf>

Peer Review Report - <https://www.nefsc.noaa.gov/saw/saw66/saw-66-summary-report.pdf>

For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at [mappelman@asmfc.org](mailto:mappelman@asmfc.org).

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PR19-14

### ***Motions***

**Move to accept the 2018 Striped Bass Stock Assessment and Peer Review Report for management use.**

Motion made by Mr. Gilmore and seconded by Mr. White. Motion carries by consensus.

### **Main Motion**

**Move to initiate an addendum to achieve the fishing mortality target or lower within one year.**

Motion made by Mr. O'Reilly and seconded by Mr. McMurray. Motion substituted.

### **Motion to Substitute**

**Move to substitute to initiate an addendum to address the overfishing status of striped bass and implement measures to reduce F back to the F target. Task PDT to develop options that would reduce F to the target that would include:**

- **Minimum fish size for the coast and a minimum fish size for Chesapeake Bay.**
- **Slot limit that would prohibit harvest of fish over 40 inches.**
- **Mandatory use of circle hooks when fishing with bait coastwide to reduce discard mortality.**
- **A provision that states could use seasonal closures in conservation equivalency proposals.**
- **Apply needed reductions equally to both commercial and recreational sectors.**
- **Apply needed reductions to the recreational sector only.**

Motion made by Mr. Grout and seconded by Dr. Davis. Motion amended.

### **Motion to Amend**

**Move to amend to delete "Apply needed reductions to the recreational sector only" from the substituted motion.**

Motion made by Mr. Fote and seconded by Mr. Shiels. Motion passes (9 in favor, 5 opposed, 2 abstentions).

### **Motion to Substitute as Amended**

**Move to substitute to initiate an addendum to address the overfishing status of striped bass and implement measures to reduce F back to the F target. Task PDT to develop options that would reduce F to the target that would include:**

- **Minimum fish size for the coast and a minimum fish size for Chesapeake Bay.**
- **Slot limit that would prohibit harvest of fish over 40 inches.**
- **Mandatory use of circle hooks when fishing with bait coastwide to reduce discard mortality.**
- **A provision that states could use seasonal closures in conservation equivalency proposals.**
- **Apply needed reductions equally to both commercial and recreational sectors.**

### **Motion to Amend**

**Move to add the following option: Apply needed reductions proportionally based on total removals in 2017 to both commercial and recreational sectors.**

Motion made by Mr. Hasbrouck and seconded by Mr. Train. Motion passes (13 in favor, 3 opposed).

### **Motion to Substitute as Amended**

**Move to substitute to initiate an addendum to address the overfishing status of striped bass and implement measures to reduce F back to the F target. Task PDT to develop options that would reduce F to the target that would include:**

- **Minimum fish size for the coast and a minimum fish size for Chesapeake Bay.**
- **Slot limit that would prohibit harvest of fish over 40 inches.**
- **Mandatory use of circle hooks when fishing with bait coastwide to reduce discard mortality.**
- **A provision that states could use seasonal closures in conservation equivalency proposals.**

- **Apply needed reductions equally to both commercial and recreational sectors.**
- **Apply needed reductions proportionally based on total removals in 2017 to both commercial and recreational sectors.**

Motion carries unanimously. Roll Call: In Favor – ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, DC, PRFC, VA, NC, NMFS, USFWS.

#### **Main Motion as Substituted**

**Move to initiate an addendum to address the overfishing status of striped bass and implement measures to reduce F back to the F target. Task PDT to develop options that would reduce F to the target that would include:**

- **Minimum fish size for the coast and a minimum fish size for Chesapeake Bay.**
- **Slot limit that would prohibit harvest of fish over 40 inches.**
- **Mandatory use of circle hooks when fishing with bait coastwide to reduce discard mortality.**
- **A provision that states could use seasonal closures in conservation equivalency proposals.**
- **Apply needed reductions equally to both commercial and recreational sectors.**
- **Apply needed reductions proportionally based on total removals in 2017 to both commercial and recreational sectors.**

Motion carries without objection.

#### **Main Motion**

**Move to initiate an Amendment to the Atlantic Striped Bass Fishery Management Plan to address the needed consideration for change on the issues of fishery goals and objectives, empirical/biological/spatial reference points, management triggers, rebuilding biomass, and area specific management. Work on this amendment will begin upon the completion of the previously discussed addendum to the management plan.**

Motion made by Mr. Luisi and seconded by Mr. Clark. Motion postponed until 2019 Summer Meeting.

#### **Motion to Amend**

**Move to amend to add reallocation of commercial quota between states.**

Motion made by Mr. Pugh and seconded by Mr. Reid. Motion postponed until 2019 Summer Meeting.

#### **Motion to Postpone**

**Move to postpone consideration of the initiation of an amendment until the summer 2019 meeting.**

Motion made by Mr. Nowalsky and seconded by Mr. Dize. Motion passes 15-1-0abs-0null.

#### **Move to forward the Block Island Transit Zone letter to NOAA Fisheries.**

Motion made by Mr. Fote and seconded by Dr. Davis. Motion carries (13 in favor, 1 opposed, 2 abstentions).

### **LAW ENFORCEMENT COMMITTEE (APRIL 30 & MAY 1, 2019)**

#### ***Meeting Summary***

The Law Enforcement Committee (LEC) met to review and discuss a number of issues. The LEC welcomed alternate representatives David Sykes from the USFWS and Don Frei from NOAA OLE.

## Species Issues

**Atlantic Cobia.**—Mike Schmidtke briefed the LEC on potential new regulations for Atlantic cobia, focusing on 3 options for managing the fishery in federal waters. The LEC cited concerns with all 3 options. Option A, where regulations would mirror the state where fish are landed, would be strengthened by specifying the state where the fisherman is permitted. Furthermore, a regulation should specify that the most restrictive permit would apply for multiple-permit holders. Option B, where state-waters regulations would be extended into federal waters, was deemed difficult to enforce due to those extended lines, and members suggested instead that the simplest approach would be to have a single set of consistent federal regulations coastwide, or to simply extend state regulations into adjacent federal waters in the absence of federal regulations. Option C was deemed to have an added layer of complexity for dealing with specified restricted harvest areas and was not favored.

**American Lobster.**—The LEC reviewed ongoing efforts to improve enforcement capabilities for the offshore lobster fishery. Members of ASMFC updated the LEC on possible purchase and operation of an offshore vessel, likely to be centered in Maine, but available for use by other states. LEC members expressed support for acquisition and agreed that a second vessel available for more southerly waters would be invaluable in dealing with derelict gear and other trap fisheries in offshore areas. Issues of concern included the need to implement a tracking system to enable effective targeting of offshore areas with a new vessel or vessels. Other suggestions of LEC members included the need to have new or separate funding not only for the purchase of vessels but for their continued operation and maintenance, that crewing vessels would require close cooperation with other participating states, and that one or more federal officers would need to be onboard depending on the areas covered. Staff also solicited LEC advice on vessel and gear tracking systems that would aid in offshore enforcement. LEC members commented on the need for ready access to the tracking information, and to have a system that would reveal when fishing vessels are hauling gear. Systems are currently being tested in Maine, Rhode Island and Connecticut. ASMFC staff will continue to include LEC input to working group discussions regarding offshore enforcement needs in the offshore lobster fishery.

## Enforcement Tools and Technology

The LEC heard a presentation by Allie Hunter, Executive Director of the Police Assisted Addiction and Recovery Initiative (PAARI). PAARI is a resource available to enforcement agencies for **response and treatment of drug overdose situations encountered in the field**. A number of states are already training and equipping officers with overdose kits, and PAARI's program also provided guidance and advice on outreach and follow-up that enforcement agencies can implement to help counter the opioid problem.

The LEC discussed current **uses of drones in enforcement**. A number of states have acquired drones and have trained officer-pilots. While most uses are still restricted to general surveillance, search and rescue operations and site security, members discussed the growing use of drones, their expanding versatility and possible use in documenting resource violations.

## Other Issues

Members reviewed the outcome of the **November 2018 workshop on For-Hire Enforcement**. The workshop was attended by LEC member Doug Messeck. Members reiterated that for-hire captains should be held accountable for activities on their vessels, including illegal landings and activities of

their customers. Sharing of catch, allowing captain and crew bag limits, and co-mingling of fish on board are all recognized as ongoing activities that vary among the states, but that need to be handled carefully to minimize chronic violations.

George Lapointe, representing the Southeast Regional Office of NMFS, gave a presentation to the LEC regarding implementation of **electronic reporting systems in the for-hire fishery**. A primary question regards access to the data by officers in the field, and the timeliness of that access. LEC members will take an in-depth look at the systems and provide more detailed suggestions or advice to NMFS.

LEC members initiated some general discussion about **ways to measure effectiveness of enforcement activities**. The discussion centered on developing methodologies for analyzing available data to better target field enforcement work in the face of lower staffing levels, and on the use of uniform standards for determining staffing and equipment requirements relative to metrics such as fishing activity, population, and coverage areas.

For more information, please contact Mark Robson, Law Enforcement Committee Coordinator, at [markrobson2015@outlook.com](mailto:markrobson2015@outlook.com).

## **COASTAL SHARKS MANAGEMENT BOARD (APRIL 30, 2019)**

### ***Press Release***

## **ASMFC Coastal Sharks Board Approves Changes to Recreational Measures for Atlantic Shortfin Mako**

Arlington, VA – The Commission’s Coastal Sharks Management Board approved changes to the recreational size limit for Atlantic shortfin mako sharks in state waters, specifically, a 71-inch straight line fork length (FL) for males and an 83-inch straight line FL for females. These measures are consistent with those required for federal highly migratory species (HMS) permit holders under HMS Amendment 11, which was implemented in response to the 2017 Atlantic shortfin mako stock assessment that found the resource is overfished and experiencing overfishing. Amendment 11 also responds to a recent determination by the International Commission on the Conservation Atlantic Tunas that all member countries need to reduce current shortfin mako landings by approximately 72-79% to prevent further declines in the population.

The Board adopted complementary size limits in state waters to provide consistency with federal measures as part of ongoing efforts to rebuild the resource. The states will implement the changes to the recreational minimum size limit for Atlantic shortfin mako by January 1, 2020.

For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at [krootesmurdy@asmfc.org](mailto:krootesmurdy@asmfc.org) or 703.842.0740. Information on federal HMS shark regulations can be found at <https://www.fisheries.noaa.gov/atlantic-highly-migratory-species/atlantic-highly-migratory-species-fishery-compliance-guides>.

###

PR19-15

### ***Meeting Summary***

The Coastal Sharks Management Board received a presentation on NOAA Atlantic Highly Migratory Species (HMS) Amendment 11 and recently implemented measures, and considered a Technical Committee Report on adopting complementary measures in state waters.

Karyl Brewster-Geiz of NOAA HMS presented the Atlantic shortfin mako Amendment 11 that was implemented in February. The Board approved size limit changes to shortfin makos consistent with federal measures (see press release). As part of the Amendment, circle hooks are now required across the hook and line shark fisheries in all areas of federal waters and HMS has requested the Commission adopt consistent regulations in state waters. A majority of the Technical Committee recommended implementing circle hooks for shark fishing in state waters based on available research that demonstrates circle hooks may reduce the mortality on many shark species that are caught and released compared to J hooks.

Taking into consideration Amendment 11 measures and the TC Report, the Board moved to postpone consideration of requiring circle hooks on lines targeting sharks until the Commission's Annual Meeting. Prior to the next Board Meeting, the Law Enforcement Committee and Advisory Panel will each meet to provide feedback on requiring the use of circle hooks.

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

### ***Motions***

**Move to adopt, for state waters, minimum recreational size limits for shortfin mako shark to complement the federal recreational fishing measures (male minimum size limit of 71 inches FL & female minimum size limit of 83 inches FL).**

Motion made by Mr. Michels and seconded by Mr. Kane. Motion carries. Roll Call: In Favor – MA, RI, CT, NY, NJ, DE, MD, VA, NC, SC, FL, NMFS, USFWS; Opposed – GA.

**Move to require, for state waters, the use of circle hooks on lines intended to catch sharks.**

Motion made by Mr. Michels and seconded by Ms. Davidson. Motion postponed until Annual Meeting.

**Move to postpone until the Board has received feedback from the Law Enforcement Committee and the Advisory Panel with the intention of considering the motion at the Annual Meeting.**

Motion made by Mr. Batsavage and seconded by Mr. Kane. Motion carries unanimously.

**Move to require compliance with the shortfin mako minimum sizes by January 1, 2020.**

Motion made by Dr. Pierce and seconded by Dr. Davis. Motion carries. Roll Call: In Favor – MA, RI, CT, NY, NJ, DE, MD, VA, NC, SC, FL, NMFS, USFWS; Opposed – GA.

## **ATLANTIC COASTAL COOPERATIVE STATISTICS COORDINATING COUNCIL (APRIL 30, 2019)**

### ***Meeting Summary***

The ACCSP Coordinating Council met to receive program updates and a briefing on the status of a new committee initiative relating to a recent data validation survey as the beginning of an effort to create electronic monitoring standards. Staff presented updates on improvements in SAFIS and APAIS systems

and the positive impacts they appear to be having on efficiency. A new automated confidentiality management system was also presented. The Council made a slight modification of the funding criteria allowing for more flexibility in planned maintenance project reductions, created a workgroup to review current funding criteria, and approved the annual Request for Proposals.

By acclamation, the Coordinating Council recognized ACCSP Director Mike Cahall's 20 years of service and contributions to the ACCSP. Mike will be retiring this May.

For more information, please contact Mike Cahall, ACCSP Director, at [mike.cahall@accsp.org](mailto:mike.cahall@accsp.org).

### ***Motions***

#### **Move to amend the RFP to read "up to 33%" for multi-agency proposals only for FY2020.**

Motion made by Mr. Keliher and seconded by Mr. McKiernan. Motion carries (11 in favor, 7 opposed, 3 abstentions).

#### **Move to convene a workgroup to iron out details to simplify future RFP language and policies.**

Motion made by Ms. Patterson and seconded by Mr. Gates. Motion carries without opposition.

#### **Move to approve the RFP as amended.**

Motion made by Ms. Patterson and seconded by Mr. Beal. Motion carries without opposition.

### **ANNUAL AWARDS OF EXCELLENCE (APRIL 30, 2019)**

#### ***Press Release***

## **ASMFC Presents Annual Awards of Excellence**

Arlington, VA - The Atlantic States Marine Fisheries Commission presented its Annual Awards of Excellence to an esteemed group of fishery and data managers, scientists, law enforcement officers and environmental attorneys for their outstanding contributions to fisheries management, science and law enforcement along the Atlantic coast. Specifically, the award recipients are Robert Ballou for management and policy contributions; Geoffrey White, Coleby Wilt, Alex DiJohnson, Sarah Rains, Michael Celestino, and John Sweka for science and technical contributions; and Casey Oravetz, Sara Block, Banumathi Rangarajan, Lauren Steele, Shane Waller, Shennie Patel, and Joel La Bissonniere for law enforcement contributions.

"Every year a great many people contribute to the success of fisheries management along the Atlantic coast. The Commission's Annual Awards of Excellence recognize outstanding efforts by professionals who have made a difference in the way we manage and conserve our fisheries," said ASMFC Chair Jim Gilmore of the New York State Department of Environmental Conservation. "I am humbled by the breadth and extent of accomplishments of this year's recipients and am grateful for their dedication to Atlantic coast fisheries."



From left: John Sweka, Alex DiJohnson, Mike Celestino, Sarah Rains, Geoff White, Shennie Patel, Casey Oravetz, Lauren Steele, Sara Block, ASMFC Executive Director Robert Beal, Bob Ballou, and ASMFC Chair Jim Gilmore

### **Management & Policy Contributions**

#### ***Mr. Robert Ballou, Rhode Island Department of Environmental Management***

For nearly a decade, Mr. Robert Ballou has brought a wealth of knowledge and policy acumen to the Commission's fisheries management programs and elevated the decision-making of all species management boards that he has served on through his work ethic, strong leadership, and expertise. In particular, Mr. Ballou has shown outstanding leadership on two very high profile and consequential Commission management bodies – the Summer Flounder, Scup and Black Sea Bass Board and the Atlantic Menhaden Board. Over the past several years and in particular as Board Chair since 2017, Mr. Ballou is responsible for much of the progress that has been made on summer flounder, scup, and black sea bass management. These species are particularly challenging given they are jointly managed with the Mid-Atlantic Fishery Management Council and are highly influenced by changes in ocean temperatures. As Chair, Mr. Ballou has led the Board through difficult deliberations, leading to the adoption of multiple addenda, as well as approval of the Summer Flounder Commercial Issues Amendment.

Even more noteworthy is the role Mr. Ballou played in the development and approval of Amendment 3 to the Atlantic Menhaden Fishery Management Plan. As Board Chair, Mr. Ballou worked tirelessly with Commission staff, Board members, and technical groups. There are few management actions higher in profile or more complex, and Mr. Ballou's commitment to the integrity of the Commission's process and the sustainable management of this important forage species deserves commendation of the highest order.

### **Science & Technical Contributions**

#### ***Geoffrey White, Coleby Wilt, Alex DiJohnson and Sarah Rains, Access Point Angler Intercept Survey (APAIS) Team***

Due to the herculean efforts of the APAIS Team of Mr. Geoff White, Mr. Coleby Wilt, Mr. Alex DiJohnson and Ms. Sarah Rains over the past two years, the collection of recreational survey data successfully transitioned from a federal contractor to the state fishery agencies from Maine through Georgia. As part

of the transition, the APAIS Team worked to shift the collection program from an outdated, paper-based system that included tens of thousands of paper interview forms to an automated system, whereby data is now collected via a tablet-based Dockside Interceptor. The Dockside Interceptor has reduced data transfer from 21 days to 1 day, completely eliminating all the paper steps.

The APAIS Team also assisted in the development and deployment of a Computer Assisted Telephone Interview tool to conduct the for-hire telephone survey, replacing a manual transcription process in the three states conducting the survey. The system was first deployed in North Carolina in January 2019, with the state estimating a 33% increase in efficiency and a better than 80% response rate.

These two innovative systems, spearheaded by the APAIS Team, are completely changing the complexion of recreational data collection on the Atlantic coast, resulting in more accurate and timely data with a significantly reduced workload.

***Michael Celestino, New Jersey Division of Fish and Wildlife***

For the past several years, Mr. Michael Celestino has made his mark as an active participant and chair for numerous Commission science committees. These include the Assessment Science Committee (ASC), the Ecological Reference Points Work Group, and the Science and Data Working Group of the Atlantic Coastal Fish Habitat Partnership, as well as species technical committees and stock assessment subcommittees for bluefish, striped bass and Atlantic sturgeon.

Mr. Celestino's leadership on the 2018 striped bass benchmark stock assessment is of particular note. Midway through the assessment process, Mr. Celestino stepped in as Stock Assessment Subcommittee Chair, skillfully guiding the Subcommittee through the challenges of dealing with newly revised recreational data and new modeling approaches. He was responsible for updating the statistical catch-at-age model with new and improved data and conducting sensitivity analyses, all the while supporting the primary model being developed by another modeler. Ultimately, the model Mr. Celestino spearheaded was accepted as the preferred model by the peer review panel, adding lead modeler to his already long list of accomplishments. With the assessment process completed, Mr. Celestino continues to contribute to the striped bass stock assessment by running projections and responding to Board tasks.

In all that he does, Mr. Celestino exhibits an outstanding work ethic, consistently producing high-quality and meticulous work in a timely fashion. Committed to the Commission's mission and the process of cooperative management, Mr. Celestino analyzes problems carefully from all angles and provides a comprehensive viewpoint of the issues. While it is still early in his career, Mr. Celestino's leadership and efforts of the past several years have made him a huge asset to the Commission's committees and management process.

***Dr. John Sweka, U.S. Fish and Wildlife Service (USFWS), Northeast Fishery Center***

For more than a decade, Dr. John Sweka has been an invaluable member and chair of several Commission science committees, including the ASC and stock assessment subcommittees for American eel, Atlantic sturgeon, river herring and horseshoe crab. Mr. Sweka served as Chair of the River Herring Stock Assessment Committee, leading the charge in the first coastwide stock assessment of river herring; and he currently Chairs the Horseshoe Crab Stock Assessment Subcommittee and the ASC. For Atlantic sturgeon, Mr. Sweka has made substantial advances in field research, such as hydroacoustic and telemetry tagging studies, which were used in the 2017 sturgeon stock assessment.

Mr. Sweka also acts as a key liaison to the U.S. Geological Survey (USGS) in order to advance the Commission's scientific endeavors, most notably our understanding and management of horseshoe crab and American eel populations. In collaboration with Mr. Dave Smith at the USGS Leetown Science Center, Mr. Sweka was a key contributor in development of the Adaptive Resource Management framework to balance horseshoe crab harvest policies with the protection of endangered and threatened shorebird populations. He is also working with USGS and the Eel Technical Committee to incorporate habitat variables in a GIS mapping framework for future stock assessments.

Mr. Sweka has exhibited innovation and creativity by introducing new models for stock assessments. He has run ARIMA models for multiple species, which are currently used to evaluate abundance relative to reference points for American eel, river herring, and horseshoe crab. Mr. Sweka also developed a new age-structured operational model for horseshoe crabs as part of the stock assessment completed this spring. The peer review panel found the models to be notable improvements to the assessment process.

Finally, Mr. Sweka is recognized by fellow committee members, Commission staff, and USFWS as a respected and reliable scientific colleague. Federal fisheries agencies have a mandate to provide scientific support to the Commission and John has answered the bell. At a time when demands on our scientific community can be overwhelming, John consistently delivers analytical work on time and at a very high standard.

#### **Law Enforcement Contributions**

***NOAA Special Agents Casey Oravetz and Sara Block, Assistant US Attorney for the Eastern District of North Carolina Banumathi Rangarajan, and US Justice Department's Environment and Natural Resources Division's Environmental Crimes Section Trial Attorneys Lauren Steele, Shane Waller, Shennie Patel, and Joel La Bissonniere***

Due to the diligence and tenacity of the team of NOAA Special Agents Casey Oravetz and Sara Block, Assistant U.S. Attorney for the Eastern District of North Carolina Banumathi Rangarajan, and U.S. Justice Department's Environment and Natural Resources Division's Environmental Crimes Section Trial Attorneys Lauren Steele, Shane Waller, Shennie Patel, and Joel La Bissonniere, 13 North Carolina trawl captains were indicted for the illegal harvest and possession of hundreds of thousands of pounds of striped bass from the EEZ in 2009 and 2010. The investigation began from a tip to NOAA Office of Law Enforcement (OLE) and a subsequent U.S. Coast Guard at-sea boarding of the F/V LADY SAMAIRA. The captain provided false information to officers regarding where fishing had occurred, and NOAA conducted a dockside investigation wherein the vessel's navigation computer was seized. Forensic analysis determined the captain caught striped bass illegally from the EEZ on that date and on previous trips, and had deleted evidence on the computer to attempt to conceal this activity. NOAA OLE agents recovered the data and reconstructed the trips using GIS tools. A broader analysis was then performed on other vessels landing striped bass on the same fishing days. Over a period of two years, NOAA OLE conducted over 30 search warrants in four states on vessels and businesses in order to gather evidence. Legal challenges made by the defense counsel resulted in the District Court erroneously dismissing the indictments. The U.S. Department of Justice appealed the case to the 4<sup>th</sup> Circuit Court of Appeals, who ultimately reversed the decision and reinstated the indictments.

Twelve defendants ultimately pled guilty to violating the Lacey Act. Some additionally pled to false statements, obstruction of justice, tax evasion, and failure to file tax returns. One of the defendants

passed away during the investigation. For the 12 defendants, the U.S. District Court Judge imposed sentences totaling over 38 years of probation, 2.5 years of home confinement, 850 hours of community service, \$3,000 in fines, and over \$1.2 million in restitution.

This team's tenacity, hard work, and commitment to the mission showcase the outstanding work performed as a team to protect and conserve the Atlantic striped bass fishery.

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PR19-17

## **EXECUTIVE COMMITTEE (MAY 1, 2019)**

### ***Meeting Summary***

The Executive Committee met to discuss a number of issues, including the FY20 Budget; priorities for allocation of ACA "plus-up" funds; the need for a process to address non-payment of state assessments and draft SOPPs for Management Board Work Groups. The following action items resulted from the Committee's discussions:

- FY20 Budget – The Budget was reviewed by the Administrative Oversight Committee (AOC) and forwarded to the Executive Committee with a recommendation for approval.
- "Plus-up Funds" – The AOC discussed the allocation of the plus-up funds in the Atlantic Coastal Act line in the federal budget and brought a motion to the Executive Committee for action.
- Non-Payment of State Assessments – The chair directed the staff to draft a policy on handling non-payment by a state of its annual state assessment for review at the Summer Meeting.
- The Executive Committee reviewed the SOPPs developed by staff to guide the use of Management Board Work Groups.

For more information, please contact Laura Leach, Director of Finance and Administration, at [lleach@asmfc.org](mailto:lleach@asmfc.org) or 703.842.0740.

### ***Motions***

**On behalf of the AOC, I move approval of the FY20 Budget as presented.**

Motion made by Mr. Keliher on behalf of the AOC. Motion passes unanimously.

**Move to roll the FY19 increase to the ACFMA line into the formula for allocation to the states.**

Motion made by Mr. Murphey and seconded by Mr. Grout. Motion passes unanimously.

**Move to adopt the Management Board Work Groups SOPPs as modified today.**

Motion made by Mr. Grout and seconded by Mr. Murphey. Motion passes unanimously.

## **SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (MAY 1, 2019)**

### ***Meeting Summary***

The Summer Flounder, Scup and Black Sea Bass Management Board met to receive a report from the Plan Development Team (PDT) on strategies for addressing issues in the black sea bass commercial fishery; consider feedback from the Board's and Mid-Atlantic Fishery Management Council's Advisory Panels (APs) on those strategies; and review and populate AP membership.

The Board first reviewed the PDT Report on black sea bass commercial management. The Board formed the PDT in February 2019, with the purpose of further developing and analyzing approaches for adjusting the commercial state allocations to address changes to the distribution of the resource. The PDT analyzed several options, including:

- 1) status quo commercial allocations;
- 2) a dynamic approach, referred to as the TMGC approach, which gradually shifts allocations over time based on a combination of historical landings information and current stock distribution information;
- 3) a trigger-based allocation approach,
- 4) an Auctioned Seasonal Quota (ASQ) approach; and
- 5) hybrid approaches that combine multiple options.

After reviewing these strategies and related input from the APs, and engaging in a discussion of the Board's objectives in considering changes to commercial allocations, the Board agreed to continue developing the proposed options with the exception of the ASQ approach. The Board may consider initiating a management action related to commercial black sea bass allocations at the Commission's 2019 Summer Meeting.

Detailed descriptions and examples of each of the management strategies are available in the PDT Report, which is available at [http://www.asmfc.org/uploads/file/5cc9f91fBSB\\_PDT\\_ReportApril2019.pdf](http://www.asmfc.org/uploads/file/5cc9f91fBSB_PDT_ReportApril2019.pdf). For more information on black sea bass, please contact Caitlin Starks, Fishery Management Plan Coordinator, at [cstarks@asmfc.org](mailto:cstarks@asmfc.org).

### ***Motions***

**Move to approve Paul Caruso from MA to the Advisory Panel.**

Motion made by Ms. Meserve and seconded by Mr. Hasbrouck. Motion carries unanimously.

## **BUSINESS SESSION (MAY 1, 2019)**

### ***Press Release***

## **ASMFC Approves 2019 – 2023 Strategic Plan**

Arlington, VA – The Atlantic States Marine Fisheries Commission unanimously approved its 2019 – 2023 Strategic Plan at its 2019 Spring Meeting. The Strategic Plan revises the Commission's long-term vision

to “Sustainable and Cooperative Management of Atlantic Coastal Fisheries” and establishes eight major goals and related objectives to pursue this vision. The Strategic Plan will guide the Commission’s activities over the next five years and will be implemented through annual action plans.

“The states recognize circumstances today make the work of the Commission more important than ever before. The Strategic Plan articulates the mission, vision, goals, and objectives needed to accomplish the Commission’s mission,” said Commission Chair James J. Gilmore of New York. “It serves as the basis for annual action planning, whereby Commissioners identify strategies to tackle the highest priority issues and activities for the upcoming year. With 27 species currently managed by the Commission, finite human and fiscal resources, changing ocean conditions, and ever-increasing political pressures, Commissioners recognize the absolute need to prioritize activities. The Commission must dedicate staff time and resources where they are needed most and address less pressing issues only as resources allow. A key to prioritizing issues and maximizing efficiencies will be working closely with the three East Coast Regional Management Councils and NOAA Fisheries.”

The Strategic Plan’s eight goals are:

1. Rebuild, maintain, fairly allocate, and promote sustainable Atlantic coastal fisheries
2. Provide sound, actionable science to support informed management actions
3. Produce dependable and timely marine fishery statistics for Atlantic coast fisheries
4. Protect and enhance fish habitat and ecosystem health through partnerships and education
5. Promote compliance with fishery management plans to ensure sustainable use of Atlantic coast fisheries
6. Strengthen stakeholder and public support for the Commission
7. Advance Commission and member states’ priorities through a proactive legislative policy agenda
8. Ensure the fiscal stability and efficient administration of the Commission

Goal 3, which focuses on the data collection and data management efforts of the Atlantic Coastal Cooperative Statistics Program (ACCSP), was added to reflect the incorporation of ACCSP as a Commission program in 2017.

The 2019 – 2023 Strategic Plan is available on the Commission website at [http://www.asmfc.org/files/pub/2019-2023StrategicPlan\\_Final.pdf](http://www.asmfc.org/files/pub/2019-2023StrategicPlan_Final.pdf). For more information, please contact Tina Berger, Director of Communications, at [tberger@asmfc.org](mailto:tberger@asmfc.org).

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PR19-16

### ***Meeting Summary***

During its Business Session the Commission approved the 2019-2023 Strategic Plan. The above press release provides a summary of the Plan.

The Commission also approved the Summer Flounder Commercial Issues Amendment. The Amendment updated the FMP’s goals and objectives and modified the state allocation of the commercial quota. Prior to approval of the Amendment there was lengthy and passionate debate regarding the reallocation of the commercial quota. Some Commissioners expressed concern that the current approach to reallocation, as specified by the new Amendment, is not effective and needs to be revisited and modified. Commission leadership agreed to work with Mid-Atlantic Fishery Management Council

(MAFMC) to consider alternate approaches to future reallocation decisions. The Commission approved the Amendment to avoid a breakdown in the relationship with the MAFMC and the difficulties associated with differing state and federal quota allocations.

For more information, please contact Robert Beal, Executive Director, at [rbeal@asmfc.org](mailto:rbeal@asmfc.org) or 703.842.0740.

### ***Motions***

#### **Move to approve the 2019-2023 Strategic Plan as presented today.**

Motion made by Mr. Keliher and seconded by Ms. Fegley. Motion carries by unanimous consent. Roll Call: In Favor – ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, VA, NC, SC, GA, FL.

#### **Main Motion**

**Move on behalf of the Summer Flounder, Scup, and Black Sea Bass Management Board to consider approval of the Summer Flounder Commercial Issues Amendment. The effective date of any FMP modifications would be consistent with the effective date published in the final rule in the Federal Register.**

Motion made by Mr. Ballou.

#### **Motion to Substitute**

**Move to substitute to remand the Summer Flounder Commercial Issues Amendment to the Summer Flounder, Scup and Black Sea Management Board to develop and consider new approaches, including alternatives that use a dynamic approach to reallocation of the resource that considers the species' distribution.**

Motion made by Dr. Davis and seconded by Mr. Hasbrouck. Motion fails (5 in favor, 9 opposed, 1 null).

#### **Main Motion**

**Move on behalf of the Summer Flounder, Scup, and Black Sea Bass Management Board to consider approval of the Summer Flounder Commercial Issues Amendment. The effective date of any FMP modifications would be consistent with the effective date published in the final rule in the Federal Register.**

Motion made by Mr. Ballou. Motion carries. Roll Call: In Favor – NJ, PA, DE, MD, VA, NC, SC, GA, FL; Opposed – ME, RI, CT, MA, NY; Abstentions – NH.

## **HORSESHOE CRAB MANAGEMENT BOARD (MAY 1, 2019)**

### ***Press Release***

## **ASMFC Horseshoe Crab Board Approves Benchmark Stock Assessment for Management Use**

Arlington, VA – The 2019 Horseshoe Crab Benchmark Stock Assessment evaluated the stock status of the resource by region, finding populations within the Delaware Bay and Southeast regions remaining consistently neutral and good, respectively, through time. The Northeast region population has changed from poor to neutral, while the status of the New York region population has trended downward from

good, to neutral, and now to poor. The Benchmark Assessment was endorsed by the Peer Review Panel and accepted by the Horseshoe Crab Management Board (Board) for management use.

To date, no overfishing or overfished definitions have been adopted for management use. For the assessment, biological reference points were developed for the Delaware Bay region horseshoe crab population although not endorsed by the Peer Review Panel for use in management. However, given the assessment results of low fishing mortality and relatively high abundance, overfishing and an overfished status are unlikely for female horseshoe crabs in the Delaware Bay region.

In the absence of biological reference points, stock status was based on the percentage of surveys within a region (or coastwide) having a >50% probability of the final year being below the model reference point (referred to as the Autoregressive Integrated Moving Average or ARIMA reference point). “**Poor**” status was >66% of surveys meeting this criterion, “**Good**” status was <33% of surveys, and “**Neutral**” status was 34 – 65% of surveys. Based on this criterion, stock status for the Northeast region was neutral; the New York region was poor; the Delaware Bay region was neutral; and the Southeast region was good. Coastwide, abundance has fluctuated through time with many surveys decreasing after 1998 but increasing in recent years. The coastwide status includes surveys from all regions and indicates a neutral trend, likely due to positive and negative trends being combined.

**Number of Surveys Below the Index-based 1998 Reference Point  
in the Terminal (Final) Year of ARIMA Model**

<b>Region</b>	<b>2009 Benchmark</b>	<b>2013 Update</b>	<b>2019 Benchmark</b>	<b>2019 Stock Status</b>
Northeast	2 out of 3	5 out of 6	1 out of 2	Neutral
New York	1 out of 5	3 out of 5	4 out of 4	Poor
Delaware Bay	5 out of 11	4 out of 11	2 out of 5	Neutral
Southeast	0 out of 5	0 out of 2	0 out of 2	Good
Coastwide	7 out of 24	12 out of 24	7 out of 13	Neutral

The Board will consider a possible management response to the assessment at its next meeting in August. A more detailed description of the stock assessment results is available on the Commission’s website at [http://www.asmfc.org/uploads/file/5ccae597HSC\\_StockAssessmentOverview2019.pdf](http://www.asmfc.org/uploads/file/5ccae597HSC_StockAssessmentOverview2019.pdf). The 2019 Horseshoe Crab Benchmark Stock Assessment and Peer Review Report will be available on the Commission website, [www.asmfc.org](http://www.asmfc.org), on the Horseshoe Crab webpage next week.

For more information, please contact Dr. Mike Schmidtke, Fishery Management Plan Coordinator, at [mschmidtke@asmfc.org](mailto:mschmidtke@asmfc.org).

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PR19-18

**Motions**

**Main Motion**

**Move to accept the 2019 Horseshoe Crab Benchmark Stock Assessment and Peer Review Reports for management use as modified today.**

Motion made by Mr. Nowalsky and seconded by Mr. Luisi.

**Motion to Substitute**

**Move to substitute to accept the 2019 Horseshoe Crab Benchmark Stock Assessment and Peer Review Reports for management use.**

Motion made by Mr. Luisi and seconded by Mr. Gilmore. Motion carries without objection.

**Main Motion as Substituted**

**Move to accept the 2019 Horseshoe Crab Benchmark Stock Assessment and Peer Review Reports for management use.**

Motion carries without objection.

**Move to postpone management response to the 2019 Horseshoe Crab Benchmark Stock Assessment until the August 2019 meeting.**

Motion made by Dr. Davis and seconded by Mr. McKiernan. Motion approved by consent.

**Move to approve the nomination for Nora Blair to the Horseshoe Crab Advisory Panel.**

Motion made by Mr. Boyles and seconded by Mr. Gilmore. Motion carries unanimously.

**INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (MAY 2, 2019)**

***Meeting Summary***

The ISFMP Policy Board received a report from the Executive Committee, the details of which can be found above under Executive Committee meeting summary. Jason McNamee reported that further progress has been made on the Draft Risk and Uncertainty Policy. The Draft Policy will be forwarded to the Atlantic Striped Bass Technical Committee and the Committee on Economics and Social Sciences for their feedback and to conduct a test run of the Risk Policy.

Richard Cody from NOAA Fisheries provided an update on the Marine Recreational Information Program's (MRIP) transitions to new surveys. There will be an upcoming workshop hosted by the South Atlantic Fishery Management Council in August to help understand the changes from the coastal household telephone survey to the new fishing effort survey. Concerns were raised by some states regarding state estimates from MRIP, particularly in the shore mode. MRIP staff will be at future Commission quarterly meetings to address concerns and answer questions.

Mark Robson reported on the Law Enforcement Committee meeting earlier in the week (see LEC meeting summary). Dr. Lisa Havel updated the Board on the Artificial Reef Subcommittee's February meeting. The Subcommittee discussed the Artificial Reef Materials Guidelines update, monitoring protocols, and how to better integrate artificial reefs into the Commission process. There was a presentation on the impacts of Hurricane Michael to artificial reefs in the Gulf of Mexico; and guest presentations on Ocean Bricks Reef Systems in the Red Sea, as well as the new APAIS artificial reef survey question. Each state also provided updates. The Gulf States Marine Fisheries Commission will host the next meeting, which will take place in 2020.

The Board directed the Spiny Dogfish Management Board to initiate an Addendum to allow unused quota allocated to the northern state region to be transferred in the second half of the fishing year to the states that have state-specific allocations. This action is intended to promote full utilization of the

overall commercial quota. It is anticipated the Spiny Dogfish Board will consider a document for public comment in August.

The Board agreed to send two letters to NOAA Fisheries consistent with the recommendations from the Striped Bass and Lobster Management Boards (see relevant Board meeting summaries in this document).

Some members of the Board raised concerns that the Commission is not addressing allocation issues in a fair and equitable way. The Commission will be working with the Councils and NOAA Fisheries to explore alternative options for addressing allocation issues. Lastly, concerns were raised that in several Commission species dead discards are increasing for catch and release fishing. It was suggested the Commission explore options to address this issue including working with some of the recreational fishing associations.

For more information, please contact Toni Kerns, ISFMP Director, at [tkerns@asmfc.org](mailto:tkerns@asmfc.org) or 703.842.0740.

### ***Motions***

**Move to direct the Spiny Dogfish Management Board to initiate an Addendum to allow unused quota allocated to the northern states collectively to be transferred in the second half of the fishing year to the states that have state-specific allocations. This action is intended to promote full utilization of the overall commercial quota. It is intended that these proposed transfers shall only be allowed if there is unanimous consent among the northern states regarding the timing and the amount. Also, the Board shall include quota overage forgiveness language similar to that in Addendum XX of the Summer Flounder, Scup, and Black Sea Bass FMP where in the event the overall annual quota of black sea bass and scup (during the summer) among the states is not exceeded, then individual state overages are forgiven.**

Motion made by Mr. McKiernan and seconded by Dr. Davis. Motion carries without objection.

**On behalf of the Atlantic Striped Bass Board, move to forward the Block Island Transit Zone letter to NOAA Fisheries.**

Motion carries by unanimous consent.

## **SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (MAY 2, 2019)**

### ***Meeting Summary***

The South Atlantic State/Federal Fisheries Management Board met to consider Draft Amendment 1 to the Interstate Fishery Management Plan (FMP) for Atlantic Migratory Group Cobia (Atlantic cobia) for public comment. Amendment 1 was initiated to address the approval of Regulatory Amendment 31 to the South Atlantic and Gulf Fishery Management Councils' Fishery Management Plan for Coastal Migratory Pelagic Resources (CMP FMP), which removes Atlantic cobia from the CMP FMP, making the Commission the sole management body for this stock. Amendment 1 addresses a variety of issues including FMP Goals and Objectives, biological reference points, establishment of a harvest specification process, recreational and commercial management measures, *de minimis* status for the commercial fishery, and what regulations will be recommended for implementation by NOAA Fisheries in federal

waters. The Board made several edits to the Draft Amendment, which will be incorporated before it is released for public comment. The Board then approved the document, as modified, for public comment.

The Board also considered state-gathered public input on potential management changes for Atlantic croaker and spot that would be triggered by incorporation of updates to the annual Traffic Light Analyses (TLA) conducted for these species. The TLA assigns a color (red, yellow, or green) to categorize relative levels of indicators on the condition of the fish population (abundance metric) or 16 fishery (harvest metric). For example, as harvest or abundance increases relative to its long-term mean, the proportion of green in a given year will increase and as harvest or abundance decreases, the amount of red in that year will increase. The Board annually evaluates amounts of red against threshold levels to potentially trigger management action. While both species have shown strong declines in recent harvest, neither species had management action triggered because abundance metrics from fishery-independent surveys do not show similar declines. Updates to the TLAs have been recommended by the Atlantic Croaker Technical Committee and Spot Plan Review Team, which include regional harvest and abundance metrics, additional fishery-independent surveys, incorporation of age information, and changes to the triggering mechanisms. If all recommended updates are incorporated, management action would be triggered, regardless of results from the 2019 TLA, which will be presented in August. Public input from Maryland, Virginia, and North Carolina was generally against establishment of new management measures, although some support was expressed for appropriately-sized trip limits or seasons. The Board initiated addenda to the Atlantic Croaker and Spot FMPs to update the TLAs and management responses to triggers.

For more information, please contact Dr. Mike Schmidtke, Fishery Management Plan Coordinator, at [mschmidtke@asmfc.org](mailto:mschmidtke@asmfc.org) or 703.842.0740.

### ***Motions***

**Move to approve Draft Amendment I to the Cobia Fishery Management Plan for public comment as modified today.**

Motion made by Mr. Woodward and second by Mr. Bell. Motion passes (8 in favor, 1 abstention).

**Move to initiate addenda to the Spot and Croaker FMPs to incorporate the revised TLA and redefine management response.**

Motion made by Mr. Batsavage and seconded by Ms. Fegley. Motion carries unanimously.