



# Atlantic States Marine Fisheries Commission

## 77<sup>th</sup> Annual Meeting Summary

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*Vision: Sustainably Managing Atlantic Coastal Fisheries*

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77<sup>th</sup> Annual Meeting  
 New York, New York  
 October 22-25, 2018

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### Meeting Summaries, Press Releases and Motions

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## **AMERICAN LOBSTER MANAGEMENT BOARD (OCTOBER 22, 2018)**

### ***Meeting Summary***

The American Lobster Management Board met to discuss bait sources available to the lobster fishery, review a Northeast Fisheries Science Center (NEFSC) Technical Memo on challenges facing the recovery of right whales, and receive an update on the recent Atlantic Right Whale Take Reduction Team (ALWTRT) meeting.

The Board reviewed the Maine Dept. of Marine Resources' bait protocol. This protocol was established by Maine in order to reduce the risk of viral agents, parasites, and nuisance species being brought via bait into nearby waters. Given the quota of Atlantic herring, a preferred bait source in the lobster fishery, is expected to be reduced, the Board agreed to develop a resolution to address threats created by the use of lobster baits that are known to harbor viral, bacterial, parasitic, and invasive agents. This resolution will be developed by a working group which will assess both long-term and short-term needs.

The Board also reviewed the NEFSC Technical Memo on right whales as well as recent discussions of the ALWTRT. These discussions have been prompted by the decline of the Atlantic right whale population, an endangered marine mammal. Given the recommendations of the ALWTRT may have management implications for the lobster fishery, the Board decided to form a work group to evaluate the measures being considered by the ALWTRT and provide recommendations to the Board.

Staff also provided an update on the Electronic Tracking and Reporting Subcommittees. These groups were formed after approval of Addendum XXVI in order to carryout provisions of the document. The Electronic Tracking Subcommittee is focused on implementing a 1-year pilot program to test tracking devices in the fishery and has submitted a grant proposal to fund this project. The Electronic Reporting Subcommittee is focused on guiding the development of electronic reporting in the fishery. To date, this group has identified needed data elements on a form, reviewed available software, and discussed the merits of selecting a single, preferred software versus identifying specifications which allow multiple software companies to develop a reporting form.

The Board also reviewed and approved state compliance reports and FMP Reviews for American Lobster and Jonah Crab. The Board noted that New York and Delaware have not fully implemented provisions of the Jonah Crab FMP; these jurisdictions stated that regulations are going through respective legislative processes. As a result, the Board agreed to send letters to these states requesting them to come into compliance. Finally, the Board approved Marc Palombo to the Jonah Crab Advisory Panel.

For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at [mware@asmfc.org](mailto:mware@asmfc.org) or 703.842.0740.

### ***Motions***

**Move that states within the jurisdiction of ASMFC's Lobster Management Plan shall initiate a resolution to address the threats to interstate commerce that is created by the use of lobster bait that is sourced from domestic and foreign locations that are known to harbor viral, bacterial, parasitic, and invasive agents that could pose a risk to lobster and other indigenous species. Such measures must ensure that the use of such baits will be prohibited by December 2020.**

Motion made by Mr. Keliher and seconded by Mr. Fote. Motion carries (11 in favor).

**Move to postpone until the February 2019 meeting to determine the compliance level for the states of DE and NY for the Jonah Crab FMP and send letters to the states to request they come back into compliance.**

Motion made by Mr. McKiernan and seconded by Mr. White. Motion carries (10 in favor, 1 abstention).

**Move to approve the 2018 Lobster and Jonah Crab FMP Reviews, state compliance reports, and *de minimis* status for DE, MD, and VA for both American lobster and Jonah crab.**

Motion made by Mr. Fote and seconded by Mr. Hasbrouck. Motion carries (11 in favor).

**Move to approve Marc Palombo (MA) to the Jonah Crab Advisory Panel.**

Motion by made Mr. Borden and seconded by Mr. McKiernan. Motion approved by consensus.

### **ATLANTIC HERRING MANAGEMENT BOARD (OCTOBER 22, 2018)**

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

## **ASMFC Atlantic Herring Board Initiates Draft Addenda to Protect Spawning Herring in Areas 1A and 3**

New York, NY – The Commission’s Atlantic Herring Management Board initiated Draft Addenda II and III to Amendment 3 of the Interstate Fishery Management Plan for Atlantic Herring to consider strengthening spawning protections in Area 1A (inshore Gulf of Maine) and extending spawning protections to Area 3 (off of Cape Cod and Georges Bank). This action responds 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.

Currently, the Board uses a series of closures to protect spawning aggregations in the Gulf of Maine. These closures, which were implemented through Amendment 3, extend for four to six weeks; their timing is informed by samples which are used to project the start of spawning. Recent analysis by the Atlantic Herring Technical Committee found that while the current 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, under the current protocol, spawning closures are initiated when there are approximately 25% spawners in the fishery; 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. As a result, the Board initiated Draft Addendum II to consider these modifications to the Gulf of Maine spawning closure protocol.

In addition, the Board initiated Draft Addendum III to consider the establishment of a spawning protection program in Area 3. This management area encompasses Georges Bank and the back side of Cape Cod. While both are recognized as important spawning areas for herring, they do not currently have protections specific to spawning. By initiating this addendum, the Board seeks to protect spawning in this region in order to promote stock rebuilding.

Finally, to support future management of the stock, the Commission’s Executive Committee allocated funds to carry out sampling of the Atlantic herring fishery. This sampling will focus on investigating spatial and temporal spawning patterns in Georges Bank and Nantucket Shoals. For more information,

please contact Megan Ware, Fishery Management Plan Coordinator, at [mware@asmfc.org](mailto:mware@asmfc.org) or 703.842.0740.

### ***Meeting Summary***

In addition to initiating addenda to strengthen spawning protections in Area 1A and establish spawning protections in Area 3 (see press release), the Board also reviewed the 2018 Benchmark Stock Assessment Peer Review Report and set specifications for the 2019 Area 1A fishery.

The Board reviewed the Peer Review Report from the 2018 Atlantic Herring Benchmark Stock Assessment. While the Board had reviewed the content of the Stock Assessment at its August 2018 meeting, the Peer Review Report had not been available at the time. After receiving the Peer Review Report, the Board approved the 2018 Stock Assessment for management use.

The Board also set specifications (i.e. quota periods) for the Area 1A fishery. Given the sub-ACL is expected to be reduced in 2019, the Board decided to implement bi-monthly quota periods in the Area 1A fishery such that 16.4% is allocated to June, 40.1% is allocated to July/August, 34.0% is allocated to September/October, and 9.5% is allocated to November/December; the fishery will close when 92% of the period's quota has been harvested and underages from one period may be rolled into the following period. The Board also discussed initiating an addendum to provide the Board greater flexibility in setting Area 1A specifications as, at present, the Board is limited to options contained in Amendment 3. Ultimately, the Board postponed initiating an addendum in order to provide an opportunity for the Advisory Panel to provide input and feedback on the topic.

As outlined in the Atlantic herring press release, the Board discussed the addition of spawning protections in Area 3. Given the New England Fishery Management Council is a federal partner in the management of herring, the Board agreed to write a letter requesting the Council consider herring spawning protections in its 2019 priorities.

Finally, the Board approved Joseph Jurek to the Atlantic Herring Advisory Panel. For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at [mware@asmfc.org](mailto:mware@asmfc.org) or 703.842.0740.

### ***Motions***

**Move to approve the 2018 Atlantic Herring Benchmark Stock Assessment and Peer Review Report for management use.**

Motion by Mr. Borden, second by Mr. Kane. Motion carries without objection.

**Move to initiate an Addendum to consider strengthening the spawning protections provided to Atlantic herring in the Gulf of Maine. This addendum should consider measures including, but not limited to, the closure period length and the GSI<sub>30</sub> trigger value.**

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

### ***Main Motion***

**Move to request the ASMFC Executive Committee direct funds to initiate a research program for increased sampling to support herring spawning protections in the northwest corner of Georges Bank and Nantucket Shoals – protection through a 2020 ASMFC addendum to the ASMFC Sea Herring Management Plan. The Board recognizes the need for increased sampling in these regions in order to**

**inform management and protection. Recognizing the New England Fishery Management Council as a federal partner in the management of Atlantic herring, the Board requests the Council consider herring spawning protection in its 2019 priorities.**

Motion made by Dr. Pierce and seconded by Sen. Watters. Motion substituted.

#### **Motion to Substitute**

**Move to substitute to request the ASMFC Executive Committee direct funds for increased spawning sampling in Georges Bank and Nantucket Shoals. The Board initiates an addendum to develop a herring spawning protection program in Area 3. Recognizing the New England Fishery Management Council as a federal partner in the management of Atlantic herring, the Board requests the Council consider herring spawning protection in its 2019 priorities.**

Motion made by Mr. Grout and seconded by Mr. Train. Motion carries with one abstention.

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

**Move to request the ASMFC Executive Committee direct funds for increased spawning sampling in Georges Bank and Nantucket Shoals. The Board initiates an addendum to develop a herring spawning protection program in Area 3. Recognizing the New England Fishery Management Council as a federal partner in the management of Atlantic herring, the Board requests the Council consider herring spawning protection in its 2019 priorities.**

Motion carries with one abstention.

**Move to allocate the 2019 Area 1A sub-ACL bimonthly in a manner consistent with the options in Table 5 in Section 4.2.3.2 of Amendment 3 that is labeled “No Landings Prior to June 1 (with June as a one-month period)” resulting in the following distribution:**

- **Period 1 (June) - 16.4%**
- **Period 2 (July/August) - 40.1%**
- **Period 3 (Sept/Oct) - 34.0%**
- **Period 4 (Nov/Dec) - 9.5%**

**The fishery will close when 92% of the seasonal period’s quota has been harvested and any underages from one period may be rolled into the following period.**

Motion made by Mr. Grout and seconded by Mr. Keliher. Motion carries (Roll Call: In favor - ME, NH, RI, CT, NY; Opposed - MA, NJ; Abstention - NEFMC, NMFS).

#### **Move to approve Joseph Jurek (MA) to the Atlantic Herring Advisory Panel.**

Motion made by Dr. Pierce and seconded by Mr. Ballou. Motion carries without objection.

**Move to initiate an Addendum which considers providing the Atlantic Herring Board greater flexibility to set annual quota period specifications for the Area 1A fishery. This issue can be included in the addendum initiated regarding the Gulf of Maine herring spawning protections, or it can be a separate document.**

Motion made by Mr. White and seconded by Mr. Train. Motion amended with final vote postponed.

#### **Main Motion**

**Move to amend to include to task the PDT to expand the quota period options to increase flexibility when distributing Area 1A herring quota. During years in which sub-ACLs are lower, it may be prudent**

**to concentrate harvest during the months of July through September. However, in years of higher sub-ACLs, choose options that would allow for an expansion of harvest to meet the needs of the market.** Motion made by Mr. Keliher and seconded by Mr. White. Motion carries (4 in favor, 3 opposed, 2 abstentions).

#### **Main Motion as Amended**

**Move to initiate an Addendum which considers providing the Atlantic Herring Board greater flexibility to set annual quota period specifications for the Area 1A fishery. This issue can be included in the addendum initiated regarding the Gulf of Maine herring spawning protections, or it can be a separate document. Task the PDT to expand the quota period options to increase flexibility when distributing Area 1A herring quota. During years in which sub-ACLs are lower, it may be prudent to concentrate harvest during the months of July through September. However, in years of higher sub-ACLs, choose options that would allow for an expansion of harvest to meet the needs of the market.**

Motion postponed.

**Move to postpone the motion until the AP can be convened to discuss options for greater flexibility for Area 1A allocations.**

Motion made by Mr. Nowalsky and seconded by Mr. Hasbrouck. Motion carries (7 in favor, 2 opposed)

### **AMERICAN EEL MANAGEMENT BOARD (OCTOBER 22, 2018)**

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

The American Eel Management Board met to receive an informational presentation on the Convention on the International Trade in Endangered Species (CITES). CITES is a global treaty that aims to ensure international trade of plants and animals do not threaten their survival in the wild. Species protected under CITES are listed in one of three appendices. European eel is listed under CITES Appendix II, which includes species that, although not currently threatened with extinction, may become so without trade controls. There had been notice given earlier in the year that a proposal to list American eel under Appendix II may be submitted ahead of the next CITES Conference of the Parties (CoP) meeting in 2019. During the Board Meeting, US Fish and Wildlife (USFWS) updated the Board that it is unlikely a proposal will be submitted prior to the 2019 CITES Meeting. The Board then discussed illegal harvest and exports, as well as efforts by the states and USFWS's Office of Law Enforcement (OLE) to address it. States are concerned about enforcement of legally caught and exported American eels during their shipment out of the country; specifically, whether illegal harvest is added to shipments of legal harvest. The Board recommended that a letter be sent to USFWS OLE requesting additional inspection of American eels at airports before exportation where possible.

It was noted that though a proposal to list American eel under Appendix II would likely not come this year, it could potentially be submitted in the future ahead of next CITES CoP meeting in 2022. In evaluating a proposal, committees under CITES would consider whether any additional information specific to trade enforcement or the status of the resource had changed in recent years. The Board discussed whether any consideration should be given to adjusting the stock assessment schedule to include an American eel assessment prior to the next the CITES CoP meeting in 2022. Concerns were raised whether a new eel assessment could provide any new information on the status of the resource relative to the 2012 benchmark assessment and 2017 assessment update that found the resource is depleted. The Board requested that in light of the current data and recent assessment update, the

Technical Committee (TC) and Stock Assessment Subcommittee (SAS) discuss and provide recommendations on what type of information could come from a new stock assessment and whether to add American eel to the stock assessment schedule. The TC and SAS will likely report back to the Board on these recommendations in spring 2019.

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 Richard Stoughton (SC) and Lawrence Voss (DE) to the American Eel Advisory Panel.**

Motion made by Mr. Boyles and seconded by Mr. Clark. Motion passes without objection.

## **BUSINESS SESSION (OCTOBER 23, 2018)**

### ***Meeting Summary***

The Business Session reviewed and approved the 2019 Action Plan and discussed next steps in the development of the 2019 – 2023 Strategic Plan, a draft of which will be available at the Winter Meeting for its review. It also re-elected Jim Gilmore of New York State Department of Environmental Conservation and Pat Keliher of the Maine Department of Marine Resources, as its Chair and Vice-Chair, respectively. For more information, please contact Robert Beal, Executive Director, at [rbeal@asmfc.org](mailto:rbeal@asmfc.org) or 703.842.0740.

### ***Motions***

**Move to adopt the 2019 Action Plan.**

Motion made by Mr. Borden and seconded by Mr. Boyles. Motion carries by unanimous consent.

**Move to close nominations and approve Jim Gilmore as ASMFC Chair.**

Motion by Mr. Boyles and seconded by Mr. Lustig. Motion approved by unanimous consent.

**Move to close nominations and approve Pat Keliher as ASMFC Vice-Chair.**

Motion made by Mr. Boyles and seconded by Mr. Hasbrouck. Motion approved by unanimous consent.

## **COASTAL SHARKS MANAGEMENT BOARD (OCTOBER 23, 2018)**

### ***Press Release***

## **ASMFC Coastal Sharks Board Approves Addendum V**

New York, NY – The Commission’s Coastal Sharks Management Board approved Addendum V to the Interstate Fishery Management Plan (FMP) for Atlantic Coastal Sharks. The Addendum allows the Board to respond to changes in the stock status of coastal shark populations and adjust regulations through Board action rather than an addendum, ensuring greater consistency between state and federal shark regulations.

Previously, the FMP only allowed for commercial quotas, possession limits, and season dates to be set annually through specifications. All other changes to commercial or recreational management



could only be accomplished through an addendum or emergency action. In instances when addenda were initiated, the timing of when the addenda were completed and state implementation resulted in inconsistencies between state and federal shark regulations, particularly when NOAA Fisheries adopted changes through interim emergency rules.

Moving forward, Addendum V will allow the Board to change a suite of commercial and recreational measures, such as recreational size and possession limits, season length, and area closures (recreational and commercial) in addition to the current specifications for just the commercial fishery, throughout the year when needed. Under this provision, if the Board chooses to adjust measures through Board action, the public will be able to provide comment prior to Board meetings, as well as at Board meetings at the discretion of the Board Chair. Additionally, the Board can still implement changes in shark regulations through an addendum.

In addition, the Board considered proposed federal 2019 Atlantic shark specifications. Similar to recent years, NOAA Fisheries is proposing a January 1 open date for all shark management groups, with an initial 25 shark possession limit for large coastal and hammerhead management groups, with the possibility of in-season adjustments. The Board will set the 2019 coastal shark specifications via an email vote after the final rule is published later this fall.

Addendum V will be available on the Commission's website ([www.asmfc.org](http://www.asmfc.org)) on the Coastal Sharks webpage by the end of October. 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.

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### ***Motions***

#### **Move to approve Addendum V for Coastal Sharks with Management Option 3 as the chosen management option.**

Motion made by Mr. Clark and seconded by Mr. Davis. Motion passes unanimously.

#### **Move to approve the 2019 coastal sharks specifications via an email vote after NOAA Fisheries publishes the final rule for the 2019 Atlantic Shark Commercial Fishing season.**

Motion made by Mr. Batsavage and seconded by Mr. Clark. Motion approved unanimously.

## **LAW ENFORCEMENT COMMITTEE (OCTOBER 23 & 24, 2018)**

### ***Meeting Summary***

The Law Enforcement Committee (LEC) met during the 77<sup>th</sup> Annual Meeting of the Atlantic States Marine Fisheries Commission (ASMFC) in New York, NY. The LEC welcomed alternate representatives Paul Chapelle from the USFWS and Jeff Ray from NOAA OLE.

### **Species Issues**

**Summer Flounder/Scup/Black Sea Bass** — Caitlin Starks presented background on the proposed development of a transit zone through federal waters between Block Island and the mainland of Rhode Island. After reviewing maps and two options for such a transit zone, the LEC had no specific concerns with a narrowly defined zone. However, it was agreed that the enforceability of any transit zone is dependent on associated conditions or criteria for stowage of gear and direct transit. Standardizing these criteria among transit zones in general is important in both state and federal regulations. To the

extent that transit zones are considered for other species, having the same or similar area boundaries would be helpful.

**Striped Bass** — Max Appelman gave the LEC an update on possible allowance of recreational fishing for striped bass in the existing transit zone in federal waters of Block Island Sound. The LEC provided initial thoughts on the current transit zone boundaries and whether such an opening might be a precursor to opening broader areas of the EEZ to recreational fishing for striped bass. ASMFC staff will continue to update the LEC on possible changes to federal regulations associated with the transit zone.

**American Lobster** — The LEC reviewed ongoing efforts to improve enforcement capabilities for the offshore lobster fishery. Members of ASMFC reported on possible funding for a meeting of a subcommittee that would attempt to develop detailed strategies for improving offshore enforcement. Pending approval of such a subcommittee, the LEC agreed that member participation, including from state and federal agencies, would be valuable.

The LEC also reviewed current efforts to evaluate tracking systems that could be used to better monitor movement and fishing activities in the lobster fishery, especially offshore where traditional on-the-water enforcement is a challenge.

### **Other Issues**

The LEC reviewed proposed changes to the ASMFC **2019 Action Plan** and confirmed that its work will continue to address the priorities outlined in Goal 3 of the plan once it is approved by the ASMFC.

Andy Loftus of MAFMC gave a brief presentation on a planned workshop to review **enforcement in the for-hire fisheries**. Input from the LEC will be provided by member participation at the workshop now scheduled for November 13-14. After discussing some of the questions to be addressed during the workshop, the LEC agreed to provide more detailed information from their respective jurisdictions that could be used by the workshop participants in considering responsibilities of for-hire captains for the actions of passengers. LEC Vice-Chair Doug Messeck will be participating in the workshop. Kurt Blanchard has participated in workshop planning.

The LEC reviewed some of the recent trends of states considering **landings flexibility** for commercial vessels landing catch from other state waters. While members concurred that such provisions present numerous enforcement challenges, it was recognized that states may continue to develop more flexibility provisions. The LEC exchanged information on specific permitting provisions that could be used to minimize abuse of such privileges. It was agreed that the ability to revoke a fisherman's permit subsequent to violations of landings regulations would go a long way to ensure better compliance. Nonetheless, members agreed that real-world examples of abuse are out there, and landings flexibility will need to be carefully implemented to minimize illegal activity.

Meeting participants from Maryland reviewed concerns with the inability to market legally-caught striped bass from Maryland in other states where those states' regulations would deem the fish undersized. LEC members concurred that this is not a significant enforcement issue if fish are properly tagged and documented through shipment records.

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

**SPINY DOGFISH MANAGEMENT BOARD (OCTOBER 23, 2018)**

**Press Release**

**ASMFC Spiny Dogfish Board Sets Quotas for 2019-2021 Fishing Seasons**

New York, NY – The Commission’s Spiny Dogfish Management Board approved the following coastwide commercial quotas for the 2019-2021 fishing seasons (May 1-April 30): 20,522,832 pounds for 2019/2020; 23,194,835 pounds for 2020/2021, and 27,421,096 pounds for 2021/2022 (state-specific allocations are provided in table below). The quotas are consistent with the measures recommended to NOAA Fisheries by the Mid-Atlantic Fishery Management Council. The Board also established a 6,000 pound commercial trip limit for the northern region states of Maine through Connecticut, while New York through North Carolina have the ability to set state-specific trip limits based on the needs of their fisheries. The Commission’s actions are final and apply to state waters (0-3 miles from shore). The Mid-Atlantic and New England Fishery Management Councils will forward their recommendations for federal waters (3 –200 miles from shore) to NOAA Fisheries Greater Atlantic Regional Fisheries Administrator for final approval.

**Spiny Dogfish State Allocations (in pounds) for the 2019-2021 Fishing Seasons**

|                  | Northern Region (ME-CT) | NY   | NJ            | DE            | MD           | VA             | NC             |
|------------------|-------------------------|--|---------------|---------------|--------------|----------------|----------------|
| Possession Limit | 6,000                   | To be specified by the individual southern region states |               |               |              |                |                |
| Allocation       | <b>58%</b>              | <b>2.707%</b>  | <b>7.644%</b> | <b>0.896%</b> | <b>5.92%</b> | <b>10.795%</b> | <b>14.036%</b> |
| 2019/20          | 11,903,243              | 555,716  | 1,568,900     | 183,893       | 1,214,957    | 2,215,484      | 2,880,640      |
| 2020/21          | 13,453,004              | 628,069  | 1,773,165     | 207,835       | 1,373,141    | 2,503,932      | 3,255,689      |
| 2021/22          | 15,904,236              | 742,507  | 2,096,248     | 245,704       | 1,623,336    | 2,960,166      | 3,848,898      |

\* Any overages in the above quotas will be deducted from that region’s or state’s quota allocation in the subsequent year. Similarly, any eligible rollovers from one season can be applied to that region’s or state’s quota allocation the following year.

The quotas are based on the 2018 Stock Assessment Update, which indicates that while the population is not overfished and overfishing is not occurring, biomass has declined, requiring an approximate 46% reduction in the 2019-2020 quota to ensure that overfishing does not occur. The next benchmark stock assessment is currently scheduled for completion in 2021.

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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PR18-34

**Meeting Summary**

The Spiny Dogfish Management Board met to consider the 2018 stock assessment update; specify the commercial quotas for 2019-2021 fishing seasons; discuss the federal trip limit; and consider nominations to the Advisory Panel.

The Board discussed recommending adjustments to the federal trip limit, including eliminating the measure. Concerns have been raised that the current federal trip limit is an additional constraint to the state and regional trip limits and are contributing to regulatory discards. The New England and Mid-Atlantic Fishery Management Councils both recently took action to consider evaluating potential changes to the federal trip limit in 2019. Taking the Board discussion and recent Council actions into account, the Board tasked the previously established working group to develop a report on the benefits and drawbacks of eliminating the federal trip limit prior to the ASMFC 2019 Winter Meeting. Additionally, the Commission will send a letter to the Mid-Atlantic Fishery Management Council requesting that consideration of eliminating the federal trip limit should be included in the Council's 2019 priorities.

The Board considered and approved nominations of Thomas Lyons (NH), Doug Freeney (MA), John Whiteside (MA), Scott MacDonald (VA) to the Spiny Dogfish Advisory Panel. Finally, the Board elected Chris Batsavage from North Carolina as Vice-Chair. 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 that the spiny dogfish quota for 2019-2020 be set at 20,522,832 pounds; 2020-2021 be set at 23,194,835 pounds; 2021-2022 be set at 27,421,096 pounds.**

Motion made by Ms. Davidson and seconded by Mr. Borden. Motion carries without objection; 1 null vote (NJ).

**Move to establish a 6,000 lb trip limit for the 2019-2021 fishing seasons for the northern region (ME-CT).**

Motion made by Mr. Borden and seconded by Dr. Pierce. Motion passes without opposition.

**Move to approve the nomination of Thomas Lyons (NH), Doug Freeney (MA), John Whiteside (MA), Scott MacDonald (VA) to the Spiny Dogfish Advisory Panel.**

Motion made by Mr. White and seconded by Mr. Kane. Motion passes unanimously.

**Move to nominate Chris Batsavage as Vice-Chair to the Spiny Dogfish Board.**

Motion made by Mr. Luisi and seconded by Mr. Kane. Motion passes unanimously.

**Move that the Spiny Dogfish Board explore the pros and cons of removing the federal trip limit with the intent to report to the Board at Winter Meeting. The Board requests that a letter be sent to the MAMFC requesting that federal trip limits be a 2019 priority item.**

Motion made by Mr. Borden and seconded by Mr. White. Motion carries unanimously.

## **ATLANTIC STRIPED BASS MANAGEMENT BOARD (OCTOBER 23, 2018)**

### ***Meeting Summary***

The Atlantic Striped Bass Management Board met to discuss the Advanced Notice of Proposed Rulemaking (ANPR) recently released by NOAA Fisheries and develop a recommendation for submission to NOAA Fisheries. The ANPR provides background information and makes the public aware of a proposal to remove the current prohibition on recreational striped bass fishing in the Block Island Sound

Transit Zone. The ANPR is in response to the FY18 Omnibus Appropriations Act which included the provision directing “NOAA, in consultations with the ASMFC, to consider lifting the ban on striped bass fishing in the Federal Block Island Sound Transit Zone. The ANPR only considers the potential regulatory changes for recreational fishing due to an existing Executive Order (E.O. 13449) which prohibits the sale of striped bass caught in the EEZ.

After reviewing the ANPR, the Board felt strongly that the results of the 2018 Striped Bass Benchmark Stock Assessment are essential to the discussion and development of a formal recommendation regarding lifting the ban on recreational fishing in the Transit Zone. Accordingly, the Board decided to send a letter to NOAA Fisheries requesting a delay on further action on the Federal Block Island Transit Zone until the Board has an opportunity to review the benchmark assessment results and formalize a recommendation. The assessment is scheduled for peer-review November 27-30, 2018 at the 66<sup>th</sup> Northeast Regional Stock Assessment Workshop/Stock Assessment Review Committee and will be available for Board review at its February 2019 meeting.

The Board also received an update on the status of the North Carolina Cooperative Winter Tagging Cruise (NCCOOP). For a number of reasons including fiscal and staff limitations, the North Carolina Division of Marine Fisheries is reducing its participation in the NCCOOP including cessation of funding for the charter vessel contract. Accordingly, the Principal Partners of the NCCOOP requested the Commission’s Executive Committee consider funding the 2019 tagging efforts. The Board supports the request for funds highlighting the utility of the tag-recapture data collected from the program to stock assessment, and the nearly 30-year time series (see the following Executive Committee Summary for an update on funding).

The Board received an update on the status of the benchmark stock assessment. The Technical Committee reviewed and approved the Draft Report for peer-review, which is scheduled for the end of November. The primary assessment model incorporates migration and stock structure information. The statistical-catch-at-age model currently used for management was also refined and updated as a supporting model.

Lastly, the Board approved Steven Smith, a recreational angler from Delaware, to the Atlantic Striped Bass Advisory Panel. For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at [mappelman@asmfc.org](mailto:mappelman@asmfc.org) or 703-842-0740.

### ***Motions***

**Move that the Board recommend to the Policy Board to submit a letter to NOAA requesting a delay on further action on the Block Island Transit Zone until such time as the Board has an opportunity to review the Striped Bass Benchmark Stock Assessment and formalize a recommendation.**

Motion made by Mr. Borden and seconded by Mr. White. Motion passes by consensus with one abstention.

**Move to approve the nomination of Steven Smith (DE) to the Atlantic Striped Bass Advisory Panel.**

Motion made by Mr. Clark and seconded by Mr. Fote. Motion approved unanimously.

## **EXECUTIVE COMMITTEE (OCTOBER 24, 2018)**

### ***Meeting Summary***

The Executive Committee met to discuss a number of issues, including the FY18 Audit; priorities for “plus-up” federal funds; changes to the Appeals Process; appointment of an Aquaculture Committee; the Commission’s quarterly meeting schedule; and a report from the Awards Committee. The following action items resulted from the Committee’s discussions:

- FY 18 Audit – The Audit was reviewed by the Administrative Oversight Committee (AOC) and forwarded to the Executive Committee with a recommendation for approval.
- “Plus-up Funds” – The Committee discussed the options presented by staff for utilizing the additional federal funds (roughly \$400,000) received this year. After a robust discussion, the Committee made the decision to use a portion (roughly \$200,000) on five short-term projects and decide at the February 2019 meeting how to proceed with the remaining ~\$200,000. The five funded projects are: Atlantic Striped Bass Hook and Line Tagging Survey; travel funds to coordinate offshore lobster enforcement; American lobster maturity and growth study; Atlantic herring maturity sampling; and Atlantic menhaden aerial and hydroacoustic survey design.
- Changes to the Appeals Process – Dr. McNamee gave a presentation of the revision to the Appeals Process in the ISFMP Charter. After thorough discussion, the Committee agreed to forward the amended Appeals Process to the ISFMP Policy Board for action.
- Establishment of Aquaculture Committee – Executive Director Beal presented a list of people recommended by the states to serve on the Aquaculture Committee. Several states that had not provided a name said they had a person and would send that name to Mr. Beal.
- Quarterly Meeting Schedule - Staff was directed to explore options for arranging the quarterly meeting schedule so both the northern and southern states are satisfied.
- Mr. Woodward presented a SOPP for the Awards Committee. The Executive Committee will review it and provide any comments to Mr. Woodward by the Commission’s February Meeting, at which action will be taken on the SOPPs.

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, move to accept the FY18 Audit of the Atlantic States Marine Fisheries Commission.** Motion made by Mr. Keliher. The motion passed unanimously.

**Move to move forward with the five short-term projects proposed using ~\$200,000 and wait until the February meeting to decide on long-term projects; i.e. additional stock assessment staff; and allocate any long-term increase to the baseline for the states.**

Motion made by Mr. Grout and seconded by Mr. Boyles. The motion passed unanimously.

**Move to recommend the Policy Board approve the amended Appeals Process document developed by the Working Group.**

Motion made by Mr. Grout and seconded by Dr. Pierce. Adopted by unanimous consent.

**Move to approve the folks named in the memo from Executive Director Beal; and fill out the committee with additional names from the states not represented.**

Motion made by Mr. Boyles and seconded by Mr. Keliher. The motion passed unanimously.

## **WEAKFISH MANAGEMENT BOARD (OCTOBER 24, 2018)**

### ***Meeting Summary***

The Weakfish Management Board met to review a report by the Technical Committee (TC) on trends in commercial discards and annual state compliance with the FMP. The TC used state and federal trip-level harvest and observer data to determine whether weakfish discards have increased in recent years. The TC noted single-year increases in the percentage of commercial trips reporting 100 pounds or more of weakfish for Virginia in 2016 and North Carolina in 2017. However, no long-term trends were evident for these or other states.

The Board reviewed annual state compliance with the FMP. The Board found all states to be in compliance with the measures of the FMP and approved *de minimis* requests for Massachusetts, Connecticut, and Florida. The Board also updated Advisory Panel membership and elected John Clark (DE) as Vice Chair.

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

### ***Motions***

**Move to accept the 2018 FMP Review and State Compliance Reports for weakfish and approve *de minimis* requests for Massachusetts, Connecticut, and Florida.**

Motion made by Mr. Hasbrouck and seconded by Mr. Fote. Motion approved unanimously.

**Move to approve the nomination for Jeffrey Buckel to the Weakfish Advisory Panel.**

Motion made by Mr. Batsavage and seconded by Mr. Bowman. Motion approved unanimously.

**Move to elect John Clark as Vice Chair.**

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

**HORSESHOE CRAB MANAGEMENT BOARD (OCTOBER 24, 2018)**

***Press Release***

**ASMFC Horseshoe Crab Board Sets 2019 Specifications  
for Horseshoe Crabs of Delaware Bay Origin**

New York, NY – 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 2019 season. Based on the allocation mechanism established in Addendum VII, the following quotas were set for the States of New Jersey, Delaware, and Maryland and the Commonwealth of Virginia, which harvest horseshoe crabs of Delaware Bay origin:

|              | <b>Delaware Bay Origin Horseshoe Crab Quota (no. of crabs)</b> | <b>Total Quota**</b> |
|--------------|--|----------------------|
| <b>State</b> | <b>Male Only</b>   | <b>Male Only</b>     |
| 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 Delaware Bay Ecosystem Technical Committee’s and ARM Subcommittee’s 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. The horseshoe crab abundance estimate was based on data from the Benthic Trawl Survey conducted by Virginia Polytechnic Institute (Virginia Tech). This survey, which is the primary data source for assessing Delaware Bay horseshoe crab abundance for the past two years, as well as the ongoing benchmark stock assessment, has not been funded consistently in recent years. However, due to the efforts of three Senators and six Representatives – namely, Senators Chris Coons (D-DE), Tom Carper (D-DE), Cory Booker (D-NJ); and Representatives Frank Pallone (D-NJ), Frank LoBiondo (R-NJ), Lisa Blunt-Rochester (D-DE), Donald Norcross (D-NJ), Chris Smith (R-NJ), and Bill Pascrell (D-NJ) – and the support of NOAA Fisheries, funding for the survey was restored beginning in 2016. They have also requested that NOAA Fisheries incorporate the survey into the agency’s annual budget.

Work is well underway for the 2019 Benchmark Stock Assessment and Peer Review, which will be presented to the Board in May 2019. For more information, please contact Dr. Michael Schmidtke, Fishery Management Plan Coordinator, at 703.842.0740 or [mschmidtke@asmfc.org](mailto:mschmidtke@asmfc.org).

###

PR18-37

***Meeting Summary***

In addition to setting 2019 specifications for bait harvest of horseshoe crabs of Delaware Bay origin, the Horseshoe Crab Management Board reviewed state compliance with the Fishery Management Plan. All



states were found to be in compliance and *de minimis* requests were granted to the Potomac River Fisheries Commission, South Carolina, Georgia, and Florida. The Board also updated Advisory Panel membership and elected Joe Cimino (NJ) as Vice Chair. For more information, please contact Dr. Michael Schmidtke, Fishery Management Plan Coordinator, at [mschmidtke@asmfc.org](mailto:mschmidtke@asmfc.org) or 703.842.0740.

### **Motions**

#### **Move to select Harvest Package 3 (500,000 male-only crabs) for 2019 horseshoe crab bait harvest in Delaware Bay.**

Motion made by Mr. Borden and seconded by Mr. Miller. Motion approved unanimously.

#### **Move to accept the Horseshoe Crab 2018 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. Geer. Motion approved by unanimous consent.

#### **Move to elect Joe Cimino as Vice Chair.**

Motion made by Mr. Ballou and seconded by Mr. Clark. Motion approved unanimously.

#### **Move to approve the nomination for Lawrence Voss to the Horseshoe Crab Advisory Panel.**

Motion made by Mr. Clark and seconded by Mr. Boyles. Motion carries by unanimous consent.

### **CAPTAIN DAVID H. HART AWARD LUNCHEON (OCTOBER 24, 2018)**

#### **Press Release**

#### **ASMFC Presents Roy W. Miller Prestigious Captain David H. Hart Award**

New York, NY – The Atlantic States Marine Fisheries Commission presented Roy W. Miller, Delaware’s Governor Appointee to the Commission and former Director of Delaware’s Division of Fish and Wildlife, the Captain David H. Hart Award, its highest annual award, at the Commission’s 77<sup>th</sup> Annual Meeting in New York City. Mr. Miller has admirably served the State of Delaware and the Commission since 1978 when he first started with the Delaware Division of Fish and Wildlife as a Program Manager.

Right from the start, Mr. Miller became a member of the Striped Bass Technical Committee, then known as the Striped Bass Science and Statistical Committee. The Committee had a lot on its plate given the precipitous decline of the striped bass population. As part of those discussions, Mr. Miller was instrumental in getting Delaware to join Maryland in a moratorium on the Delaware striped bass



From left: ASMFC Executive Chair Bob Beal, Hart Award Recipient Roy Miller, and ASMFC Chair Jim Gilmore

fishery. To this day, he considers the recovery of the striped bass population and the return of the Delaware Bay as a productive and important spawning area as two of his proudest Commission moments. Mr. Miller served on the committee through passage of the Atlantic Striped Bass Conservation Act in 1984.

Beginning in 2003, as Section Administrator for the Division of Fish and Wildlife, Mr. Miller became the state's Administrative Commissioner Proxy. In that position, he served on and chaired numerous management boards, including Shad and River Herring, Weakfish, and, most memorably for Mr. Miller, the Horseshoe Crab Board. His chairmanship of the Horseshoe Crab Board was during the highly contentious development and implementation of the FMP, which sought to balance the needs of watermen, who wanted to continue to harvest crabs to use as bait, with the desires of environmentalists, who wanted to preserve the crabs so their eggs could feed migrating shorebirds. Mr. Miller skillfully guided the Board through some intense Board meetings, which included extensive and impassioned public comment on both sides of the issue. In addition to a management program that accommodated the needs of all the stakeholders and the resource, those meetings also resulted in revised comment protocols for public speaking at ASMFC meetings.

Immediately after his retirement in 2009, Mr. Miller was chosen by Governor Jack Markell (D-DE) to serve as his Appointee to the Commission. Notably, Mr. Miller didn't miss a meeting between his retirement and the Governor's appointment, continuing to serve to this day. As Governor Appointee, Mr. Miller continues to chair management boards and has been a regular visitor to Capitol Hill, keeping staffers apprised of important developments in Delaware and at the Commission. At one such meeting with former Congressman Carney's staff, Mr. Miller expressed his concern about funding shortfalls that resulted in the discontinuance of the Mid-Atlantic Horseshoe Crab Trawl Survey. That meeting and others that followed ultimately led to the restoration of the survey's funding in 2016. It is now supported by Senators and Representatives throughout the Mid-Atlantic, and the survey's third consecutive year was completed just this month.

Throughout his 40 years of service, Mr. Miller has distinguished himself by his dedication to the Commission's management process. He is always prepared for board meetings, asks insightful questions and is always a respectful debater. One of the most collegial Commissioners, Mr. Miller consistently reaches out to other Commissioners and seeks compromise instead of contention. These traits, combined with his long and meritorious record of accomplishments and dedication to sustainable fisheries management, make him a most worthy award recipient.

The Commission instituted the Hart 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, Captain David H. Hart, from the State of New Jersey.

###

PR18-36

**SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (OCTOBER 24, 2018)**

***Press Release***

**States Schedule Public Hearings on Draft Addenda XXXI and XXXII  
Management Board Seeks Input on Options for Summer Flounder, Scup and  
Black Sea Bass Management**

New York, NY – Atlantic states from Massachusetts through Virginia have scheduled hearings to gather public comment on Draft Addenda XXXI and XXXII to the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan (FMP). The details of those hearings follow:

**Massachusetts Division of Marine Fisheries**

*November 28, 2018 at 6 PM*

Bourne Community Center, Room 2

239 Main Street

Buzzards Bay, Massachusetts

Contact: [Nichola Meserve](#) at 617.626.1531

**Rhode Island Division of Fish & Wildlife**

*November 7, 2018 at 6 PM*

University of Rhode Island

Narragansett Bay Campus Corless Auditorium

South Ferry Road

Narragansett, Rhode Island

Contact: [Robert Ballou](#) at 401.222.4700 ext. 4420

**Connecticut Dept. of Energy and Environmental Protection**

*November 5, 2018 at 7 PM*

DEEP Marine Headquarters

Boating Education Center, Building 3

333 Ferry Road

Old Lyme, Connecticut

Contact: [Justin Davis](#) at 860.447.4322

**New York State Dept. of Environmental Conservation**

*November 27, 2018 at 6:30 PM*

Division of Marine Resources

205 North Belle Mead Road, Suite 1

East Setauket, New York

Contact: [Maureen Davidson](#) at 631.444.0483

**New Jersey Division of Fish and Wildlife**

*November 26, 2018 at 6 PM*

Stafford Township Administrative Office

260 East Bay Avenue

Manahawkin, New Jersey

Contact: [Joseph Cimino](#) at 609.748.2020

**Delaware Dept. of Natural Resources & Environmental Control**

*November 8, 2018 at 6 PM*

DNREC Auditorium

89 Kings Highway

Dover, Delaware

Contact: [John Clark](#) at 302.739.9914

**Maryland Department of Natural Resources**

*November 15, 2018 at 6 PM*

Ocean City Municipal Airport

12724 Airport Road

Berlin, Maryland

Contact: [Steve Doctor](#) at 410.213.1531

**Virginia Marine Resources Commission**

*November 14, 2018 at 6 PM*

2600 Washington Avenue

4th Floor Conference Room

Newport News, Virginia

Contact: [Rob O'Reilly](#) at 757.247.2248

The Commission's Summer Flounder, Scup and Black Sea Bass Management Board approved Draft Addendum XXXI for public comment at the Joint Commission/Mid-Atlantic Fishery Management Council

meeting in Virginia Beach, VA in August 2018, and approved Draft Addendum XXXII yesterday at the Commission's Annual Meeting in New York City.

### **Draft Addendum XXXI**

Draft Addendum XXXI and the Council's complementary framework consider adding the following management options to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan.

1. Conservation equivalency for the recreational black sea bass fishery
2. Conservation equivalency rollover for summer flounder
3. Transit provisions for Block Island Sound for recreational and/or commercial fisheries for all three species
4. Slot limits (not currently a management option in the Council's FMP)

The Draft Addendum aims to increase the suite of tools available for managing summer flounder, scup and black sea bass, as well as reduce inconsistencies between state and federal regulations. This action does not consider implementing black sea bass conservation equivalency or slot limits for any of the three species in 2019. Rather, the options would update the FMPs to allow these management tools to be used in future years.

### **Draft Addendum XXXII**

Draft Addendum XXXII was initiated to establish new recreational management programs for summer flounder and black sea bass, as the current addenda under which the two fisheries are currently managed (Addenda XXVIII and XXX, respectively) expire at the end of 2018. The Draft Addendum proposes two options for each recreational fishery: (1) coastwide management (the default program for both species under the FMP), or conservation equivalency for summer flounder; and (2) setting measures through a specifications process.

The Draft Addendum seeks to address several challenges with the recreational management of summer flounder and black sea bass. Since the adoption of the FMP, shifts in abundance, distribution, and behavior of these two species have created challenges in constraining harvest to the coastwide recreational harvest limit (RHL) while providing fair and equitable access to fishermen throughout the species' ranges. In addition, the use of highly variable and inherently delayed annual harvest estimates to establish management measures for the subsequent year has led to regulatory instability, regulatory disparities, and frustration on the part of stakeholders.

Setting measures through specifications would be a procedural change, allowing regional management to reflect the current condition and distribution of the stocks and fisheries, and enabling measures to be established based on more complete harvest data rather than preliminary projections. This process would eliminate the need for measures to be established through addenda; instead, the Board would approve measures in the late winter or early spring each year, based on technical committee analysis of harvest estimates and other information on resource availability. Public input on specifications would be gathered by states through their individual public comment processes. For each species, the Draft Addendum also includes proposed standards and guiding principles to structure how measures are set in order to provide fair and equitable access to the resource, and increase regulatory stability.

Interested groups are encouraged to provide input on Draft Addenda XXXI and XXXII either by attending state public hearings or providing written comment. Draft Addenda are available at

[http://www.asmfc.org/files/PublicInput/SF\\_Scup\\_BSB\\_DraftAddendumXXXI\\_PublicComment\\_Oct2018.pdf](http://www.asmfc.org/files/PublicInput/SF_Scup_BSB_DraftAddendumXXXI_PublicComment_Oct2018.pdf) and [http://www.asmfc.org/files/PublicInput/SF\\_BSB\\_DraftAddendumXXXII\\_PublicComment\\_Oct2018.pdf](http://www.asmfc.org/files/PublicInput/SF_BSB_DraftAddendumXXXII_PublicComment_Oct2018.pdf).

They can also be accessed on the Commission website ([www.asmfc.org](http://www.asmfc.org)) under Public Input. Public comment will be accepted until **5:00 PM on November 29, 2018** and should be forwarded to Caitlin Starks, Fishery Management Plan Coordinator, 1050 N. Highland St., Suite 200 A-N, Arlington, Virginia 22201; 703.842.0741 (fax) or at [comments@asmfc.org](mailto:comments@asmfc.org) (Subject line: Draft Addendum XXXI and XXXII Comment).

###

PR18-35

### ***Meeting Summary***

In addition to approving Draft Addenda XXXI and XXXII for public comment, the Board also received an overview of all other ongoing activities and actions for summer flounder, scup and black sea bass. These include the summer flounder Commercial Issues Amendment; strategic planning for reforming recreational black sea bass management; commercial black sea bass working group activities; stock assessments; and technical committee analysis of harvest, discards and gears.

The Board also received a report from the Commercial Black Sea Bass Working Group, which met in September to identify management issues related to changes in stock distribution and abundance. The Working Group identified several issues with regard to commercial black sea bass management, including state quota allocations that have remained unchanged for 15 years, though there is scientific evidence to support shifts in distribution, abundance, behavior, and effort of the resource and the fishery. The Group also noted coastwide commercial quota management can limit harvest opportunities for some states when one state's overage results in a coastwide fishery closure. The Board offered feedback and additional representation from New Jersey and Connecticut to continue development of commercial management strategies.

For information of black sea bass, please contact Caitlin Starks, Fishery Management Plan Coordinator, at [cstarks@asmfc.org](mailto:cstarks@asmfc.org), and for information on summer flounder and scup, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, [krootes-murdy@asmfc.org](mailto:krootes-murdy@asmfc.org).

### ***Motions***

#### **Move to approve Draft Addendum XXXII for public comment, as modified today.**

Motion made by Mr. Luisi and seconded by Ms. Meserve. Motion approved by unanimous consent.

#### **Move to approve Advisory Panel nominations for Rob Haas, Kurt Martin, Brent Fulcher, James Ruhle, and Jay Little.**

Motion made by Mr. Blanton and seconded by Mr. Kane. Motion passes unanimously.

### **ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM COORDINATING COUNCIL (OCTOBER 24, 2018)**

### ***Meeting Summary***

The ACCSP Coordinating Council met to receive Program and Committee Updates and to take final action on both the implementation of the Long-term Funding Strategy's Year 5 funding reductions and the allocation of funding for FY19. The Council approved the Operations and Advisory Committees' recommendation to apply the Year 5 funding cut to whichever sum is larger: the prior 2-year average

base funding as stipulated in the Long-term Funding Strategy, or the average funding received by a maintenance project during its allotted 4 years of full funding. The Council also opted to fund the FY19 proposals as presented by the Advisory and Operations Committees. If there is any need for further funding discussions after the overhead rates have been determined, then the decision will be left to the ACCSP Management and Policy Committee. Finally, the Council directed staff to explore options for the establishment of a Data Coordination Committee.

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

## **TAUTOG MANAGEMENT BOARD (OCTOBER 25, 2018)**

### ***Meeting Summary***

The Tautog Management Board received a Technical Committee (TC) report on biological sampling requirements. After performing analyses to determine whether changes should be made to current sampling requirement to support regional tautog stock assessments, the TC recommended maintaining the minimum sample requirement of 200 age and length samples per state. The TC also recommended exploring the use of pelvic spines as an additional age structure to supplement biological sampling. The Board supported the TC's recommendations.

The Board also reviewed draft implementation guidelines for the commercial harvest tagging program required by Amendment 1. The guidelines are intended to enhance the enforceability and compatibility of state regulations with regard to the tagging program. Staff will continue to work with the states to implement the tagging program, though due to difficulties procuring effective applicators, the Board agreed to reschedule the program implementation date for January 2020.

Finally, the Board reviewed and approved the 2018 Fishery Management Plan Review for the 2017 Fishing Year. For more information, please contact Caitlin Starks, Fishery Management Plan Coordinator, at [cstarks@asmfc.org](mailto:cstarks@asmfc.org) or 703.842.0740.

### ***Motions***

#### **Move to postpone implementation of the tagging program until January 2020.**

Motion made by Mr. Clark and seconded by Dr. Davis. Motion carries unanimously.

#### **Move to accept the FMP Review and compliance reports for tautog for the 2017 fishing year, and approve *de minimis* status for Delaware and Maryland.**

Motion made by Mr. Borden and seconded by Mr. Kane. Motion approved unanimously.

## **INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (OCTOBER 25, 2018)**

### ***Meeting Summary***

The ISFMP Policy Board Chair, Jim Gilmore, presented the Executive Committee Report to the Board (see Executive Committee Summary for additional information). The Risk and Uncertainty Policy Work Group updated the Board on progress to establish a Commission Risk and Uncertainty Policy. The next step is to create guidelines for the implementation of the policy. Once the guidelines are drafted, the policy will be sent to a few Commission technical committees for review.

The Board reviewed committee reports from the Habitat Committee, Atlantic Coastal Fish Habitat Partnership (ACFHP), Law Enforcement Committee (see LEC Meeting Summary for additional information), and Assessment Science Committee.

The Board received an update on the Northeast Area Monitoring and Assessment Program (NEAMAP). The Board approved the revised NEAMAP mission, goals, and objectives, which were included in meeting materials. The Board also approved changes to NEAMAP's committee structure. The NEAMAP Operations Committee will take over as the programmatic lead for NEAMAP, while the NEAMAP Board will remain as a liaison to agency leadership. The Commission's Assessment Science Committee will serve as the NEAMAP Analytical Committee. The Trawl Technical Committee will be expanded to include additional gear types and be renamed as the "Survey Technical Committee." A NEAMAP Stakeholder Advisory Panel will be created.

Dr. Lisa Havel, ACFHP and Habitat Committee Coordinator, presented a summary of the Living Shorelines factsheet, which was approved by the Board. In 2010, ASMFC published *Living Shorelines: Impacts of Erosion Control Strategies on Coastal Habitats*. Since then, there has been a growing body of literature and lessons learned. To capture this new information, the Habitat Committee produced a two-page factsheet to supplement the 2010 publication. The factsheet is not exhaustive, but contains background information, links to websites for more information, and lessons learned. It also contains a link to more information that will be housed on the ASMFC website, including case studies and further reading. A member of the Board also recommended the Habitat Committee host a workshop for Commissioners on endocrine disruptors. In addition, a brief update was provided on FY2019 National Fish Habitat Action Plan – US Fish and Wildlife Funding. ACFHP received nine proposals from the North, Mid-, and South Atlantic. Seven proposals address fish passage, and two address habitat restoration. The proposals selected for recommendation for funding will be presented to the Policy Board at the 2019 Winter Meeting.

The Board reviewed the revised ASMFC Stock Assessment Schedule, which was included in meeting materials. The Board approved six changes to the stock assessment schedule. The horseshoe crab benchmark assessment moved from an October 2018 to a March 2019 peer review. The cobia stock assessment, which will be conducted through SEDAR, moved from an October 2018 to a March 2019 peer review. The Spanish mackerel stock assessment, also conducted through SEDAR, is scheduled for a 2020 peer review. Three Operational Assessments were added to the schedule to incorporate new MRIP estimates for black sea bass, scup, and bluefish; these operational assessments will be completed in spring 2019.

The Board agreed to send letters on a variety of issues including: state implementation of Jonah crab regulations; comments to NOAA Fisheries regarding the striped bass rulemaking on the Block Island Sound Transit Zone; a request to the Mid-Atlantic Fishery Management Council to make spiny dogfish trip limits a priority in 2019; a request to the USFWS regarding enforcement of American eel regulations, specifically the inspection of eel products at point of departure; and a request to the New England Fishery Management Council to consider Area 3 Atlantic herring spawning protections (see individual species meeting summaries for additional details on these issues). Lastly, the Board thanked the Commissioners of New York for hosting a magnificent 77<sup>th</sup> Annual Meeting.

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

### ***Motions***

**Move to approve the revised mission, goals, and objectives for the Northeast Area Monitoring and Assessment Program and approve changes to Northeast Area Monitoring and Assessment Program committee structure as presented.**

Motion made by Dr. Davis and seconded by Mr. Fote. Motion approved unanimously.

**Move to approve the Living Shorelines Factsheet.**

Motion made by Mr. Fote and seconded by Dr. Davis. Motion approved unanimously.

**Move to approve the Stock Assessment Schedule as modified today.**

Motion made by Mr. Grout and seconded by Mr. Miller. Motion approved by unanimous consent.

**On behalf of the American Lobster Management Board, I move that the Policy Board send letters to DE and NY to request they come back into compliance with the Jonah Crab FMP.**

Motion made by Mr. McKiernan. Motion approved by unanimous consent.

**On behalf of the Atlantic Striped Bass Management Board, I move that the Policy Board submit a letter to NOAA requesting a delay on further action on the Block Island Transit Zone until such time as the Board has an opportunity to review the Striped Bass Benchmark Stock Assessment and formalize a recommendation.**

Motion made by Mr. Borden. Motion approved by unanimous consent with one abstention (NMFS).

**On behalf of the Spiny Dogfish Management Board, I move that the Policy Board send a letter to the MAFMC requesting that federal trip limits be a 2019 priority item.**

Motion made by Mr. O'Reilly. Motion approved by unanimous consent.

**On behalf of the American Eel Management Board, I move that the Policy Board send a letter to US FWS to emphasize the importance of enforcement of eel regulations, including inspection of eel products.**

Motion made by Mr. Gary. Motion approved by unanimous consent.

**On behalf of the Atlantic Herring Management Board, I move that the Policy Board send a letter to the NEFMC requesting that they consider herring spawning protection in its 2019 priorities.**

Motion made by Dr. Pierce. Motion approved by unanimous consent.

### **SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (OCTOBER 25, 2018)**

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

The South Atlantic State/Federal Fisheries Management Board met to review public comment on the Public Information Document for Draft Amendment 1 to the Atlantic Cobia Interstate Fishery Management Plan (FMP) and provide guidance to the Cobia Plan Development Team (PDT) as it develops the Draft Amendment.

Public comments were received from August 10 – October 10, 2018, via public hearings and email. Six public hearings were held for New Jersey, Potomac River Fisheries Commission jointly with Maryland, Virginia, North Carolina (2 hearings), and South Carolina jointly with Georgia. Hearings were attended by



a total of ten members of the public. Thirty-nine comments were submitted via email. Comments provided input on how federal waters should be managed upon final approval of Amendment 31 to the Coastal Migratory Pelagic Resources Fishery Management Plan (CMP FMP), which would remove Atlantic Migratory Group cobia from the CMP FMP and place it solely under Commission management. Input was also provided on the process for specifying harvest throughout the management area under future solely-Commission management.

Taking into account the submitted public comment, the Board provided direction to the Cobia PDT to construct Draft Amendment 1 with management options that can be reviewed by the Board then released for public comment. Three Board members will join the PDT to assist in developing the options. The Board is expected to review the Draft Amendment for public comment in May 2019.

The Board reviewed annual state compliance with the FMPs for black drum, spotted seatrout, and Spanish mackerel. The Board found all states to be in compliance with the measures of the FMPs and approved *de minimis* requests for New Jersey (spotted seatrout and Spanish mackerel), Delaware (spotted seatrout and Spanish mackerel), and Georgia (Spanish mackerel). The Board also updated Advisory Panel membership.

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 accept the 2018 FMP Review and State Compliance Reports for black drum.**

Motion made by Ms. Fegley and seconded by Mr. Clark. Motion approved by consent.

#### **Move to accept the 2018 FMP Review and State Compliance Reports for spotted seatrout and approve *de minimis* requests for New Jersey and Delaware.**

Motion made by Mr. Batsavage and seconded by Mr. Clark. Motion approved by unanimous consent.

#### **Move to accept the 2018 FMP Review and State Compliance Reports for Spanish mackerel and approve *de minimis* requests for New Jersey, Delaware, and Georgia.**

Motion made by Mr. Woodward and seconded by Mr. Fote. Motion approved by unanimous consent.

#### **Move to approve the nomination of Glenn Skinner (NC) to the South Atlantic Advisory Panel.**

Motion made by Mr. Batsavage and seconded by Mr. Estes. Motion approved by unanimous consent.