



Atlantic States Marine Fisheries Commission

2015 Summer Meeting Summary

Vision: Sustainably Managing Atlantic Coastal Fisheries

2015 Summer Meeting
Alexandria, Virginia
August 4-6, 2015

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Meeting Summaries, Press Releases and Motions

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EXECUTIVE COMMITTEE (August 4, 2015)

Meeting Summary

The Executive Committee discussed a number of proposed changes to the Commission guidance documents in order to address inconsistencies among various guidance documents and provide additional clarification. The specific issues discussed included the ASMFC Appeals Process; ASMFC Conservation Equivalency Process; the definition of management board final actions; the timing of advisory input throughout the development of new management plans/addenda; technical committee decision-making and the role staff on technical committees; and commissioner attendance. Based on its guidance, staff will modify existing governance documents for consideration and final approval by the respective governing body, either the ISFMP Policy Board or Business Session, at the Commission's Annual Meeting in November 2015.

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

ATLANTIC HERRING SECTION (AUGUST 4, 2015)

Meeting Summary

The Atlantic Herring Section provided guidance to the Plan Development Team (PDT) for the development of Draft Amendment 3 to the Atlantic Herring FMP, this was supplemented by a Technical Committee presentation on recommended actions for spawning area efficacy. An update on the 2016-2018 Atlantic herring specification process was given.

The PDT will develop options for Draft Amendment 3 that focus on how to protect spawning fish within the specific spawning areas defined as eastern Maine, western Maine, and Massachusetts/New Hampshire. Specifically, the PDT will review timing options, including 1) spawning stage based on a gonadal-somatic index-based monitoring system, 2) closure dates, and 3) end of spawning closure (i.e. length of closure). In regard to closure dates, the PDT will consider the potential add-on of a fast track closure mechanism, up to seven days, which should provide sufficient time to convey the start of the closure to industry. An economic analysis of how options will affect fishery participants will be considered in the draft amendment.

The Advisory Panel will be involved as the options for Draft Amendment 3 are developed; meetings will take place prior to the Annual Meeting (Nov. 2015), as well as during (and after) the public comment period.

The New England Fishery Management Council (NEMFC) Herring Committee met on July 22, 2015 to discuss elements of the 2016-2018 Atlantic herring specification package including: management uncertainty; the stock-wide Atlantic herring annual catch limit (ACL), seasonal sub-ACLs (by management area), domestic annual harvesting, domestic annual processing, U.S. at-sea processing, border transfer, fixed gear set-aside, and research set-aside; and gear/area catch caps for river herring and shad. In large part, status quo options were recommended. The Committee will review analyses of the options for the specifications and finalize its recommendations for the selection of final 2016-2018 specifications at the September 2015 Council meeting.

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

Motions

Move that the PDT develop options to protect spawning fish by prohibiting landing of Atlantic herring caught within the specific spawning areas defined as eastern Maine and western Maine/MA/NH.

Motion made by Dr. Pierce and seconded by Mr. Grout. Motion carries (7 in favor).

Move to include in Draft Amendment 3 the timing options regarding spawning stage, defaults, and end of spawning closure. These issues are described in memo to the Board dated July 22, 2015.

Motion made by Dr. Pierce and seconded by Rep. Kumiega. Motion carries (7 in favor).

AMERICAN LOBSTER MANAGEMENT BOARD (AUGUST 4, 2015)

Press Release

American Lobster Assessment Yields Mixed Stock Status Results

*Record High Abundance for Gulf of Maine and Georges Bank Stock and
Record Low Abundance for Southern New England Stock*

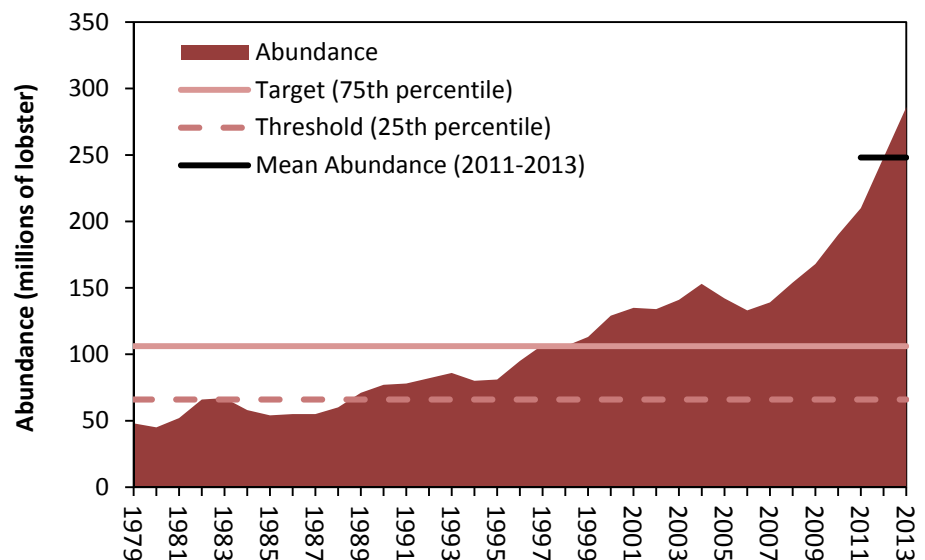
Alexandria, VA – The 2015 American Lobster Benchmark Stock Assessment and Peer Review Report indicates the American lobster resource presents a mixed picture of stock status, with record high stock abundance and recruitment in the Gulf of Maine (GOM) and Georges Bank (GBK), and record low abundance and recruitment in Southern New England (SNE). The GOM/GBK stock is not overfished and not experiencing overfishing. GOM and GBK were previously assessed as separate stock units and are now combined into one stock unit due to evidence of seasonal migratory patterns and connectivity between the two areas. Conversely, the SNE stock is severely depleted with poor prospects of recovery, necessitating protection.

Stock Status

Gulf of Maine/Georges Bank

GOM/GBK stock abundance has increased since 1979 and at an accelerated pace since 2007. Recruitment and spawning stock abundance have remained high between 2008 and 2013. Current stock abundance is at all-time highs. Exploitation (fishing mortality) declined after 1979 until the mid-1990s and then remained stable with higher exploitation on males than females. Current exploitation rates remain on par with the 2008-2013 average.

GOM/GBK American Lobster Abundance & Reference Points



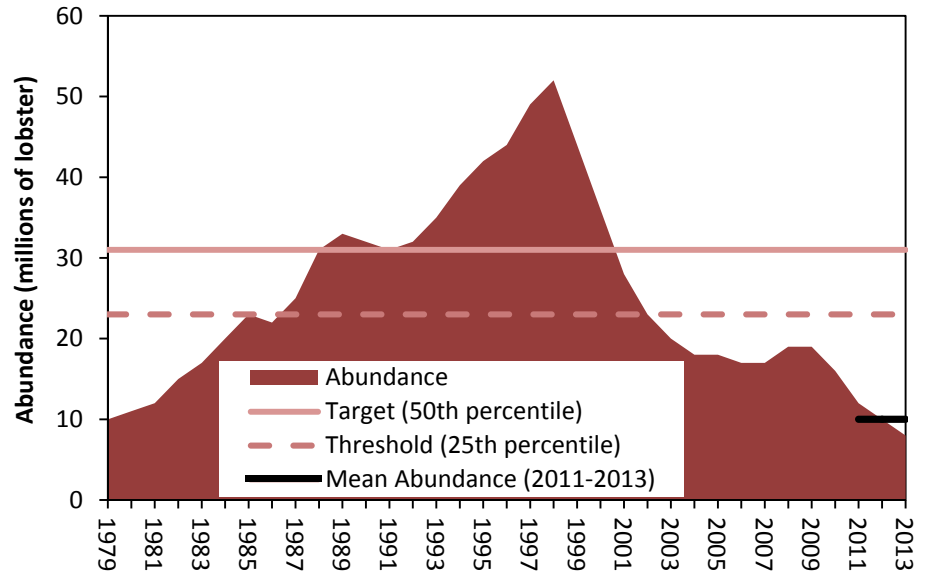
Southern New England

SNE stock abundance increased from the early 1980s, peaked during the late 1990s, then declined steeply through the early 2000s to a record low in 2013. Both the assessment and peer review support the finding that the SNE stock is severely depleted. Declines in population abundance are most pronounced in the inshore portion of the stock where environmental conditions have remained unfavorable to lobsters since the late 1990s. The stock has collapsed and is undergoing recruitment failure. Despite attrition among the fleet and fewer traps fished for lobster, declines have continued. These declines are largely in response to adverse environmental conditions including increasing water temperatures over the last 15 years combined with sustained fishing mortality.

Declines in catch and fishery-independent survey indices in the offshore portion are evident as well; however they are not as severe. It is believed the offshore area of SNE depends on nearshore larval settlement and offshore migration as the source of recruits (e.g., young of the year lobsters). Therefore, unless fishing effort is curtailed, the offshore component will be in jeopardy in the future when the poor year classes fail to materialize offshore. The Peer Review Panel noted while the SNE stock is not experiencing overfishing based on the current reference points, these reference points were established “without

considering the possibility that the stock could be at the lowest abundance level ever and the production of recruits in the inshore area (on which the offshore area depends) could be brought to an extremely low level. It is noted that pre-recruits are not measured in the offshore surveys, so the effects of recruitment failure in the inshore would not be seen in the offshore until years later when the lobsters become available to the fishery and surveys. Hence, by any reasonable standard, it is necessary to protect the offshore component of the stock until increased recruitment can be observed.”

SNE American Lobster Abundance and Reference Points



Peer Review Panel Recommendations

For SNE, the Panel recommends close monitoring of stock status along with implementing measures to protect the remaining lobster resource in order to promote stock rebuilding. Stock indicators should be updated annually and reported to the Management Board for appropriate action. Given the good condition of the GOM/GBK stock, the Panel recommended stock indicators be monitored prior to the next benchmark assessment to detect signs of changing recruitment or other conditions.

Landings

Total U.S. landings in the fishery have steadily increased in the past 35 years. Up until the late 1970s, landings were relatively constant at about 30.87 million pounds. However by 2000, landings almost tripled to roughly 86 million pounds and by 2006 grew to 92.61 million pounds. Landings in 2013 were roughly 149.94 million pounds. These landings are primarily comprised of catch from inshore waters (0 to 12 nautical miles). GOM supports the largest fishery, constituting approximately 76% of the U.S. landings between 1981 and 2007 and accounting for approximately 87% of landings since 2002. Landings in the GOM were stable between 1981 and 1989, averaging 32.13 million pounds, and then increased dramatically from 42.34 million pounds (1990) to 141.12 million pounds (2013). Landings averaged 112.46 million pounds from 2008-2013. GBK constitutes a smaller portion of the U.S. fishery, with landings averaging 4.93 million pounds between 2008 and 2013. Like the GOM, landings were stable in the 1980s and then quickly doubled in the early 2000s to a high of 5.29 million pounds in 2005. Before 2011, SNE was the second largest fishery, accounting for 19% of the U.S. landings between 1981 and 2007; however, a sharp decline in the population has significantly reduced catch. Landings peaked in the 1990s, reaching a high of 21.91 million pounds in 1997. Since this time, landings have precipitously dropped to a low of 3.31 million pounds in 2013.

The Board accepted both the stock assessment and peer review report for management use. In response to the findings regarding the status of the SNE stock, the Board established a working group of Board and Technical Committee members to review the assessment and peer review findings and develop recommendations for Board consideration. The final report will be available by mid-August via the Commission's website at www.asmf.org on the American Lobster page under Stock Assessment Reports. For more information, please contact Megan Ware, Fishery Management Plan Coordinator for Management, at 703.842.0740 or mware@asmfc.org.

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PR15-25

Meeting Summary

The American Lobster Management Board met to approve the 2015 Benchmark Stock Assessment and Peer Review Report for management use, to take final action on the Jonah Crab Fishery Management Plan, and receive an update on the Lobster Trap Transfer Database.

The Board accepted the 2015 Benchmark Stock Assessment and Peer Review Report for management use. In response to the stock assessment and review report, the Board created a single reference point for the newly combined Gulf of Maine and Georges Bank stock and established a working group of Board and Technical Committee members to develop recommendations for Board consideration with regards to the historically low abundance in Southern New England (see above press release).

The Board identified final measures for the Jonah Crab Fishery Management Plan and recommended final approval of the Plan by the Interstate Fisheries Management Program Policy Board (see press release later in this document under Business Session). The Board also agreed to move forward on the development an addendum to the FMP to identify management measures for crab-only trap fishermen (e.g., trap and landing limits). The Board will discuss the specific measures to be included in the addendum at its next meeting.

The Board also received an update on the Lobster Trap Transfer Database. The Database will be active for transfers affecting the 2016 fishing season. Trap transfer applications will be accepted from August 1-September 30, 2015 and state and federal agencies will finalize trap allocations between October and December 2015. For more information, please contact Megan Ware, Fishery Management Plan Coordinator, mware@asmfc.org or 703.842.0740.

Motions

Move to approve the 2015 Lobster Benchmark Assessment and Peer review comments for management use. Motion made by Mr. Adler and seconded by Mr. Keliher. Motion passes unanimously.

Move to combine the reference points for the GOM and GBK to one. The new reference point will be for GOM/GBK. The reference years (1982-2003) would remain the same and the targets and thresholds would remain the same (below the limit/threshold if model abundance is less than the 25 percentile and requires action; if above the 75 percentile the stock is in favorable condition. Overfishing is occurring, if model exploitation is greater than the 75 percentile and requires action).

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

Move that the Board convene a subcommittee of state representatives, federal representatives, industry representatives, and Technical Committee representative to devise input to the Commission on goals and objectives to manage the SNE stock and the component fisheries. Report of the group should be submitted to the Board at the Annual meeting.

Motion made by Mr. Borden and seconded by Mr. Hasbrouck. Motion fails (2 in favor, 9 opposed, 1 abstention).

Main Motion

Motion to adopt the following provisions to address the issues of commercial permitting and harvest limits of Jonah crab.

- 1. Approve Section 4.1 (Issue 1) Option 5: Commercial Fisheries Management Measures, to limit participation in the trap fishery to only those vessels and permit holders that already hold a lobster permit; and further require all traps conform to specifications of the lobster plan (including trap tags), and establish an incidental permit for retention of Jonah crab.**
- 2. Approve for Issue 6 (Incidental by-catch limit for non-trap gear) Option 1: No coastwide possession limit.**

Motion made by Mr. Adler and seconded by Mr. Train. Motion amended.

Motion to Amend

Move to amend to include option 2 for Issue 6 (200 lbs per calendar day/ 500 lbs trip limit).

Motion made by Mr. Grout and seconded by Rep. Kumiega. Motion passes as amended (7 in favor, 5 opposed).

Main Motion as Amended

Move to adopt the following provisions to address the issues of commercial permitting and harvest limits of Jonah crab.

- 1. Approve for Section 4.1 (Issue 1) Option 5: Commercial Fisheries Management Measures, to limit participation in the trap fishery to only those vessels and permit holders that already hold a lobster permit; and further require all traps conform to specifications of the lobster plan (including trap tags), and establish an incidental permit for retention of Jonah crab.**
- 2. Approve for Issue 6 Option 2: Incidental Bycatch Limit for Non-Trap Gear (200 lbs per calendar day up to a max 500 lbs trip limit).**

Motion to Amend

Move to amend to insert or can prove prior participation in the crab fishery that can be demonstrated before the control date.

Motion made by Mr. Gibson and seconded by Mr. Gilmore. Motion passes (11 in favor).

Main Motion as Amended

Move to adopt the following provisions to address the issues of commercial permitting and harvest limits of Jonah crab.

- 1. Approve Section 4.1 (Issue 1) Option 5: Commercial Fisheries Management Measures, to limit participation in the trap fishery to only those vessels and permit holders that already hold a lobster permit; or can prove prior participation in the crab fishery that can be demonstrated before the control date; and further require all traps conform to specifications of the lobster plan (including trap tags), and establish an incidental permit for retention of Jonah crab.**
- 2. Approve for Issue 6 Option 2: Incidental Bycatch Limit for Non-Trap Gear 200 lbs per calendar day up to a max 500 lbs trip limit.**

Motion to Amend

Move to amend to change 200 lbs to 200 pieces and 500 lbs to 500 pieces.

Motion made by Mr. Reid and seconded by Mr. Adler. Motion passes (10 in favor, 1 abstention, 1 null).

Main Motion as Amended

Move to adopt the following provisions to address the issues of commercial permitting and harvest limits of Jonah crab.

- 1. Approve Section 4.1 (Issue 1) Option 5: Commercial Fisheries Management Measures, to limit participation in the trap fishery to only those vessels and permit holders that already hold a lobster permit; or can prove prior participation in the crab fishery that can be demonstrated before the control date; and further require all traps conform to specifications of the lobster plan (including trap tags), and establish an incidental permit for retention of Jonah crab.**
- 2. Approve for Issue 6 Option 2: Incidental Bycatch Limit for Non-Trap Gear 200 pieces per calendar day up to a max 500 pieces per trip limit.**

Motion passes (11 in favor, 1 opposed).

Motion to adopt the following biological measures for commercial Jonah crab harvest:

- For Issue 2 – Minimum size – Option 5: a minimum size of 4.75”**
- For issue 3 – Commercial minimum size tolerance – Option 1: No tolerance for undersize crabs.**
- For Issue 5 – Egg-Bearing Females – Option 2: Prohibit retention of egg-bearing females.**

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

Motion to adopt the following measure regarding landing of parts – Option 2: Only whole crabs may be retained and sold.

Motion made by Mr. Adler and seconded by Mr. Gibson. Motion amended.

Motion to Amend

Move to amend to exclude individuals who can prove a history of claw landings before the control date in the states of New Jersey, Delaware, Maryland, and Virginia from Option 2 (only whole crabs may be retained and sold).

Motion made by Mr. Luisi and seconded by Mr. Clark. Motion passes (6 in favor, 5 opposed, 1 abstention).

Main Motion as Amended

Motion to adopt the following measure regarding landing of parts – Option 2: Only whole crabs may be retained and sold; and to exclude individuals who can prove a history of claw landings before the control date in the states of New Jersey, Delaware, Maryland, and Virginia from Option 2 (only whole crabs may be retained and sold).

Motion passes (9 in favor, 2 opposed, 1 abstention)

Motion to adopt the following biological measures for recreational Jonah crab harvest:

- For Issue 1 (Possession Limits) – Option 2: 50 whole crabs per person;**
- For Issue 2 (Prohibition on Retention of Egg Bearing Females) – Option 2: No egg Bearing females may be retained.**

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

Motion to adopt 3.4.1 Monitoring Programs. For Fishery Dependent Data Collections: Adopt Option 3: Coastwide mandatory reporting and fishery dependent sampling with Sub-option 1: 100 % mandatory dealer and 100% harvester reporting. However, jurisdictions that currently require less than 100% of harvesters to report are required to maintain at a minimum their current programs and extend them to Jonah crab.

Motion made by Mr. Adler and seconded by Commissioner Keliher. Motion carries unanimously.

Motion to adopt *de minimis* Criteria. Approve a modified option 1 and sub-option 1A by establishing *de minimis* criteria allowing states to apply for *de minimis* status if that state lands less than 1% of the overall commercial landings only. Due to inadequate recreational catch data, no consideration shall be given to recreational landings for purposes of *de minimis* determination.

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

Move to recommend to the full Commission to adopt the Jonah Crab Fishery Management Plan as modified today.

Motion made by Mr. Adler and seconded by Mr. Hasbrouck. Motion carries unanimously (Roll Call Vote: In favor – ME, NH, MA, RI, CT, NY, NJ, DE, MD, VA, NMFS).

Move to direct staff to initiate the process of developing an addendum to the Lobster FMP to prohibit all mobile gear in closed area II north of 41 degrees 31 minutes during June 15th to October 31st should the area reopen.

Motion made by Mr. Borden and seconded by Mr. Adler. Motion carries.

Move to table until a final decision by the NMFS on the NEFMC Habitat Omnibus Amendment.

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

AMERICAN EEL MANAGEMENT BOARD (AUGUST 5, 2015)

Meeting Summary

The American Eel Management Board met to review Maine's proposed American eel life cycle survey. The survey is required under Addendum IV for any jurisdiction with a commercial glass eel fishery harvesting more than 750 pounds. The intent of the survey is to track the species through a complete life cycle to obtain population estimates that would provide insight into the species status. The Technical Committee (TC) raised concerns with some aspects of Maine's survey design, including the spatial and temporal coverage, and recommended that a working group of the TC assist Maine with addressing the TC's concerns. The Board agreed with the TC's recommendation and will review an updated life cycle survey design at its November 2015 meeting.

The Board also reviewed the status of implementation plans with Addendum III and recommended that the ISFMP Policy Board find the State of Delaware out of compliance with the required provisions of Addendum III. These measures are necessary to achieve the conservation goals and objectives of the FMP to rebuild the depleted American eel stock. For more information, please contact Mike Waine, Senior Fishery management Plan Coordinator, at mwaine@asmfc.org or 703.842.0740.

Motions

Move the American Eel Management Board recommend to the ISFMP Policy Board that the State of Delaware be found out of compliance for not fully and effectively implementing and enforcing Addendum III to the Fishery Management Plan for American Eel. Delaware has not implemented the following regulations required by Addendum III:

- 9" minimum size for yellow eel recreational and commercial fisheries
- ½" x ½" min mesh size for yellow eel pots
- Allowance of 4x4" escape panel in pots of ½" x ½" mesh for 3 years (beginning on January 1, 2014)
- Recreational 25 fish bag limit per day per angler

- **Crew and Captain involved in for-hire are exempt and allowed 50 fish bag limit per day**

The implementation of these regulations is necessary to achieve the conservation goals and objectives of the FMP to rebuild the depleted American eel stock. In order to come back into compliance the State of Delaware must implement all measures listed above as contained in Addendum III to the Fishery Management Plan for American Eel.

Motion made by Dr. Daniel and seconded by Doug Grout. Motion carries unanimously (Roll Call Vote: In favor – ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, VA, NC, SC, GA, FL, PRFC ; Abstentions – NOAA Fisheries, USFWS).

Motion to nominate Marty Gary as Vice-Chair by acclamation.

Motion carries.

TAUTOG MANAGEMENT BOARD (AUGUST 5, 2015)

Meeting Summary

The Tautog Board reviewed the Draft Public Information Document (PID) for Amendment 1 to the Tautog Fishery Management Plan and approved new members to the Advisory Panel.

The PID's intent is to gather information concerning the tautog fishery and to provide an opportunity for the public to identify major issues and alternatives relative to the management of this species. Issues presented in the PID include regional management, FMP goals and objectives, management measures, reference points and rebuilding timeframes. In addition, the PID includes other issues such as adaptive management, monitoring requirements and illegal fishing of undersized tautog. The Board provided guidance on further improvements to the document and approved it for public comment based on its suggested changes. The PID will be released by mid-August, with state public hearings conducted in September and early October. A press release will announce the PID's availability as well as the details of the public hearings.

The Board approved Travis Barao (RI), Edward Yates (NJ) and Wes Blow (VA) as members of the Advisory Panel. For more information, please contact Ashton Harp, Fishery Management Plan Coordinator, at aharp@asmfc.org or 703.842.0740.

Motions

Move to approve the Tautog Public Information Document for public comment as revised today.

Motion made by Dr. Pierce and seconded by Mr. Gibson. Motion passes unanimously.

Move to accept Travis Barao (RI), Edward Yates (NJ), and Wes Blow (VA) to the Tautog Advisory Panel.

Motion made by Mr. Adler and seconded by Mr. O'Reilly. Motion carries unanimously.

ATLANTIC STRIPED BASS MANAGEMENT BOARD (AUGUST 5, 2015)

Meeting Summary

The Atlantic Striped Bass Management Board met to review two reports from the Atlantic Striped Bass Technical Committee on: (1) the harvest reduction estimate for 2015 fishing season, which accounts for various state regulations implemented through Addendum IV to Amendment 6, and (2) fleet-specific fishing

mortality (F) reference points. Also, the Board considered approval of the 2015 Striped Bass Fishery Management Plan Review.

Addendum IV to Amendment 6 required states to reduce removals by 20.5% from 2012 harvest estimates for the Chesapeake Bay states and jurisdictions, and 25% from 2013 harvest estimates for coastal states. Compared to the reference harvest estimates, the Technical Committee (TC) reported a harvest reduction of 21.4% for the Chesapeake Bay states and jurisdictions, a 28.2% reduction for coastal states, and a 25.6% reduction in harvest overall for the 2015 fishing season, which meets the requirements of Addendum IV.

The TC developed fleet-specific fishing mortality (F) reference points for the three fleets of the Statistical Catch-at-Age model (SCAA); the Chesapeake Bay fleet,

Fleet	F target	F threshold	F 2012	% Difference from target in 2012
Ocean	0.141	0.172	0.141	0%
Chesapeake Bay	0.052	0.064	0.059	10.8%
Commercial Discard	0.019	0.024	0.041	52.8%

the ocean fleet, and the commercial discard fleet (see table). The fleet-specific F reference points were developed using a five year time series. This methodology is consistent with that used to develop biological reference points included in Addendum IV, and ensures that the impact of each fleet on the total coastwide population remains sustainable. Upon review of the TC’s report, the Board tasked the TC to re-develop fleet-specific F reference points using an average selectivity over a longer time series (1996-2012). The thought being that a longer time series would more accurately reflect the regulatory history of the fishery. Accordingly, the TC must then re-develop coastwide F reference points to maintain consistency with that methodology. A TC report of the fleet-specific and coastwide F reference points using the longer time series, as well as the 2015 stock assessment update, will be available for review by the Board at their November 2015 meeting in St. Augustine, Florida.

Additionally, based on the revisions agreed upon, the Board approved the 2015 Striped Bass Fishery Management Plan Review for the 2013 and 2014 fishing seasons. For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at mappelman@asmfc.org or 703.842.0740.

Motions

Move to accept the 2015 FMP Review for Atlantic Striped Bass.

Motion made by Mr. Abbott and seconded by Mr. Hasbrouck. Motion passes.

ATLANTIC MENHADEN MANAGEMENT BOARD (AUGUST 5, 2015)

Meeting Summary

The Atlantic Menhaden Management Board met to review the development and timeline of Draft Amendment 3. The Draft Amendment will consider changes to the management program including the development of ecological reference points (ERPs) that reflect Atlantic menhaden’s role as a forage species, as well as possible changes to the current allocation scheme. The Board received status updates from the working groups on both topics. For ERPs, the Board was updated on the upcoming Ecosystem Management Objectives Workshop, scheduled for August 31 and September 1 in Hanover, Maryland. The Workshop goal will be to identify potential ecosystem goals and objectives for Board review and consideration as part of the amendment development process. For allocation, the Board was provided a comprehensive list of allocation options that the working group is currently considering for further development. The working groups will continue their work and

update the Board at its November 2015 meeting. As a reminder, the Draft Amendment will have two complete rounds of public input and is expected to be developed through 2016 and possibly into 2017.

The Board also discussed an Amendment 2 provision that allows the Board to specify a percent of unused quota to be rolled over and used in the subsequent fishing year when the stock is not overfished and overfishing is not occurring. The Board did not take action on quota rollovers at this meeting, and instead decided to address quota rollovers through the development of Amendment 3.

For more information, please contact Mike Waine, Senior Fishery Management Plan Coordinator at mwaine@asmfc.org or 703.842.0740.

Motions

Motion to defer rollover until adoption of Amendment 3.

Motion made by Dr. Daniel and seconded by Mr. Gilmore. Motion carries (17 in favor).

INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (AUGUST 6, 2015)

Meeting Summary

The Interstate Fisheries Management Program Policy Board (Board) met to consider a number of issues including the annual performance of the stocks, progress on two stock assessments, joint fisheries management activities, and an update on Atlantic Coastal Fish Habitat Partnership (ACFHP) projects.

As a part of the Commission's 2015 Action Plan, the Policy Board conducted a review of stock rebuilding performance for each of the Commission's species to determine if rebuilding for each species is consistent with the Commission Vision and Goals. This review was intended to determine if the progress toward each species rebuilding goals was occurring at an appropriate rate. The Board focused on the species in the categories of "concern," "depleted," and "unknown" in its discussions, as well as the species boards' response to scientific advice.

The Law Enforcement Committee (LEC) was tasked with updating the Commission's *Enforceability Guidelines*. The core of the new *Guidelines* is an enforceability matrix for fishery management measures. The matrix was developed from the responses to a survey of LEC members. The enforceability ratings cover a variety of management strategies employed in marine fisheries management programs. Ratings for these strategies are based on overall, dockside, at-sea and airborne enforceability. The *Guidelines* support and strengthen the effectiveness of ASMFC efforts to conserve marine fisheries resources. The Board approved the new guidelines.

Several ASMFC species are jointly managed with NOAA Fisheries and the Regional Management Councils (e.g., summer flounder and bluefish). Disconnects in the joint management process can have impacts on state management. The Board discussed those impacts and possible ways to resolve them. It will continue the discussion at the Commission's joint meeting with the Mid-Atlantic Fishery Management Council next week.

Staff updated the Board on the progress of the weakfish and sturgeon stock assessments. The weakfish assessment committee recently completed a model workshop. It was determined the review should be delayed two months to complete the assessment for review in January 2016. The sturgeon assessment team is currently in the data-gathering stage and working with all partners to ensure a complete compilation of sturgeon data.

The Atlantic Coastal Fish Habitat Partnership (ACFHP) provided an update to the Board. ACFHP's high scores on its annual performance review to the US Fish and Wildlife Service (USFWS) has allowed for the Partnership to receive an extra \$100,000 in funding for operations and on-the-ground restoration projects in FY2015. USFWS has accepted ACFHP's recommendations for project funding in FY2015, and in addition to ACFHP operational

support, three projects (Renewing Diadromous Fish Passage in Patten Stream, ME; Cotton Gin Mill Dam Removal and Fish Passage Project in East Bridgewater, MA; and Cape Fear River Fisheries Enhancement Project in NC) received funding. The announcement for [FY2016 funding has been released](#), and ACFHP will be conducting a trial run to incorporate decision support tools into the evaluation criteria this year.

In accordance to the Atlantic Sturgeon FMP, which requires the Board be informed of all aquaculture activity, staff provided the following update. In February 2015, Atlantic sturgeon were sold from LaPaz Group LLC in North Carolina to Horse Creek Aquafarms in Florida. The fish are of non-indigenous origin. These fish were sold for the purpose of commercial production and sale of meat and caviar.

NOAA Fisheries provided the Board with an overview of the Regional Planning Body Process. Marine planning considers the ecosystem as a whole and establishes science as the basis for decision-making. This enables thoughtful discussions and informed solutions for preserving existing uses while making careful considerations for new activities. NOAA Fisheries is bringing its existing scientific capabilities at both the national and regional levels to regional planning efforts. At the same time, NOAA Fisheries is also committed to working with its partners in the federal government, states, tribal nations, nongovernmental organizations, and academia to further develop its scientific support tools, research, data, and understanding for the purposes of marine planning. The regional planning bodies have begun to engage in fisheries discussions and encourage the participation of states and the Commission.

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

Motions

Move to approve the LEC Enforceability Guidelines.

Motion made by Mr. Fote and seconded by Mr. Lustig. Motion carries unanimously.

Move the American Eel Management Board recommend to the ISFMP Policy Board that the State of Delaware be found out of compliance for not fully and effectively implementing and enforcing Addendum III to the Fishery Management Plan for American Eel. Delaware has not implemented the following regulations required by Addendum III:

- **9" minimum size for yellow eel recreational and commercial fisheries**
- **½" x ½" min mesh size for yellow eel pots**
- **Allowance of 4x4" escape panel in pots of ½" x ½" mesh for 3 years (beginning on January 1, 2014)**
- **Recreational 25 fish bag limit per day per angler**
- **Crew and Captain involved in for-hire are exempt and allowed 50 fish bag limit per day**

The implementation of these regulations is necessary to achieve the conservation goals and objectives of the FMP to rebuild the depleted American eel stock. In order to come back into compliance the State of Delaware must implement all measures listed above as contained in Addendum III to the Fishery Management Plan for American Eel.

Motion made by Mr. Gary on behalf of the American Eel Board. Motion carries unanimously (Roll Call Vote: In favor – ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, PRFC, VA, NC, SC, GA, FL; Abstentions – NOAA Fisheries, USFWS).

BUSINESS SESSION (AUGUST 6, 2015)

Press Release

ASMFC Approves Jonah Crab Interstate Fishery Management Plan

Alexandria, VA – The Atlantic States Marine Fisheries Commission has approved the Interstate Fishery Management Plan (FMP) for Jonah Crab. The FMP implements a suite of measures to manage and monitor the Jonah crab resource for the first time along the U.S. Atlantic coast. The Plan limits participation in the trap fishery to only those vessels and permit holders that already hold an American lobster permit or can prove prior participation in the crab fishery. All other harvesters using non-trap gear must obtain an incidental permit. It also establishes a 4.75" coastwide minimum size and requires the landing of whole crabs except for individuals from New Jersey, Delaware, Maryland, and Virginia who can prove a history of claw landings before the control date of June 2, 2015.



Photo © Derek Perry, MA DMF

The FMP seeks to cap effort and protect spawning stock biomass in the absence of a range-wide stock assessment. The Plan was initiated in response to concern about increasing targeted fishing pressure for Jonah crab, which has long been considered a bycatch in the American lobster fishery. Since the early 2000s, growing market demand has increased reported landings by more than six-fold. The vast majority of Jonah crab are harvested by lobstermen using lobster traps. With the increase in demand for crab, a mixed crustacean fishery has emerged that can target both lobster or crab or both at different times of year based on modifications to the gear and small shifts in the areas in which traps are fished. The mixed nature of the fishery makes it difficult to manage a Jonah crab fishery completely separate from the American lobster fishery without impacting the number of vertical lines and traps in state and federal waters. Furthermore, a lack of universal permitting and reporting requirements makes it difficult to characterize catch and effort to the full extent in order to manage the fishery. In federal waters, the crab resource is not directly regulated but rather is regulated incidentally by the American lobster regulations. Therefore, in the absence of a comprehensive management plan and range-wide stock assessment, increased harvest of Jonah crab may compromise the sustainability of the resource.

The FMP establishes commercial, recreational, and fishery-dependent monitoring measures for the Jonah crab fishery. In addition to the issues of minimum size, permitting, and crab part retention addressed above, the Plan also establishes a non-trap incidental bycatch limit of 200 crabs per calendar day, 500 crabs per trip extending longer than one calendar day and prohibits the retention of egg-bearing females. For fishery-dependent sampling, the plan requires 100% harvester reporting and 100% dealer reporting with port and sea sampling. Jurisdictions that currently require less than 100% harvester reporter are required to, at a minimum, maintain their current programs and extend them to Jonah crab. In the recreational sector, the FMP establishes a possession limit of 50 whole crabs per person per day. Finally, the FMP specifies that states whose commercial landings are less than 1% of the three-year coastwide average may qualify for *de minimis* status. *De minimis* states are not required to implement fishery-independent or port/sea sampling.

Since the fishery primarily occurs within federal waters, the Board has recommended that NOAA Fisheries implement the provisions of the Jonah Crab FMP in federal waters, pursuant to the NOAA's authority under the Atlantic Coastal Fisheries Cooperative Management Act. The New England Fishery Management Council, which will meet in the fall to set its management planning activities for 2016, will consider whether the development of a Council Jonah Crab FMP will be one of its priorities. Regardless of its decision, the Commission and its federal partners will continue to work closely on Jonah crab management.

The FMP, which will be implemented by June 1, 2016, will be available by the end of August via the Commission's website, www.asmfc.org, on the American Lobster page under Fishery Management Plans. Upon recommending the FMP's final approval by the Interstate Fisheries Management Program Policy Board, the American Lobster Management Board agreed to move forward on the development an addendum to identify management measures for crab-only trap fishermen (e.g., trap and landing limits). The Board will discuss the specific measures to be included in the addendum at its next meeting. For more information, please contact Megan Ware, FMP Coordinator, at mware@asmfc.org or 703.842.0740.

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PR15-26

Meeting Summary

The Business Session met to consider taking action on a noncompliance finding, provide recommendations to NOAA Fisheries on the implementation on Jonah crab management measures for federal waters pursuant to the Interstate Fishery Management Plan for Jonah Crab, and consider final approval of the Interstate Plan. The Session moved to find the State of Delaware out of compliance with the required measures of Addendum III to the Interstate FMP for American Eel. These measures are necessary to achieve the conservation goals and objectives of the FMP to rebuild the depleted American eel stock. The Commission has 10 working days to forward its findings to the Secretaries of Commerce and the Interior, as well as the State of Delaware.

The Session requested NOAA Fisheries implement the provisions of Sections 3 (monitoring requirements) and 4 (commercial and recreational management measures) of the Interstate Fishery Management Plan for Jonah Crab for federal waters. Finally, the Session approved the Interstate Plan (see above press release for more information). For more information, please contact Robert Beal, Executive Director, at rbeal@asmfc.org.

Motions

On behalf of the ISFMP Policy Board, I move the Commission find the State of Delaware out of compliance for not fully and effectively implementing and enforcing Addendum III to the Fishery Management Plan for American Eel. Delaware has not implemented the following regulations required by Addendum III:

- **9" minimum size for yellow eel recreational and commercial fisheries**
- **½" x ½" min mesh size for yellow eel pots**
- **Allowance of 4x4" escape panel in pots of ½" x ½" mesh for 3 years (beginning on January 1, 2014)**
- **Recreational 25 fish bag limit per day per angler**
- **Crew and Captain involved in for-hire are exempt and allowed 50 fish bag limit per day**

The implementation of these regulations is necessary to achieve the conservation goals and objectives of the FMP to rebuild the depleted American eel stock. In order to come back into compliance the State of Delaware must implement all measures listed above as contained in Addendum III to the Fishery Management Plan for American Eel.

Motion by Dr. Daniel on behalf of the ISFMP Policy Board. Motion carries unanimously (Roll Call Vote: In favor – ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, PRFC, VA, NC, SC, GA, FL).

Move to request NOAA Fisheries implement the provisions of Sections 3 and 4 of the Jonah Crab FMP in federal waters pursuant to the authority of the Atlantic Coastal Act.

Motion made by Mr. Grout and seconded by Mr. Adler. Motion carries unanimously.

On behalf of the American Lobster Board, I move that the full Commission accept the Jonah Crab Interstate Fishery Management Plan.

Motion by Mr. McKiernan on behalf of the American Lobster Board. Motion carries unanimously.

SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (AUGUST 6, 2015)

Meeting Summary

The South Atlantic State/Federal Fisheries Management Board met to review a number of issues including extending provisions of Addendum I to the Omnibus Amendment to the Fishery Management Plan (FMP) for Spanish Mackerel, the 2015 traffic light analyses for Atlantic croaker and spot, the 2016 Atlantic croaker and spot benchmark stock assessment terms of reference, and FMP reviews for Atlantic croaker, red drum, and black drum.

The Board extended the provisions of the Spanish Mackerel Addendum I for the 2015 and 2016 fishing seasons with annual reporting from North Carolina. This provision allows states to use a reduced minimum size of 11.5" in the commercial pound net fishery for the months of July through September.

The Board reviewed the traffic light analyses for spot and Atlantic croaker. For both species, harvest and abundance indices have markedly declined; however, management measures were not triggered since the abundance indices were still above the 30% threshold. The Board also considered and approved the terms of reference for the 2016 Atlantic croaker and spot benchmark stocks assessments, which were initiated in July and peer-reviewed in 2016.

Finally, the Board approved FMP reviews and state compliance reports for Atlantic croaker, red drum, and black drum. In the Atlantic croaker fishery, Delaware (commercial fishery), South Carolina (commercial fishery), Georgia (commercial and recreational fisheries), and Florida (commercial fishery) were approved for *de minimis* status. In the red drum fishery, the Board approved New Jersey and Delaware for *de minimis* status with their commercial and recreational fisheries. For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

Motions

Move to extend the provisions of Addendum I of the Spanish mackerel FMP for another two years with annual reporting to the Board.

Motion made by Mr. Estes and seconded by Mr. Gary. Motion carries unanimously.

Move to accept the Terms of Reference for the Atlantic croaker assessment as presented.

Motion made by Mr. Boyles and second by Mr. Allen. Motion carries unanimously.

Move to accept the Terms of Reference for the spot assessment as presented.

Motion made by Mr. Boyles and seconded by Dr. Duval. Motion carries unanimously.

Move to approve the 2015 Atlantic Croaker FMP Review, state compliance reports, and *de minimis* status for DE (comm), SC (comm), GA (comm/rec) and FL (comm).

Motion made by Dr. Duval and seconded by Mr. Boyles. Motion carries unanimously

Move to approve the 2015 Red Drum FMP Review, state compliance reports, and *de minimis* status for NJ and DE.

Motion made by Mr. Boyles and seconded by Dr. Duval. Motion carries unanimously

Move to approve the 2015 Black Drum FMP Review and state compliance reports.

Motion made by Dr. Duval and seconded by Dr. Laney. Motion carries unanimously.