



Atlantic States Marine Fisheries Commission

2012 Winter Meeting Summary

Working towards healthy, self-sustaining populations of all Atlantic coast fish species or successful restoration well in progress by the year 2015

2012 Winter Meeting
Alexandria, VA
February 6-9, 2012

For more information, please contact
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Meeting Summaries, Press Releases and Motions

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LEGISLATORS & GOVERNORS' APPOINTEES WORKSHOP WITH BLANK ROME
(February 6, 2012)

Meeting Summary

Following on the request from the LGA meeting in November 2011 in Boston, Massachusetts, the LGA Committee met with the Blank Rome Government Relations Team to discuss ways that Commissioners can connect and interact with their federal delegations in order to help their states better manage fisheries. The group also discussed how they can be resources of information for their federal delegations. After reviewing past and current efforts by the Commission to help forge these relationships, the group focused on how to best deliver the needed information and interact with their delegations. For more information, please contact Danielle Chesky, Fishery Management Plan Coordinator, at dchesky@asmfc.org or 703.842.0740.

AMERICAN LOBSTER MANAGEMENT BOARD (February 7, 2012)

Press Release

ASMFC American Lobster Board Approves Area-Specific Measures to Reduce Fishing Exploitation on Southern New England Stock by 10%

Alexandria, VA – The Commission's American Lobster Board approved Addendum XVII to Amendment 3 to the Interstate Fishery Management Plan for American Lobster. The Addendum establishes area-specific management measures for Lobster Conservation Management Areas (2, 3, 4, 5, and 6) as the first step in initiating Southern New England (SNE) stock rebuilding. The measures are intended to reduce fishing exploitation on the SNE stock by 10% starting in July 2013 in response to the stock's depleted condition, which has been at low levels of abundance and experiencing persistent low recruitment since 2002. The approved area-specific measures are as follows:

LCMA 2 (waters off of Rhode Island and Massachusetts) – In lieu of a closed season, a conservation equivalency program was approved to allow the states to implement a mandatory v-notch program for all legal-sized egg bearing females beginning June 1, 2012. The Technical Committee will review the proportion of v-notch females in the catch to determine compliance by July, 1 2014; if the measures do not meet the conservation objectives, a four month closed season from January 1 to April 30 will be implemented.

LCMA 3 (offshore federal waters from Maine to North Carolina) – A minimum size of 3 17/32" effective January 1, 2013.

LCMAs 4 and 5 (South and east of Long Island, New York to North Carolina) – A conservation equivalency program, composed of a mandatory V-notching program for all legal-sized egg bearing females and a closed season to be determined by the states pending Technical Committee approval, was approved. The closed season would include one or more months between January and April, with lobster traps removed from the water during the closed season. If the closed season extends four weeks or longer, the Board will allow a two-week grace period for removal of lobster traps and the setting of un-baited lobster traps one week prior to the season reopening. The grace period is intended to allow industry to safely remove and set a large number of traps if inclement weather occurs. Lobster landings will continue to be prohibited during the grace periods. The Technical Committee will review the proportion of v-notch females in the catch to determine compliance by July, 1 2014; if the measures do not meet the conservation objectives, a two-month closed season from April 29 to May 31 will be implemented.

LCMA 6 (Long Island Sound) – A closed season was approved for LCMA 6, with lobster traps removed from the water during the closed season. The exact dates of the closed season will be chosen from a suite of options approved by the Board following in-state public comments, but the season could include the months September through December. The Board will allow a two-week grace period for removal of lobster traps and the setting of baited lobster traps one week prior to the season reopening. Lobster landings will continue to be prohibited during the grace periods.

The most restrictive rule will apply to lobstermen who have elected to fish in multiple LCMA's, meaning that lobstermen fishing in multiple areas will be held to the most restrictive management measures of the areas identified on their permits. The intention of this rule is to maintain the conservation benefits of the closed season and not increase effort in other areas. Addendum XVII measures will remain in place until replaced by Board action.

The Addendum will be available on the Commission's website (www.asmfc.org) under Breaking News once the LCMA's have finalized their seasons. For more information, please contact Toni Kerns, Senior FMP Coordinator, at tkerns@asmfc.org or 703.842.0740. PR12-04

Meeting Summary

The American Lobster Management Board reviewed a working draft of Addendum XVIII, which addressed the Board's motion to scale the size of the SNE lobster fishery to the size of the SNE lobster resource including an option that reduces lobster traps fished by 25% for SNE. The working draft was developed based on the lobster conservation management team's 2 and 3 effort consolidation proposal. The board established a working group to include the chairs of LMCT 2 and 3, to address questions from the plan development team including clarification on the goal of the document, trap banking, the metric to measure trap reductions, and other issues. The draft Addendum will be presented to the Board at the May meeting for consideration for public comment. Other LCMTs within SNE are working on proposals to scale the fishery in their areas.

For more information, please contact Toni Kerns, Senior FMP Coordinator, at tkerns@asmfc.org or 703.842.0740.

Motions

Move that LCMT measures require the most restrictive rule apply to participants with multiple LCMA's permits.

Motion made by Mr. Simpson, and seconded by Mr. Stockwell. Motion passes unanimously.

Move that all closed areas proposed in Addendum XVII require that lobster traps are removed from the water during a closed period.

Motion made by Mr. Stockwell and seconded by Mr. White. Motion passes (8 in favor, 2 opposed).

Move to approve LCMA 6 closed seasons identified in table 3 including a 2 week gear removal and 2 week gear replacement grace period during a closed season, and no lobster traps can be baited more than 1 week prior to season reopening.

Motion made by Mr. Simpson and seconded by Mr. McElroy. Motion passes (6 in favor, 3 opposed, 1 abstention).

Motion to approve a four month closed season from January 1-April 30 to achieve reductions required by Addendum XVII. As conservation equivalency for this 4 month closure approve a mandatory v-notch program for all legal-sized egg bearing females for all harvesters in LMCA 2

beginning June 1, 2012. Technical Committee shall review the proportion of v-notch females in the catch to determine compliance by July, 1 2014.

Motion made by Mr. McKiernan and seconded by Mr. Gibson. Motion passes (9 in favor, 1 abstention).

Motion to accept the LCMA 3 proposal to reduce exploitation by 10% from the 2007 – 2009 reference period. For LCMA 3, the minimum size shall be raised from 3 ½” to 3 17/32” effective January 1, 2013.

Motion by made Mr. McKiernan and seconded by Mr. McElroy. Motion passes (8 in favor, 2 abstentions).

Move to approve a closed season from April 29 to May 31 for LCMA 4 to achieve the required reduction in Addendum XVII. As a conservation equivalency program approve a mandatory V notching program augmented by a closed season (approved by the TC) to achieve 10% reduction in exploitation in LCMA 4. If the closed season extends 4 weeks or longer allow 2 week grace period for removal of lobster traps and allow for the setting of un-baited lobster traps 1 week prior to the season reopening. Technical Committee shall review the proportion of v-notch females in the catch to determine compliance by July, 1 2014.

Motion by made Mr. Himchak and seconded by Mr. Augustine. Motion passes (8 in favor, 1 no, 1 abstention).

Move to approve a closed season from April 29 to May 31 for LCMA 5 to achieve the required reduction in Addendum XVII. As a conservation equivalency program approve a mandatory V notching program augmented by a closed season (approved by the TC) to achieve 10% reduction in exploitation in LCMA 5. If the closed season extends 4 weeks or longer allow 2 week grace period for removal of lobster traps and allow for the setting of un-baited lobster traps 1 week prior to the season reopening. Technical Committee shall review the proportion of v-notch females in the catch to determine compliance by July, 1 2014.

Motion made by Mr. Himchak and seconded by Mr. Augustine. Motion passes (9 in favor, 1 abstention).

Move that the measures are in place until replaced by a subsequent Board action.

Motion by made Mr. Simpson and seconded by Mr. Adler. Motion passes (9 in favor, 1 abstention)

Move to approve Addendum XVII as modified today.

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

SHAD & RIVER HERRING MANAGEMENT BOARD (February 7, 2012)

Meeting Summary

The Shad and River Herring Board met to review state submitted Sustainable Fishing /Recovery Plans for American shad, 2012 American shad bycatch fisheries request from the Potomac River Fisheries Commission (PRFC), and the development of federal amendments pertaining to alosine bycatch by the New England and Mid-Atlantic Fishery Management Councils (NEFMC and MAFMC).

The Board reviewed American Shad Sustainable Fishing and Recovery Plans, as required by the states and jurisdictions under Amendment 3 to the Shad and River Herring FMP. The Board approved Fishing Plans from the Delaware River Basin Fish and Wildlife Cooperative, the PRFC, and Georgia. The Board approved Recovery Plans from New Hampshire, Delaware, and Pennsylvania. These plans will be available on the Commission's website on the shad and river herring page.

The Board was briefed on the development of the NEFMC and MAFMC Amendments that address shad and river herring bycatch in federal fisheries, among other issues. The Board agreed to form a working group to review and develop preliminary comments on NEFMC Draft Amendment 5 to the Atlantic Herring FMP when it becomes available in February 2012. Final comments will be reviewed and approved by the Board during the public comment period. The MAFMC Draft Amendment 5 to the Squid, Mackerel, and Butterfish FMP is expected to be released for public comment in March 2012. The PRFC submitted a request to the Board for an American shad bycatch allowance in 2012. The request from PRFC was preliminarily approved by the Board at the ASMFC Annual Meeting in October 2012, pending the inclusion of additional information requested by the Technical Committee. These requests were met and the bycatch allowance received final approval for implementation in 2012.

Terry Stockwell was elected Vice-Chair of the Board. For more information, please contact Kate Taylor, Fishery Management Plan Coordinator, at ktaylor@asmfc.org or 703.842.0740.

Motions

Move to approve sustainable fishery plans from DE River Fish & Wildlife Cooperative, Georgia, and PRFC.

Motion made by Mr. Miller and second by Mr. Allen. Motion passes (19 in favor).

Move to approve recovery plans from New Hampshire, Delaware, and Pennsylvania.

Motion made by Mr. Augustine and seconded by Mr. Duren. Motion approved without objection.

Move that the Board approve the bycatch request.

Motion made by Mr. Augustine and seconded by Mr. Carpenter. Motion approved without objection.

Move to appoint Dr. Winnie Ryan to the CESS.

Motion made by Mr. Augustine and seconded by Mr. Adler. Motion is approved

Move to nominate Mr. Stockwell as Vice-chair of the Shad and River Herring Management Board.

Motion made by Mr. Travelstead and seconded by Mr. Carpenter. Motion is approved.

ATLANTIC HERRING SECTION (February 7, 2012)

Meeting Summary

The Atlantic Herring Section met to review a proposed rule to adjust the 2012 catch limits; the September 2011 version of Draft Amendment 5 (Amendment 5) to the New England Fishery Management Council's (NEFMC) Fishery Management Plan for Atlantic Herring; and Atlantic Herring Technical Committee (TC) recommendations for spawning closure regulations.

ASMFC staff gave an update of proposed federal adjustments to the 2012 Atlantic herring annual catch limits based on catch from the 2010 fishing season that was calculated in late 2011. The proposed quota adjustments would reduce the Area 1A and 1B Sub-ACL by 1,878 and 1,639 metric tons respectively based on overages from the 2010 fishing season. Applying 2010 overages to the 2012 fishing season is consistent with ASMFC Addendum II and NEFMC Amendment 4 payback provisions that specify overages result in a reduction to the corresponding ACL/Sub-ACL for the fishing year after the final total catch is tallied. Total catch was calculated by comparing vessel trip reports with dealer landings and includes discards from other fisheries. The discard estimate was calculated using methodology recommended by the NEFMC PDT, which has significant membership overlap with the ASMFC TC. NMFS NERO staff has indicated that the final rule will be available in the near future.

NEFMC staff member Lori Steel presented an overview of the draft Amendment which proposes regulatory changes in four main areas—the fishery management program, catch monitoring at sea, measures to address river herring bycatch, and mid-water trawl access to groundfish closed areas. The formal Draft Environmental Statement (DEIS) was submitted to the NMFS in late January 2012, the public comment period is expected to open in March - April 2012, with the NEFMC selecting final measures at the April 2012 NEFMC meeting. If the proposed timetable holds, Amendment 5 measures could be implemented for the 2013 fishing season. Under this timetable, the Section will not meet prior to the April NEFMC meeting, and will therefore not have a chance to review the final draft to submit comment/preferred alternatives. To ensure comment on Amendment 5, the Section formed a working group to review the final draft and submit comment on its behalf. Working group members include Terry Stockwell, Doug Grout, Dr. David Pierce, and Bill Adler.

The final agenda item was a Technical Committee review of ASMFC spawning regulations. The Section had initiated the TC review at the ASMFC Winter Meeting in November 2011 following concern that the current definition of “spawn” herring may not cover the bulk of spawning fish. The TC reviewed the spawning regulations through a series of conference calls in late 2011/early 2012 and produced a whitepaper review of the spawning regulations including management recommendations. TC Chair Dr. Matt Cieri presented the whitepaper to the Section. The TC recommended some refinement of the current regulations and recommended the Section initiate an addendum to refine sampling protocol; investigate shifting the boundary between the Western Maine and Massachusetts/New Hampshire (MA/NH) spawning areas south; and include all spawning regulations in one document for clarity. Following the TC report, the Section initiated an addendum to include the TC’s spawning closure management recommendation. A draft addendum will be prepared for Section consideration at the Commission’s Spring Meeting in late April/early May.

For more information, please contact Christopher Vonderweidt, Fishery Management Plan Coordinator, at cvonderweidt@asmfc.org or 703.842.0740.

Motions

Move to initiate an addendum implementing the Technical Committee’s recommendations regarding spawning regulations, not including the goals and objectives.

Motion made by Mr. Abbott and seconded by Mr. Adler. Motion carries unanimously (6 in favor).

ATLANTIC STRIPED BASS MANAGEMENT BOARD (February 7, 2012)

Press Release

ASMFC Atlantic Striped Bass Management Board Initiates Addendum to Address Illegal Striped Bass Harvest

Alexandria, VA – The Commission’s Atlantic Striped Bass Management Board initiated an addendum to address illegal striped bass harvest. The Board’s action is in response to recommendations of the Interstate Watershed Task Force (IWTF). The IWTF conducted a multi-year, multi-jurisdictional investigation on illegal striped bass harvest within Chesapeake Bay which resulted in over \$1.6 million dollars in fines levied against 19 individuals and three corporations for more than one million pounds of illegal striped bass harvested estimated to be worth up to seven million dollars.

The covert investigation determined that some Virginia commercial fishermen were illegally harvesting fish during the Potomac River Fisheries Commission’s closed season, as well as illegally harvesting

oversized fish from Virginia waters during the spawning season. Additionally, some Maryland commercial fishermen were taking advantage of loopholes in the state tagging system to falsely report large numbers of smaller, legal-sized fish, allowing them to obtain more tags and exceed quota limits. The investigation also found some wholesale dealers were complicit through false recordkeeping, false check-in, and knowingly buying illegal or untagged fish.

The investigation revealed that the current control measures for regulating striped bass harvest could be improved. The IWTF and the Commission's Law Enforcement Committee (LEC) recommended increasing penalties for illegally harvested fish and implementing a uniform commercial tagging system among all states with commercial striped bass fisheries.

The IWTF and LEC acknowledge the efforts of Maryland, Virginia and the Potomac River Fisheries Commission in initiating measures to deter the activities detected by the Task Force. Maryland has reformed its commercial fishing management rules, including the suspension or revocation of commercial licenses from violators and increasing the penalty for commercially fishing without a license. The Potomac River Fish Commission has permanently revoked the commercial licenses of the violators identified from the investigation, while Virginia suspended the commercial licenses of identified violators for two years, the maximum amount allowed by Virginia law.

The Board will consider potential management options for inclusion in the Draft Addendum for public comment at the Commission's Spring Meeting in May. For more information, please contact Kate Taylor, Fishery Management Plan Coordinator, at ktaylor@asmfc.org or 703.842.0740. PR12-05

Meeting Summary

In addition to taking action in response to the recommendations of the Interstate Watershed Task Force and the Commission's Law Enforcement Committee (see above), the Board received a report from the Plan Review Team regarding the initial year of implementation of Connecticut's Alternative Management Program. The PRT found the impact of the plan did not exceed the expected scope. The State of Connecticut requested and the Board approved an expansion of the program throughout the entire state.

Doug Grout was nominated and approved as Board Vice-Chair. For more information, please contact Kate Taylor, Fishery Management Plan Coordinator, at ktaylor@asmfc.org or 703.842.0740.

Motions

Move to nominate Doug Grout as vice chair of the Striped Bass Management Board.

Motion made by Mr. Stockwell and seconded by Mr. Augustine. Motion passes unanimously.

Move to develop an Addendum to address the LEC recommendations.

Motion made by Mr. Augustine and seconded by Mr. Diodati. Motion carries (14 in favor, 2 abstentions).

Move to approve CT's alternate plan for management in 2012.

Motion made by Mr. Augustine and seconded by Mr. Diodati. Motion carries unanimously.

BLUEFISH MANAGEMENT BOARD (February 8, 2012)

Press Release

ASMFC Bluefish Board Approves Coastwide Sampling Program to Improve Data used in Stock Assessment

Alexandria, VA – The Commission’s Bluefish Management Board approved Addendum I to Amendment 1 to the Interstate Fishery Management Plan (FMP) for Bluefish. The Addendum establishes a coastwide sampling program to improve the quantity and quality of information available for use in future bluefish stock assessments. The approved sampling program is in direct response to the recommendations of both the Commission’s Bluefish Technical Committee and the peer review panel from the latest bluefish benchmark assessment.

The last peer-reviewed stock assessment, conducted in 2005, supported the finding that the bluefish stock was rebuilt and not experiencing overfishing. However, the peer review panel expressed concern regarding the level of uncertainty in the assessment, particularly with regards to bluefish ageing data. It noted discrepancies in ageing protocols (e.g. the use of scales versus otoliths), gaps in the age-length keys from a lack of samples, and samples being geographically limited to Virginia and North Carolina. Age information is an important component of stock assessments because it is the basis for determining growth rates, the lifespan of a species, and size-at-age to evaluate stock structure. The panel recommended that ageing practices be standardized and sampling expanded to overcome these deficiencies in the assessment.

In May 2011, the Commission’s Bluefish Technical Committee conducted a workshop to review current bluefish ageing data, establish consistent ageing techniques, and explore opportunities to make aging efforts more cost-effective. A primary workshop recommendation was the establishment of a coastwide sampling program for bluefish. This recommendation was the basis for Addendum I.

The Addendum will be available on the Commission’s website (www.asmfc.org) under Breaking News or by contacting the Commission at 703.842.0740. For more information, please contact Michael Waine, Fishery Management Plan Coordinator, at mwaine@asmfc.org or 703.842.0740.

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PR12-06

Motions

Move to approve Addendum I with Option 2 and an effective date of March 1, 2012.

Motion made by Mr. Augustine and seconded by Mr. Simpson. Motion is approved

ATLANTIC MENHADEN MANAGEMENT BOARD (February 8, 2012)

Press Release

ASMFC Atlantic Menhaden Board Approves the Public Information Document for Draft Amendment 2 *States to Conduct Public Hearings in March & April*

Alexandria, VA – The Commission’s Atlantic Menhaden Management Board approved the Public Information Document (PID) for Amendment 2 to the Interstate Fishery Management Plan for Atlantic Menhaden for public comment and review. As the first step in the development of Amendment 2, the

PID presents the current status of the fishery and resource, and solicits public input on which major issues and alternatives should be included for consideration and analysis in Draft Amendment 2.

The PID's primary focus is to initiate discussion on the timing and implementation of achieving the new fishing mortality threshold ($F = 1.32$) and target ($F = 0.62$) reference points recently adopted through Addendum V. Since fishing mortality in 2008 (the latest year in the assessment) is estimated at 2.28, overfishing is occurring, however, the stock is not overfished. The goal of the new reference points is to increase abundance, spawning stock biomass, and menhaden availability as a forage species. The PID also seeks public input on a more timely and comprehensive catch reporting system, and scopes potential options to be used in managing Atlantic menhaden commercial bait and reduction fisheries as well as recreational fishery.

Alongside the development of Amendment 2, the peer-reviewed stock assessment will be updated with data through 2011 to provide a more recent estimate of fishing mortality. Results of the assessment update will be used to estimate the harvest reductions needed to achieve the new threshold and target fishing mortality rates. Therefore, preliminary harvest reductions are provided in the PID but will likely change based on the results of the stock assessment update.

Staff will be finalizing the draft over the next week based on the Board's input yesterday; a subsequent press release will announce the document's availability as well as the state public hearing schedule. The Board will meet in May at the Commission's Spring Meeting to review submitted comment and identify the measures to be included in the Draft Amendment. The Board will meet again in August to review and incorporate the results of the 2012 stock assessment update and consider approving the Draft Amendment for public comment. Final amendment approval is anticipated for October, with plan implementation scheduled for 2013. For more information, please contact Michael Waine, Fishery Management Plan Coordinator, at mwaine@asmfc.org or 703.842.0740. PR12-07

Meeting Summary

The Atlantic Menhaden Management Board tasked the Multispecies Technical Committee to provide more information on the Multiple Management Objective Decision Analysis (MODA) including the development of a clear problem statement, a detailed budget and potential funding options. The MODA could be used to develop ecosystem reference points for menhaden management.

The Board approved Jason McNamee, Harry Rickabaugh, Derek Orner and Joe Grist to the Menhaden Plan Development Team. Dr. Peter Schuhmann was appointed as the economist representative for Atlantic Menhaden on the Plan Development Team and Technical Committee.

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

Motions

Move to approve the PID to Amendment 2 for public comment with the following modifications:

- 1. Addition of the 10 year rebuilding timeline option to achieve the target**
- 2. Clarification of *de minimis* provisions**
- 3. Clarification of timeframe to achieve the target and threshold fishing mortality reference point (discussion of level risk, including 50 and 75%)**
- 4. Addition of state reporting requirements to appendix 1**
- 5. Addition of previous F threshold to fishing mortality figure on pg17**
- 6. Addition of detailed landings tables**
- 7. Discussion on changing bait demands through management changes in other fisheries**
- 8. Request for social and economic data**

9. Discussion on the movement towards ecological reference points
10. Addition of PDT language in response to the AP recommendations
11. Addition of a description of the reductions needed to achieve the threshold and target, including the caveats that the projections will change with the new assessment
12. Addition of a bycatch allowance

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

Move to postpone action until the May 2012 Board Meeting and task MSTC with development of a clear problem statement, provide a detailed budget and potential funding options.

Motion made by Mr. Duren and seconded by Mr. Augustine. Motion passes (17 in favor).

Move to approve Jason McNamee, Harry Rickabaugh, Derek Orner and Joe Grist to the PDT.

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

Move to approve Dr. Peter Schuhmann to the PDT and TC.

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

SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS MANAGEMENT BOARD (February 8, 2012)

Press Release

ASMFC Summer Flounder, Scup and Black Sea Bass Board Establishes Recreational Fishery Measures for 2012

Alexandria, VA – The Commission’s Summer Flounder, Scup and Black Sea Bass Management Board approved Addendum XXII to the Fishery Management Plan. The Addendum, which applies only to black sea bass, replaces coastwide recreational management measures for the second consecutive year and attempts to again mitigate potential disproportionate impacts to some Mid-Atlantic states whose landings have declined markedly in recent years.

In 2011, Addendum XXI established state-by-state measures, requiring states from Massachusetts to New Jersey, plus North Carolina to cut harvest by 37% to 43% to meet the coastwide recreational harvest target. Addendum XXII establishes a regional management approach which allows the northern region states (Massachusetts to New Jersey) to collectively liberalize up to 57%. The southern region states (Delaware to North Carolina) have committed to implementing measures consistent with those recommended for federal waters (the 25 fish, 12.5 inches TL minimum fish size, and an open season from May 19 to October 14 and November 1 to December 31). Preliminary estimated harvest in 2011 was 0.99 million pounds, approximately 0.8 million pounds below the 2012 harvest target. While not required, states in the northern region will strive to implement similar recreational measures throughout that region. The regulations will be implemented for state waters only. Over the next two months, states will submit proposed recreational measures for Technical Committee review and Board approval.

The Board approved state proposals for the 2012 summer flounder fishing recreational fishery. All states, with the exception of Delaware, have the potential to liberalize their regulations in 2012. Delaware’s 2011 harvest (preliminary estimate) is 8% higher than its 2012 harvest target which would normally require stricter conservation measures this year under the FMP. However, the Board approved status quo measures for Delaware in 2012 recognizing Delaware’s harvest is small (less than 5% of the total) and other states are taking a precautionary approach to liberalization. Over the next two months,

states will select one of the approved proposals for the 2012 fishing year and publish their regulations upon implementation.

The states of New Jersey to North Carolina have implemented status quo measures for the 2012 scup recreational fishery. The states of Massachusetts to New York will be able to significantly liberalize their 2012 recreational measures given the near doubling of recreational harvest target from 2011 levels. For more information, please contact Toni Kerns, Senior FMP Coordinator, at tkerns@asmfc.org or 703.842.0740. PR12-08

Motions

Move for 2012 summer flounder, scup, and black sea bass seasons, to use the MRFSS estimates for recreational specification setting.

Motion made by Mr. Augustine and seconded by Mr. Travelstead. Motion passes (9 in favor, 3 abstentions).

Move to approve recommended summer flounder options that were approved by the Technical Committee in this document, except for Delaware which is allowed to retain the status quo option.

Motion made by Mr. Augustine and seconded by Mr. Miller. Motion passes (10 in favor, 2 abstentions).

Main Motion:

Move the Board approve Addendum XXII for final approval with Option 2, state-by-state regulations for the northern region, allow the southern states to set their fishing season consistent with the federal regulations, and allow Connecticut to have regulations consistent with New York.

Motion made by Mr. Augustine and seconded by Mr. Himchak. Motion substituted.

Motion to Substitute:

Move to substitute Option 3 and allow the southern states to set their fishing season consistent with the federal regulations.

Motion made by Dr. Pierce and seconded by Mr. Bellavance. Motion passes (3 in favor, 2 opposed, 7 abstentions).

Main Motion as Substituted:

Move to approve Option 3 for Addendum XXII and allow the southern states to set their fishing season consistent with the federal regulations.

Motion passes (3 in favor, 2 opposed, 7 abstentions).

TAUTOG MANAGEMENT BOARD (February 8, 2012)

Meeting Summary

The Tautog Management Board met to review state implement Addendum VI to the Interstate Fisheries Management Plan for Tautog. Addendum VI established a $F_{target} = 0.15$ which requires a 53% harvest reduction based on the 2011 coastwide assessment update ($F = 0.38$). Addendum VI allows states, who can demonstrate a regional fishing mortality that is lower than the coastwide assessment “at the same level of precision as the coastwide assessment” to only reduce harvest based on their regional fishing mortality rate. The Board previously approved a regional assessment for Massachusetts, Rhode Island, New York, Maryland, and Delaware. States were required to implement regulations to achieve the harvest reductions by January 1, 2012 and the Board had previously reviewed and approved reduction methodology proposals for all required states.

The Board received an update of the new state regulations, which are consistent with approved reduction methodology. The new regulations include seasonal closures, bag limit reductions, and size limits increases. New Jersey's proposal included a commercial size increase that their advisors requested in late 2011, but was not included in its approved proposal. Anticipating the requirement for Technical Committee (TC) review, New Jersey submitted the proposal to the TC in late 2011. The TC is in favor of allowing the commercial size increases, because the methodology is common and was approved for other states. The one caveat was that the full New Jersey commercial fishery reduction should not come from size increases alone. The Board unanimously approved the methodology due to TC support and because part of New Jersey's commercial reduction will be achieved through a seasonal closure.

For more information, please contact Christopher Vonderweidt, Fishery Management Plan Coordinator, at cvonderweidt@asmfc.org or 703.842.0740.

Motions

Move to approve New Jersey commercial size increase.

Motion made by Mr. Adler and seconded by Mr. Augustine. Motion passes (10 in favor).

HORSESHOE CRAB MANAGEMENT BOARD (February 9, 2012)

Press Release

ASMFC Horseshoe Crab Board Approves Addendum VII *Addendum Implements New Multispecies Management Framework*

Alexandria, VA – The Commission's Horseshoe Crab Management Board has approved Addendum VII to the Interstate Fishery Management Plan. The Addendum implements the Adaptive Resource Management (ARM) Framework, which incorporates both shorebird and horseshoe crab abundance levels to set optimized horseshoe crab harvest levels for the Delaware Bay area. The ARM Framework was developed by the Commission, U.S. Fish and Wildlife Service, and U.S. Geological Survey in recognition of the relationship between horseshoe crab eggs and shorebirds in the Delaware Bay Region. The ARM Framework was peer-reviewed in 2009 and accepted by the Board in 2010.

The Addendum allocates the ARM harvest output among the four states (New Jersey, Delaware, Virginia, and Maryland) that harvest horseshoe crabs from the Delaware Bay population. The allocation is based upon multiple decision options, including the proportion of horseshoe crabs harvested that originate from Delaware Bay and allowance for additional male harvest by Virginia and Maryland to compensate for protecting female horseshoe crabs when the ARM harvest output includes a moratorium on female crabs. This provision will help meet bait demands and mitigate the economic impact of a moratorium on female horseshoe crabs.

The Delaware Bay Ecosystem Technical Committee, along with the Horseshoe Crab and Shorebird Advisory Panels and the Law Enforcement Committee, played an important role in developing Addendum VII.

As part of implementation, the most recent estimates of horseshoe crab and red knot abundance will be used in the ARM Framework to estimate the optimized harvest level for Delaware Bay crabs. The allocation prescribed within Addendum VII will determine how the ARM optimized harvest output will be divided among the four Delaware Bay states.

Addendum VII will be implemented for the 2013 fishing season. It will be available on the Commission's website (www.asmfc.org) under Breaking News or by contacting the Commission at 703.842.0740. For more information, please contact Danielle Chesky, Fishery Management Plan Coordinator, at dchesky@asmfc.org or 703-842.0740. PR12-09

Meeting Summary

The Horseshoe Crab Management Board met to review Draft Addendum VII to the Horseshoe Crab Fishery Management Plan for final approval. The Board received reports from the Delaware Bay Ecosystem Technical Committee, the Shorebird and Horseshoe Crab Advisory Panels, and the Law Enforcement Committee. The Board also received a summary of public comment from the four public hearings in New Jersey, Delaware, Maryland and Virginia, and the public comment period that was open in December 2011 and January 2012.

Draft Addendum VII replaces the current Addendum VI measures, which are due to expire on April 30, 2013. The Board approved Option 3, implementation of the Adaptive Resource Management Framework. The ARM Framework, as it is known, has been in development since 2007 under the combined efforts of the ASMFC, USFWS, and the USGS. The ARM Framework passed peer review in 2009 and provides for management based on the abundance levels and interactions between horseshoe crab and red knots, a migratory shorebird that eats the horseshoe crab eggs to make their trip to the Arctic to breed.

The allocation sub-options within Addendum VII were complicated, as the various options all interacted with each other. The Board approved use of the genetics-based lambda values to determine how much of Maryland and Virginia's harvest originates in Delaware Bay. The Board decided to weight the proportion of a state's share of the harvest based on current Addendum VI quota levels. The Board placed a harvest cap on Maryland and Virginia's harvest based on Addendum VI levels. The Board agreed that, if the ARM Framework recommends a female moratorium, neither Maryland nor Virginia may harvest any females in order to prevent any female harvest. The Board included a 2:1 male:female offset to compensate the loss of female harvest in Maryland and Virginia. Finally, should the data to implement the ARM Framework be unavailable in a particular year, the Board included language to consult the Technical Committees and Advisory Panels to provide recommendations on whether the previous ARM harvest or Addendum VI management measures should be implemented for that year.

For more information, please contact Danielle Chesky, Fishery Management Plan Coordinator, at dchesky@asmfc.org or 703.842.0740.

Motions

Main Motion:

Move to adopt Option 3, ARM Implementation with the following sub-options:

- **Sub-option 3a, Lambda values based on Genetics**
- **Sub-option 3b, Weighting based on Addendum VI quotas**
- **Sub-option 3c, implement a Harvest Cap for Maryland and Virginia based on Addendum VI quotas**
- **Sub-option 3d, implement a DBSA at 10%**
- **Sub-option 3e, no male:female offset**
- **Sub-option 3f, include a consultation process with the Technical Committee and Advisory Panel to recommend to the Board one of the two options for a contingency plan.**

Motion made by Mr. Travelstead and seconded by Mr. Augustine. Motion amended.

Motion to Amend:

Move to amend Sub-option 3d, implement a DBSA at 0%.

Motion made by Mr. Himchak and second by Dr. Geiger. Motion carries (8 in favor, 6 opposed).

Motion to Amend:

Motion to amend Sub-option 3e to allow a 2:1 male:female offset.

Motion made by Mr. Travelstead and seconded by Mr. Augustine. Motion carries (10 in favor, 4 opposed, 1 null).

Main Motion as Amended:

Move to adopt Option 3, ARM Implementation with the following sub-options:

- **Sub-option 3a, Lambda values based on Genetics**
- **Sub-option 3b, Weighting based on Addendum VI quotas**
- **Sub-option 3c, implement a Harvest Cap for MD and VA based on Addendum VI quotas**
- **Sub-option 3d, implement a DBSA at 0%**
- **Sub-option 3e, to allow a 2:1 male:female offset**
- **Sub-option 3f, include a consultation process with the Technical Committee and Advisory Panel to recommend to the Board one of the two options for a contingency plan.**

Motion carries (12 in favor, 2 opposed).

Move to approve the addendum as modified.

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

WEAKFISH MANAGEMENT BOARD (February 9, 2012)

Meeting Summary

The Weakfish Management Board reviewed the Technical Committee's (TC) report on the adequacy of North Carolina's conservation equivalency measure of a 10% bycatch allowance with a 1,000 lb trip limit in lieu of the 100 lb commercial trip limit. From May through September 2011, North Carolina had 4% of overage trips resulting in roughly 2,270 of overage pounds. Since implementation of Addendum IV in May 2010, some of the other states in the weakfish management have also had overage trips with the 100 lb trip limit. Generally, the amount of mortality from overages is not a significant amount of total mortality on the weakfish populations, especially considering a continued decreased in landings. The Technical Committee will continue to monitor North Carolina's conservation equivalency measure and report to the Board annually.

The Weakfish Management Board reviewed and accepted the 2011 Fishery Management Plan Review of the 2010 fishery. Although a few states fell short of their biological sampling requirements due to low weakfish landings from which to sample, the states reconfirmed their intention to fulfill future sampling requirements. Considering the low number of biological samples from reduced landings, the Board tasked the TC to look for alternative sources age and length information moving forward. The Board also approved the requests of Massachusetts, Connecticut, and Georgia, and Florida for continued *de minimis* status for 2011.

Mr. Manoj Shivilani was appointed as the social scientist representative for weakfish on the Plan Development Team and Technical Committee. For more information, please contact Michael Waive, Fishery Management Plan Coordinator, at mwaive@asmfc.org or 703.842.0740.

Motions

Move to accept the 2011 FMP Review for Weakfish and approve *de minimis* status for Connecticut, Massachusetts, Georgia, and Florida.

Motion made by Mr. Augustine and seconded by Mr. Boyles. Motion carries (15 in favor).

Move to approve Mr. Manoj Shivilani to the Committee on Economics and Social Science.

Motion made by Mr. Augustine and seconded by Mr. Podey. Motion carries.

SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (February 9, 2012)

Meeting Summary

The South Atlantic State-Federal Fisheries Management Board met and discussed issues relating to black drum, red drum, snapper-grouper species, and Spanish mackerel. The Board edited and approved the Public Information Document for black drum to go out for public hearings and comment. The Public Information Document is the first step in preparing an Interstate Fishery Management Plan for black drum. The modified Public Information Document and schedule of public hearings will be released in the next month.

The Board briefly discussed the current management and stock status for red drum. States reported seeing encouraging signs on the status of red drum, and all states hoped that the upcoming benchmark stock assessment in 2015 may be able to give a confident assessment of biomass levels. The past stock assessments have been able to show the overfishing status, which has generally not been occurring in the northern region and more recently not in the southern region either, but the peer review concluded there was too much uncertainty to determine stock size.

The Board reviewed a white paper on possible implementation possibilities for state or regional quotas for the snapper-grouper species complex, currently managed by the National Marine Fisheries Service with advisement from the South Atlantic Fishery Management Council. The Board agreed to wait and review the Council's consideration of state or regional quotas that will occur at its March meeting.

Finally, the Board approved a technical addendum for Spanish mackerel. Amendment 1 to the Spanish Mackerel Fishery Management Plan, also known as the Omnibus Amendment, incorrectly listed the commercial trip limit for Florida once 75% of the adjusted quota is taken.

For more information, please contact Danielle Chesky, Horseshoe Crab Fishery Management Plan Coordinator, at dchesky@asmfc.org or 703.842.0740.

Motions

Move to approve the Public Information Document for public comment.

Motion made by Mr. Boyles and seconded by Dr. Laney. Motion carries.

Move to approve Technical Addendum 1A to Amendment I for Spanish Mackerel.

Motion made by Mr. Podey and seconded by Mr. Geer. Motion carries.

SPINY DOGFISH & COASTAL SHARKS MANAGEMENT BOARD (February 9, 2012)

Meeting Summary

The Spiny Dogfish & Coastal Sharks Management Board met to discuss performance of the 2011 fishery, consider Technical Committee recommendations for the spiny dogfish overfishing definition, review the SEDAR 21 assessment results for some coastal shark species, and review the Shark Conservation Act. Additionally, a reconsideration of the 2012/2013 spiny dogfish quota was added to the agenda at the meeting.

Performance of the 2011/2012 fishing season was discussed because of the northern region overage of roughly 1.2 million pounds. Unlike previous years, catch rates did not increase the week of the closure notice (last week to catch spiny dogfish) and less than 6,000 pounds were landed after the fishery closed. However, a significant amount of late reporting occurred in 2011/2012 which may have contributed to the overage. The northern region quota will be reduced in 2012/2013 an amount equal to the 2011/2012 overage. To help prevent future overages, the Board directed staff to close the 2012/2013 northern region fishery when 95% of the quota is projected to be harvested and to weigh catch rates based on late reports in the 2011/2012 fishing season. Addendum III includes a 5% rollover provision and any under harvest will be available the following fishing season.

The Board also initiated an addendum to allow more than a 5% rollover of unused spiny dogfish quota for states in the southern region that are unable to harvest their full allocation. The period II federal waters fishery closed on January 13, 2012 and states without spiny dogfish in their state waters have been unable to harvest their full allocation, leaving more than 5%. The addendum will include options to allow more than 5% of a states final allocation to be rolled over with Board approval. The draft addendum will be presented to the Board for its review and approval for public comment at the Commission's Spring Meeting in early May.

The Board discussed increasing the 2012/2013 spiny dogfish commercial quota from 30 million pounds to 35.6 million pounds. In November, the Board set the quota at 30 million pounds; amending this previous Board action requires a 2/3 majority vote. The discussion to increase the quota began with Massachusetts Division of Marine Fisheries staff updating the Board about roughly 1.3 million pounds of unreported spiny dogfish landings that were uncovered from an individual posing as a dealer, who did not have a permit and was not reporting his landings. Other Board members commented that the New England and Mid-Atlantic Fishery Management Councils (NEFMC and MAFMC) recommended a 35.6 million pound quota to NMFS and the higher quota is consistent with recommendations of the Spiny Dogfish Technical Committee (TC). A motion to increase the quota did not receive the required 2/3 vote in favor.

The Board received the recommendations of the TC regarding the spiny dogfish overfishing definition. The current definition is based on the number of pups per female that recruit to the stock and was adopted from the MAFMC's plan in 2002. Since that time, the MAFMC has updated its definition based on MSY or a reasonable proxy and the TC recommended that the Board initiate an addendum to update the definition. The Board agreed to include the TC's recommended alternatives in the addendum that was initiated earlier in the meeting. Adjusting the overfishing definition is a technical consideration and will not impact management significantly. The draft addendum will be presented to the Board for its review and approval for public comment at the Commission's Spring Meeting in early May.

Following the overfishing definition review, TC Chair Greg Skomal presented the Board with results of the SEDAR 21 Assessment of dusky, sandbar, and blacknose shark. The dusky shark stock is overfished (SSB_{2009}/SSB_{MSY} of 0.41 to 0.50) and the stock was experiencing overfishing (F_{2009}/F_{MSY} of 1.39 to 4.35) in 2009; $F_{MSY} = 0.035$ and F was 0.055 in 2009. Projections indicate that reducing F to 0.027 results in a

50% probability of rebuilding to SSB_{MSY} by 2108 (the rebuilding goal) and reducing F to 0.023 results in a 70% probability of rebuilding to SSB_{MSY} by 2108. The sandbar shark stock is overfished (SSF_{2009}/SSF_{MSST} of 0.76) and the stock was not experiencing overfishing in 2009 (F_{2009}/F_{MSY} of 0.62). Projections (under all realistic scenarios) estimate that the stock will be rebuilt between 2047 and 2083. The Atlantic blacknose shark stock is overfished (SSF_{2009}/SSF_{MSY} of 0.43 – 0.64) and the stock was experiencing overfishing in 2009 ($F_{2009}/F_{MSY} = 3.26 – 22.53$). Projections estimate that the stock will rebuild between 2033 (high productivity scenario) and 2086 (low productivity scenario) and has a 0% probability of recovering by 2027 (the rebuilding goal). The TC agrees with the SEDAR 21 results and recommended the Board approve the results for management use. Following questions and discussion, the Board voted to accept SEDAR 21 for management use.

NMFS Highly Migratory Species (HMS) staff presented the preliminary management response to the SEDAR assessment which will be included as part of Amendment 5. HMS has completed Amendment 5 scoping and hopes to publish draft management measures in 2012. The TC commented that an ASMFC management response may be necessary and will report back to Board after seeing the proposed federal measures. The Board agreed to wait for further guidance from the TC before considering any management adjustments to the Interstate FMP.

The Board was also updated on several ongoing federal shark actions including consideration of catch shares in the Atlantic shark fisheries as part of Amendment 6. Potential measures are conceptual at this time. Board members posed questions regarding potential changes to the fishery, provided some comment, and HMS staff will update the Board at a later meeting when measures are further refined.

The Board received an update on the Sharks Conservation Act of 2010 which includes a savings clause allowing commercial fishermen to remove smooth dogfish fins at sea, from shore to 50 nautical miles, with a maximum fin to total weight of 12%. Board members considered updating the ASMFC FMP consistent with the 12% ratio (currently 5%), but agreed to postpone until HMS implements the Act to allow for greater consistency; the rule is anticipated to be released in 2013.

The Board appointed Tobey Curtis of NMFS NERO to the Spiny Dogfish TC and Holly White of North Carolina Department of Marine Resources was appointed to the Spiny Dogfish and Coastal Sharks TC. For more information, please contact Christopher Vonderweidt, Fishery Management Plan Coordinator, at cvonderweidt@asmfc.org or 703.842.0740.

Motions

Move to amend the Board's previous decision and set a spiny dogfish quota of 35.694 million pounds for the May 1, 2012 through April 30, 2013 fishing season, consistent with recommendations of the Technical Committee and consistent with quotas adopted by the New England and Mid-Atlantic Fisheries Management Councils now under review by NMFS.

Motion made by Dr. Pierce and seconded by Mr. Gibson. Motion fails for lack of a super majority (8 in favor, 7 opposed, 1 abstention).

Move to initiate an addendum to revise the Addendum III quota rollover provision with the following options: 1) status quo, states can rollover unused quota up to 5% of their final allocation; 2) in excess of 5% with Board approval; 3) only with Board approval. These would only apply when the stock is rebuilt.

Motion made by Mr. O'Connell and seconded by Mr. Travelstead. Motion carries (12 in favor, 1 opposed, 2 abstentions).

Move to initiate an addendum to update the spiny dogfish overfishing definition consistent with the Spiny Dogfish Technical Committee recommendations as stated.

Motion made by Mr. Augustine and seconded by Dr. Daniel. Motion carries unanimously.

Move to accept the SEDAR report as presented today for management use.

Motion made by Mr. Augustine and seconded by Mr. Bellavance. Motion carries without objection (1 abstention).

INTERSTATE FISHERIES MANAGEMENT PROGRAM (ISFMP) POLICY BOARD (February 8 & 9, 2012)

Meeting Summary

The Interstate Fisheries Management Program Policy Board (Policy Board) met to address a number of issues. Commission Vice-Chair Dr. Louis Daniel presented Charles Wenner with the Scientific, Technical, and Advisory Annual Award of Excellence. Mr. Wenner, a former Senior Marine Biologist with South Carolina Department of Natural Resources Marine Resources Research Institute, dedicated his career to improving the data upon which stock assessments are built. A long-standing member of several of the Commission's species technical committees, Mr. Wenner long sought to improve aging databases for Atlantic croaker, bluefish, red drum, and weakfish.

The Policy Board received a summary of the Compliance Committee's initial conference call. The Compliance Committee was charged with reviewing the Commission's policies related to calling board meetings, the definition of an emergency, and the Commission's ability to respond to a state or group of states deviating from an FMP with no apparent conservation impact. The Committee reported that the policies for calling meetings and the definition of emergency have been effective in the past and are adequate to address unforeseen issues in the future. The Committee will continue to discuss the issues and provide their final recommendations at the Spring Meeting.

The Policy Board discussed options for improving the rebuilding performance of stocks in the "concern", "depleted", or "unknown" category. Options for increasing the Policy Board involvement in species management have been discussed at previous meetings. The Policy Board agreed to continue to consider the opportunities for increasing consistency of species board decisions and improve the stock rebuilding of Commission managed species.

Gordon Colvin provided an update on the NMFS's Marine Recreational Information Program (MRIP). The update provided details on re-estimation of the recreational catch from 2004-2011 using the MRIP methodology. The update also detailed the future plans for full implementation of MRIP and future re-estimation of catch back to 1998.

A Commissioner and Scientific Oversight Work Group developed recommendations for addressing the problem of an insufficient number of assessment scientists coastwide to complete all ASMFC stock assessments. The Policy Board reviewed the recommendations and agreed to further assess the state's ability to increase assessment capacity. The Policy Board will continue to discuss this issue at the Commission's Spring Meeting.

A summary of the Endangered Species Act Listing of Atlantic Sturgeon was presented to the Policy Board. The Gulf of Maine distinct population segment (DPS) was listed as threatened and the New York Bight, Chesapeake Bay, Carolina, and South Atlantic DPSs were listed as endangered. This listing has the potential to significantly impact fisheries and research activities along the Atlantic coast. Commission

staff will be meeting with staff from NMFS Protected Resources Office to develop a communication plan and work plan to help the states react to this finding.

Motions

No motions made.

BUSINESS SESSION (February 9, 2012)

Meeting Summary

The Commission met with Sam Rauch, Acting Assistant Administrator for Fisheries, to discuss a number of fisheries issues affecting NMFS and the states. Mr. Rauch highlighted concerns about budget limitations that will likely affect federal and state fisheries management in the future. The Commissioners and Mr. Rauch also agreed there will need to be a coordinated effort to respond to the Endangered Species Act listing of Atlantic sturgeon.

The Commission also reviewed the results of the Annual Commissioners Survey. The Survey asks the Commissioners to evaluate the progress toward achieving the Commission's Vision. The results indicated that the Commissioners ranked "execution and results" as the topic that needs additional attention to achieve the Vision. Based on the survey results, staff will compile a short list of topics that were identified as potential areas of improvements. The Commissioners will discuss these issues later this year. For more information, please contact Robert Beal, ISFMP Director, at rbeal@asmfc.org or 703.842.0740.

Motions

No motions made.