

**PROCEEDINGS OF THE  
ATLANTIC STATES MARINE FISHERIES COMMISSION  
ISFMP POLICY BOARD**

**Crowne Plaza - Old Town  
Alexandria, Virginia  
May 14, 2014**

**Approved August 2014**

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1. **Approval of Agenda by Consent** (Page 1).
2. **Approval of Proceedings of February 2014 by Consent** (Page 1).
3. **Move to approve the Stock Assessment Schedule as presented** (Page 13). Motion by Pat Augustine; second by Bill Adler. Motion carried (Page 13).
4. **Move to initiate a Cancer Crab FMP, with a focus on Jonah Crab and task the American Lobster Board with the development of the FMP (Page 16)**. Motion by Steve Train; second by Dave Borden. Motion carried (Page 17).
5. **Motion to adjourn by Consent** (Page 22).

**ATTENDANCE**

**Board Members**

Patrick Keliher, ME (AA)	Loren Lustig, PA (GA)
Steve Train, ME (GA)	Leroy Young, PA, proxy for J. Arway (AA)
Doug Grout, NH (AA)	John Clark, DE, proxy for D. Saveikis (AA)
G. Ritchie White, NH (GA)	Roy Miller, DE (GA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Bernie Pankowski, DE, proxy for Sen. Venables (LA)
Paul Diodati, MA (AA)	Tom O'Connell, MD (AA)
Bill Adler, MA (GA)	Bill Goldsborough, MD (GA)
Robert Ballou, RI (AA)	Russell Dize, MD, proxy for Sen. Colburn (LA)
David Borden, RI, proxy for B. McElroy (GA)	John Bull, VA (AA)
Rick Bellavance, RI, proxy for Sen. Sosnowski (LA)	Cathy Davenport, VA (GA)
David Simpson, CT (AA)	Louis Daniel, NC (AA)
Dr. Lance Stewart, CT (GA)	Mike Johnson, NC, proxy for Sen. Jenkins (LA)
James Gilmore, NY (AA)	Robert Boyles, Jr., SC (AA)
Emerson Hasbrouck, NY (GA)	Patrick Geer, GA, proxy for Rep. Burns (LA)
Pat Augustine, NY, proxy for Sen. Boyle (LA)	Nancy Addison, GA (GA)
Brandon Muffley, NJ, proxy for D. Chanda (AA)	Jim Estes, FL, proxy for J. McCawley (AA)
Tom Fote, NJ (GA)	Kelly Denit, NMFS
Adam Nowalsky, NJ, proxy for Asm. Andrzejczak (LA)	Wilson Laney, USFWS
	Martin Gary, PRFC

**(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)**

**Ex-Officio Members**

**Staff**

Bob Beal  
Toni Kerns

Kate Taylor  
Shanna Madsen

**Guests**

Mike Armstrong, MA DMF  
Dave Richardson, NEFSC

Arnold Leo, E. Hampton, NY

The ISFMP Policy Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crown Plaza Hotel Old Town, Alexandria, Virginia, Wednesday morning, May 14, 2014, and was called to order at 11:15 o'clock a.m. by Chairman Louis B. Daniel, III.

### **CALL TO ORDER**

CHAIRMAN LOUIS B. DANIEL, III: Welcome to the ISFMP Policy Board. I'm Louis Daniel and Chairman of the Board.

### **APPROVAL OF AGENDA**

#### **APPROVAL OF PROCEEDINGS**

CHAIRMAN DANIEL: In front of you, you should have an agenda as well as the proceedings from our February meeting. If you will allow me a little bit of flexibility with the agenda, I do have three additional items under other business, which would be a state declaration of interest, a letter from the Spiny Dogfish Board and an NOAA Update on the Recreational Policy Development.

Is there any other business that I'm unaware of that needs to be added to this agenda? If not, without objection, our agenda and proceedings will stand approved.

### **PUBLIC COMMENT**

CHAIRMAN DANIEL: Public comment; I don't see anybody rushing to the table; so we'll move on. I will turn it over to Toni to introduce our discussor on the Management and Science Committee Report.

### **MANAGEMENT AND SCIENCE COMMITTEE REPORT**

#### **INVESTIGATION OF CLIMATE- INDUCED SHIFTS IN STOCK DISTRIBUTIONS**

MS. TONI KERNS: The board tasked the Management and Science Committee to look at climate change; and then based on their findings of how climate change is effecting commission species, to give us some guidance on allocation decisions and processes. First we're going to have Dave Richardson from NOAA Fisheries here to talk about the science behind climate change and then Mike Armstrong will go into the Management and Science Committee's recommendations on allocation decision-making processes.

DR. DAVID RICHARDSON: My name is David Richardson. I'm from the Narragansett Lab of the Northeast Fisheries Science Center. I'm going to be talking about shifts in the distribution of four species; black sea bass, scup, summer flounder and winter flounder. There are basically two questions we're addressing; what are the patterns of these distribution shifts in these species; and then the second is what factors are driving these distribution shifts.

These are just some pretty simple maps of the distribution of summer flounder during the fall for two different time periods. The first is 1980 to 1989 and second is 2000 to 2008. What you can see in these maps is a pretty clear northward shift in distribution. What you see as the highest abundance now is in the 2008-2008 period is in that Long Island to Massachusetts range; whereas, prior to that it is more the New Jersey to Long Island range. If you also look at the scale of the biomass in the trawl survey; you see a real substantial increase in the biomass. We have two things going on; the general northward shift and then increase in biomass for this particular species.

What we sought to do was to quantify distribution shifts along the shelf. This falls on some work that has been done over the past five or six years, similar analyses. As you can see in the figure, we broke the coast up into along-shelf distance because it does curve; and so it looks like at Kilometer 200 it is somewhere around Chesapeake Bay; and Rhode Island is somewhere around Kilometer 700.

All the analyses we're going to show are from the Northeast Fisheries Science Center Trawl Survey data. We did include the inshore strata; so we go about I think 20 meters; and the analyses are from 1972 to 2008, because there was a shift change from 2008 to 2009. These are just the reported along-shelf center of biomasses for each species during both the spring and the fall.

The top panel is spring and fall summer flounder. You can see I've outlined the one in red in the fall is a statistically significant shift in distribution of about 250 kilometers in the along-shelf distance that summer flounder were found. In the spring you do see a lot of bouncing around from the early nineties to 2008. There was a pretty substantial shift as well; but the long-term trends isn't as noticeable.

The set of panels are winter flounder. There is not really a noticeable shift in winter flounder. This is just the Southern New England/Mid-Atlantic Bight stock of winter flounder. For black sea bass, in the

spring you see a significant shift northward as well. Again, it is in that 200 to 250 kilometer range.

In the fall, during the early period, the population that was sampled on the trawl survey was actually pretty far north; dropped down south again; and then in recent years, in the fall black sea bass has been found further north in the trawl survey. Scup in the spring also you see that northward shift. In the fall it is much clear what is going on. The along-shelf center biomass bounces around, but there is not as clear of a shift northward.

The question is we're seeing these patterns – they have been reported before – what factors are driving these. The first question is, is it because of increasing temperatures; is this due to climate change; or are there other factors? Changes in population abundance is one factor that could be driving them. It is generally thought that populations that increase or are large tend to occupy a larger area and also will tend to shift their distribution; or is it changes in population size structure?

For a lot of these species we see larger individuals at the northern end of the range and smaller individuals at the southern end of the range. As you change fishing pressure, you're changing the ratio of larger individuals to smaller individuals and you can actually induce a shift in the population just by changing the intensity of fishing on the population.

That was the goal of the analyses. I'm just going to show some quick slides on some of the patterns we have seen. These are temperature patterns through time, the same time period. You can see that general increasing temperature in both the spring and the fall. Population abundance; most people are pretty familiar with the trends in a lot of these populations.

This is just a recent summer flounder stock assessment as an example where you can see the real low biomass that the population was at in the late eighties and early nineties and then a real substantial recovery and leveling out in the recent period; so a real increase in biomass for summer flounder.

This is just a series of maps showing the distribution of summer flounder in different size classes; so illustrating that point that larger fish tend to be found further north. If you look in that 20 to 29 centimeter size class, you see most of the fish in the fall are very much in the southern end of the range. You don't really even see many north of New Jersey.

If you go to the 40 to 49 centimeter size class, it is mainly in New Jersey through Massachusetts; and

then that largest size class, the 60 to 69 centimeters, you really don't see many fish south of Hudson Canyon in that largest size class. This follows the basic pattern we see in a lot of species where the larger fish are not necessarily completely overlapping the smaller fish; and larger fish tend to be further north.

As I mentioned before, your proportion of large fish in a population is directly tied to the fishing pressure on that population. This is just another way of looking at that same pattern. It just shows the along-shelf range of different size classes. The summer flounder from the small-sized class in the green; they tend to be at Kilometer 200 up to the larger size classes which tend to have the center of their range somewhere in the Long Island through Rhode Island range.

Again, going on to the proportion of size classes constituting the total abundance, that is what this plot is for different size classes. As I mentioned before, for summer flounder the early nineties/late eighties was the period when the stock biomass was at the lowest level; and the size composition of the stock was very truncated at that time.

As fishing pressure was reduced, the population recovered and the size structure of the population increased such that through most of the 2000's you've had a lot of big fish in the population that you didn't see early in the time period. Some of the other species, just quickly, black sea bass – I know these may be hard to make out – in the spring you see a little less size structure in the distribution; but in the fall you do see that general pattern where larger fish are further north in the fall. It is not as distinct as for summer flounder, the change in the size structure of the population.

For scup, in the spring a similar pattern; larger fish tend to be further north in the spring than smaller fish. In the fall the trawl survey may not do as well or as good of a job sampling scup. I think it catches a lot of smaller fish; and it tends to only catch the smaller fish at the northern end of the range.

We think that may be in part due to the fish moving out into the range of the trawl survey as it is passing in the northern part of the range but not in the southern part. Again, you can see the larger size classes due tend to be further north in the fall for scup. This just brings me to the analyses. I'm just going to touch on this quickly.

We did some statistical analyses to look at what factors we think are actually driving the shifts in the distribution for each of these species during each of these seasons. There are three different terms that we tested. The first is temperature; second is size structure of the population; and the third is abundance.

These were GAM models that the details are in the working paper. I'll just give you main results here. What you see in black is what we found to be the significant terms in terms of what is affecting the distribution – the northward extent of each of these populations. Winter flounder, in the fall there was a significant temperature term; but for winter flounder again we didn't see much of a distribution shift. For summer flounder, what the analyses suggests is that the mean length of the population is really the dominant factor that is underlying that shift northward in summer flounder.

For scup in the spring and black sea bass in the spring, though, it seems like temperature is what is driving the population northward. The scup in the fall and black sea bass in the fall were not analyzed. We didn't feel as confident that the trawl survey on its own was capturing the population as well as it should be. The feeling is that there are a lot of fish inshore of the trawl survey for both of those species during the fall; so we did soaks in the spring.

Just to conclude, distribution shifts and the impacts of climate change can be complicated. This is not just a simple story that waters are warming and fish are moving north. There are other factors at play; but the patterns are pretty evident. You're seeing that northward shift in black sea bass, scup and summer flounder.

Our analyses suggests that for black sea bass and scup temperature is a very important factor; but for summer flounder what is really overwhelming the analyses is that recovery of the population and the increase in size structure. For winter flounder stock we're not seeing a shift. The main points of this is that fishing pressure and climate change are interacting to drive abundance and distribution. In some cases it is hard to partition out each of those factors. That would be it if anybody has questions.

MR. THOMAS FOTE: I was looking at the winter flounder; and I noticed the other three species, the stock size has grown where winter flounder has actually stayed the same and gone down. Did you pick that species because that was one of the ones not following the trend of the other three?

DR. RICHARDSON: I actually was not part of the species' selection; and I don't know if we were asked to do winter flounder or if that was – okay. That was I think chosen by the person who did this analyses. He had done some other interesting work on winter flounder showing that changes in the abundance of winter flounder seemed to actually be tied to temperature.

The stock-recruitment curve has a strong effect of temperature on recruitment in winter flounder; but they don't seem to be shifting distribution as much in response to temperature. Actually this study that Rich did on distribution is a companion to some other work he has done on shifts in recruitment with the climate change and with temperature. I think that is actually why the winter flounder made it into this analyses.

### EVALUATION OF STATE QUOTA ALLOCATIONS

CHAIRMAN DANIEL: Are there any other questions for Dave? If not, we will move into Michael to continue.

DR. MICHAEL ARMSTRONG: As you recall, a little over a year ago this board charged the Management and Science Committee with investigating the potential change for distribution of species with a couple of different changes. One was to define the species that we should investigate further; and we looked into that.

We ended up with summer flounder, black sea bass and scup; and those are species that are quota-managed by state-by-state quotas and seemed to be in the Mid-Atlantic where a lot of the changes are going on. Also summarize the state of the knowledge of the species change; and there are now dozens of papers that illustrate species changing in response to warming temperatures and such, but none concentrating on these species.

We have been working with David and his cohorts and coming up with all this data now, which is really compelling stuff. Then based on this information that suggests, yes, these things really are occurring, define methods we could possibly use to adjust the state-by-state quotas or other things we could possibly do.

What we decided as an MSC was to survey you folks to see what you would find palatable under different scenarios I guess with the assumption that there may be some that are so unpalatable, why move forward with them? We came up with ideas talking to you

folks, talking to industry and talking among the panel; and we came up with a number of them.

Let me show you the results of the survey. The responses were pretty good with 22 responses and one from every state responding to the survey. The first was status quo and 56 percent would not support that. I'm going to go through these very quickly. What you'll see coming up again and again is neutral, a fair amount of neutral.

Based on some of the comments; we feel that is generally because people didn't have enough information. They read the scheme and said, "Well, I don't know what species it belongs to. I don't know exactly you'd implement it; so I'm going to say I'm neutral on it." We have a lot of neutrals. Status quo is basically most people did not think that is where we should stay.

Most feel that some of the species are shifting and now we have the papers coming out that confirms all this. Also, many people said, like I just said, we need more specific information to evaluate all these schemes a little bit better. I'll get into that a little bit later. The first group of three options we called the cause-and effect scenario.

The first one is if an area has seen an increase in abundance of biomass since the historic allocation, then that area would get a bump-up based on that. Now, again, what number you use to indicate the increase; is it the trawl survey; is it catch-per-unit effort, landings; that is not worked up, but that was one.

The next one is we allocate based on the historic allocation during the base period for that species; some number. We give an example here of 50 percent. That 50 percent could be 70; it could be 90. The remainder we allocate in some scheme based on giving more from that allocation to the states where it is evident that abundance has increased.

The last option was allocate it based on a state's recent fisheries performance on some parameters of catch rates, regulations, things like that. The results of that were – the favorite was Scenario B, which is we take the base period. We allocate it 50 percent, 90 percent, 75 percent and look at some remainder of allocating to the states that it is clear where the evidence – and, again, what parameter we're going to use to measure that is unclear – we allocate a further amount to different states.

Option A was generally unpopular because there doesn't seem to be enough data to support that sort of specificity. Option B was preferred. It seemed to strike a balance or a reasonable approach where you maintain the historic allocation and then some piece we redistribute. Option C was viewed as practical but I'm not sure how we could actually do it. Now, again, keeping in mind, we put it out for commercial and recreational; and as you think through your head the ways we didn't pull them in; it would be completely different between the two fisheries.

The next one was a flexible landing option. The flexible landing options were fishermen harvest – and keep in mind this could commercial or recreational – fishermen harvest in waters where the fish are and those landings count towards the state quota the fishermen are licensed in. That was something industry had put forward.

The other one is fishermen harvest in the waters where the fish are and those landings count towards the state quota the fishermen land the fish in. Now, that is pretty much status quo for commercial but very different for recreational. The results were pretty much everyone hated Option A where you land fish in a state but they count towards the quota of the state you're licensed in. That was not favored. The other one had good support.

The next option was establish a baseline of abundance where the stock is considered recovered. This would be based on like striped bass; in '95 it was declared recovered. The remaining stock growth after that would be reallocated based on some scheme. This is similar to the 50/50 allocation, the base historic allocation, but it would be based on the stock assessment in a period where we say it was restored. Very good support on that; 68 percent.

Many respondents thought this was a good approach to consider. People favored the fact that it keeps the historic reference but allows for expansion of the stock. We need to be cautious because some of these are only a short-lived surplus. Then there was the option to establish a coast-wide quota for part of the year and state-by-state allocation for other parts, like we do it for the scup commercial. Mixed support; that was one where most people were neutral; meaning to me that means you didn't have enough information, which species and how you would implement that.

Then, of course, the option of just do away with state-by-state allocations; most people were negative towards this option. States like to manage at the state



level; and most people wanted to remain that way. Those were the scenarios; and, again, there may be others. Given possible future stock shifts, how frequently should we reallocate? If we go down the road of reallocating; how frequently should we do it?

The majority thought five years; every five years was a reasonable approach with a number of people also preferring three years; so in the short term rather than in the long term was the opinion of most of the people who responded to the survey. The summary of the different options; we then asked – the next graphic showed we asked you which reallocation options, of all the ones we just talked about, would you support for the individual species of black sea bass, summer flounder and scup?

The results indicate that the cause-and-effect Scenario B, which is allocate portion by the base and then reallocate another portion based on the most recent abundance indices, some indicator – that was the favorite for all species. The second favorite was Option 4, which is what we termed the surplus production, which established the baseline where the stock is considered recovered; and above and beyond that is reallocated based on a measure of the shifting abundance. Those were the two preferred options; looking at the surplus distribution, which is the stock is declared recovered and reallocate above and beyond that. It is based on stock status.

The cons is it will not address issues with a stock that is expanding; that is, is expanding but not increasing in abundance, where it is simply redistributing in terms of temperature, but we haven't had a great increase in abundance. It could be based on a boom-and-bust scenario. Stocks experience a boom, states receive surplus; when things go back down, those states will lose that surplus.

In some cases they could still have those fish in their waters because they redistributed by temperature, but we're regulating on abundance. We could have that sort of thing going on. For the historic/current combination, it is not tied to the stock assessment. It is flexible. It will address changes, expansions in the range. The con is if we are reallocating we need long datasets that are up to date; and we need to figure out how to switch from the Bigelow into the NEAMAP Surveys and all that.

The historic/current combination was preferred option in the Management and Science Committee. It was one of the preferred options of you folks; and this was the one we selected would probably be the

best to implement. I will let you read these. These are the basic ideas on how to start thinking about this. There may be other options and certainly combining things, doing one for the recreational and one for the commercial. The big thing is robust datasets are critical for making all of these. We as the Management and Science Committee do not have the data. Dave and his cohorts managed to do all what they did from a scientific point of view; but we're now at the point it needs to be implemented for species and we can't do that.

We think you're at the point where we should start coming up with hard examples so that you can look at them. It is very hard to think about this in a defuse, theoretical concept without starting to pull out examples. How we do that; we think this needs to be kicked down to the technical committees at this point; so this board needs to decide do we move forth with this.

Do we have an overarching universal policy that all boards should be thinking about? It is clear we might not need them for all boards right now. I mean it is clear to me that probably black sea bass, that the evidence suggests very strongly that temperature is the driver and they have clearly reallocated.

We need to kick them down to the technical committees and let them start and see what they can pull together for real data. I think you can read it. That is our recommendation is we're at the point now we think there is enough evidence that suggests it is all happening and your decision is how you want to apply it and how you want to get the boards to do it and which boards you want to charge the technical committees. We think we're at the point where the technical committees have to start bringing you real examples and everyone can see how palatable it is and what the reality is when you start reallocating. I'll leave it at that.

CHAIRMAN DANIEL: Are there questions for Mike? Bob.

MR. ROBERT BALLOU: I'm trying to reconcile Dave's presentation and Mike's. Dave's seemed to be – not seemed – it was quite apparent that it spoke to the specificity with regard to shifts in three species, three of the four that were examined. Mike, your presentation was much more generic, it seemed. It didn't seem to relate solely to the species that we have good information on now that might warrant follow-up. Can you just speak to whether you're suggesting that, for example, technical committees look across the board at species; and if so, we have

enough of a basis to look at those or are we really only focusing on scup, black sea bass and summer flounder at this point; or should be? Thank you.

DR. ARMSTRONG: Well, that is a difficult question. I would say it is up to this board – two choices. One is coming up with an allocation scheme that you pass down to all the boards and say if there is evidence to suggest the species you're working is doing some sort of range shift, use this allocation, the Policy Board believes this is the best one.

The other option is to specifically assign certain boards. We didn't explore other species; but what we hear is, well, these are the ones that are quota-managed on a state-by-state basis. Right now other species are moving, but it is fairly irrelevant to the management because we manage on a broad scale. Does that answer your question? I think the decision is really yours.

From my point of view, it is the Black Sea Bass, Scup, Fluke Board that you probably want to charge and have them charge their technical committee. The question is it is clear black sea bass is redistributing by temperature, but fluke is redistributing because the stock has recovered. Philosophically do you redistribute for one because it is temperature and not the other because it is simply a success story.

MR. JAMES J. GILMORE, JR.: I had a question and a comment. Mike, you just made the comment that I think we'd probably start with the Summer Flounder, Scup, Black Sea Bass Board because obviously those are the ones that are changing; so if we're going to look at different options, that would probably be a good way to start.

Considering we have no idea what is going to happen with regional management, we should probably start doing that sooner than later; so when we get to the fall again, we have some more options. The question I had was just on that 50/50 approach would seem to have good support; and if I got it right, so it was 50 percent would be based upon the historic allocation and then 50 percent would be based upon biomass.

The biomass, I guess I don't how you get at that 50 percent because the allocation based upon historic stuff was done state by state; and then the biomass is more spread out, say, from – you know, if you a larger part of the biomass from Jersey to, say, Massachusetts, so how would you dice that up since you don't have state-by-state biomass?

DR. ARMSTRONG: My thoughts on that is throw it to the technical committee. Again, 50/50, we just pulled that out of the air. It might be 70/30. But under this 50/50; so we take the quota; 50 percent we allocate everyone's state proportions that they've always gotten. The rest of the 50, through some mechanism we'd designate 80 percent is now north of New Jersey; 20 percent, south. So that remaining 50 percent, we take 80 percent of that and distribute it to the northern states and only 20 south. There will be winners and losers under all these scenarios.

MR. ROY MILLER: Mike, the recommendations of the Management and Science Committee are not, per se, in our briefing report like you just presented them. I, for one, am having trouble reading them. You say they're before you, go ahead and read them, but can you help us out and tell us what they say. Thank you.

DR. ARMSTRONG: The recommendation I guess – the true recommendation is we think the historic/current allocation, the 50/50 strawman, is the simplest. It maintains some historic perspective and doesn't rely on stock status; so we preferred that. That is the recommendation. These ones here, we list caveats and things that we need to think about. Do you want me to read those?

Well, these are basic ideas on how to start to thinking about reallocating catches. Based on the survey, there is interest among the states in looking further at options. In-depth work will be needed to establish specific reallocation schemes and determine the most appropriate datasets to use.

The 50/50 in the historic/current combination, current/historic combination option is adjustable and not a final recommendation; and the percentages should be species-specific. Historic allocations are accomplished using the available landings' information and landings are in weight. Generally commercial landings are given in terms of gutted pounds and recreational landings are usually in whole pounds. When considering reallocation options it would be useful to work in either gutted or whole weight with agreed-upon conversion factors. They're mostly just data caveats at this point.

MR. G. RITCHIE WHITE: I think the recommendation of the Summer Flounder, Scup, Black Sea Bass Board is a great place to start because you certainly have the two different scenarios to deal with. You have two new states on the Black Sea Bass Board. I'm getting calls from commercial fishermen saying, hey, when are we going to have a shot at these. Pat said Maine has experienced the

same thing. These are issues that we're going to have to deal with, so I think that would be a great place to start and have the technical committee for those species start to work on this and see what they can come up with.

MR. FOTE: I can see black sea bass more evident on this because of its temperature change. If I'm looking at this right, the numbers of fish in the south might be greater than they are in the north except the bigger fish are in the north. So when it comes to the biomass; do we want to make a decision that Virginia, North Carolina and Maryland become the nursery areas that supply the north with big fish.

That is what I look at the reallocation; it is a difficult decision to make. It is a lot more complicated than black sea bass. If we have the smaller fish in the south, their catch would go up dramatically because that's where the small fish are available and in greater numbers of the big fish up north; it I'm looking at this time – or the same amount of numbers because there are a lot of small fish down there.

That makes it a little more difficult than black sea bass. One of the things we proposed I guess about 15 years ago, because we thought by this time we'd be 40 million pounds of the summer flounder quota, that we basically would take those increases in the summer flounder quota and basically use that to distribute it to the states where abundance has been showing up differently and not take it away from the states that historically had a catch. But because of the way the SSC has been handling summer flounder, black sea bass and scup, we have not have been able to do that because even though they're recovered, we're still fishing as they're overfished stocks. It really complicates the whole matter.

DR. ARMSTRONG: To that point, one of the difficulties of the surplus where we declare a stock recovered is generally that is at Bmsy and there will be no further growth from Bmsy. The intent is to stay at Bmsy. In some species, having declared it, there is nothing greater than that to reallocate. That is why we preferred the arbitrary pick some percentage of the stock allocated historically and then the growth above that reallocating.

MR. FOTE: But we made an arbitrary decision. You know, we started out with 320 million pounds of spawning stock biomass on summer flounder and reduced it down. But we also, from the last stock assessment, said that summer flounder recruitment is not based on spawning stock biomass. As a matter of fact some of the years you had the greatest spawning

stock biomass, the recruitment has been worse. So how are we managing for the good of the stock or for the availability of the stock; and that is where the problem arises.

MR. DAVID SIMPSON: This is probably more a question for Dave. All the work based on the federal trawl survey is great; and I would love to be able to do the same thing further inshore; and I wonder your thoughts of being able to combine the various state trawl survey indices through some standardization methods, e-scores or something, to see how these patterns may play out over time nearshore, which is more relevant to at least summer flounder recreational fisheries.

DR. RICHARDSON: It certainly is something we have talked about. I don't know if we've agreed upon a way to combine all the different trawl surveys that may take place at different times of the year in some cases and certainly are using different gears. It is something that I think Rich, who did the analyses, is certainly thinking about and is aware of; but we haven't made progress on that currently.

We've also done some analyses to try and quantify, you know, looking at these other trawl surveys, what proportion of the stock is inshore. The biggest one that pops out is scup. A real high proportion of the stock is definitely inshore of our trawl survey if you just compare NEAMAP catch rates to the Bigelow catch rates. We know there is a real substantial issue in the fall. In the spring it is obviously not much of an issue.

MR. DAVID V.D. BORDEN: Mr. Chairman, I think this is a very useful exercise; and I agree with Jim Gilmore's suggestion to start with those three species. I guess I would caution that I look at this more as an exercise at this point. I think we need to follow up on Mike's suggestions and actually develop some realistic scenarios using a couple of species. I think black sea bass would be a candidate species.

The reason I add that caution is I think there is a lot of other factors that are going to come into play with any kind of reallocation decision. I just remind everybody that the industry has developed a whole series of fishing practices during the last 20 or 30 years that are based on these quota allocations.

Significant portions of the Massachusetts, Rhode Island and New England Fleet have summer flounder licenses, Virginia, and spends significant amounts of time steaming up and down the coast selling their

product in another state; and the same thing with North Carolina fishermen coming up north seasonally to participate in other fisheries. Reallocating the quota may be a good idea if we just look at it from a static perspective, but it is going to affect particular individuals more than fishermen in general. I think it is important to just be cautious about this.

MR. ROBERT H. BOYLES, JR.: Mike, nice job. I know this was tough and I appreciate the work of the committee on this. I just wanted to just offer a comment. We spent a lot of time talking about allocation in my time on the South Atlantic Council. Mike, I just wanted to give credence to the idea of this 50 percent plus 50 percent; this idea that you look at historical averages.

Where the South Atlantic Council ended up for a number of years was look at a long-term average and that constituted half of the allocation history. But the other half for the allocation, landings' history was based on a more recent timeframe, more recent analysis of where the catch was made; and this was primarily sector-specific and not geographically specific.

To the degree that any reallocation scheme – and I use that word deliberately – reallocation scheme was perceived as being equitable; that one seemed to get some traction in the South Atlantic Council. I'd just like to offer you my encouragement and thanks for you guys looking at this very, very difficult issue. Thank you.

CHAIRMAN DANIEL: A little summary time, I think, but first a couple of comments. Some of the things that strike me as being concerning in some regards is shifting the fishery and providing more allocation to the areas where the larger fish are and harvesting the larger fish. Is that a good idea? I don't know for the spawning stock biomass; is that a good plan?

Dave Borden made my point in terms of shifting the allocation in a mobile commercial fleet. That raises some real serious red flags. In the recreational fishery I can understand; and we need to look at the landings' information to see if these shifts in distribution are affecting the landings from the recreational fishery.

Obviously, if the fish no longer occur in North Carolina waters, for example, then the recreational fishermen may not have any access to them and those fish could be redistributed to the areas where they are. As you pointed out, Dave, North Carolina's vessels and

Massachusetts vessels, Virginia's vessels travel up and down the beach; and it doesn't matter where the fish are, they can still catch the fish. As long as they can catch the fish and harvest the fish, why would you want to reallocate?

I think what I heard around the table and what I'd like to propose is that we do start with – I'd like the individual species boards to come up with how to handle these as opposed to this board; because I think there needs to be a lot of discussion at the Summer Flounder, Black Sea Bass, Scup Board, if that's the first one we want to do, looking at is the 50/50, is that reasonable percentage?

Should it be different? I think there is a lot of information that can be generated from an individual species board that we may not be able to generate here. Then start looking at some of these issues and impacts. It does seem – you know, speaking obviously from a biased perspective with summer flounder as an example, we've had great success.

I think I heard success story said three times; and now one of the dominant players in the fishery that has contributed to that significant success could lose out as a result of the shift – if it is the age and size structure shift that we're talking about. I think there is a lot there to think about. I don't think anybody is rushing in to do something right away. Is there any objection to this board asking the Black Sea Bass, Scup, Flounder Board to start again to take a look at these allocation issues and the implications? Does that seem like a reasonable approach? Doug.

MR. DOUGLAS E. GROUT: Not an objection; I think that is a good first step in this and particularly having them come up with a range of alternatives as far as reallocation options here; because 50/50 may look very different than 20/80 or 80/20. I think it would be very informative to the board and to this whole Policy Board to see how that shakes out.

The other thing that I am going to ask my black sea bass board members is are the federal permits limited access? That also brings up an issue for particularly Maine and New Hampshire that would be potentially new board members here; that you could have a quota reallocation, but how many people in our state have a black sea bass permit, so we may not be able to do it.

That is another high-level issue that maybe it is good to have the Black Sea Bass, Scup and Summer Flounder Board look at first; but I think we might want to have them report to us how they worked out

these issues and what issues they're looking at. It may be something that the Policy Board is going to want to be looking at on a broader range of things, because a lot of these are federal permits and there is a lot of different species where we may need to have to deal with this. We may want to have some kind of – in the long run some kind of general overarching policy on these things as to how deal with this. That's my only suggestion is that the Policy Board still be kept apprised of everything that is going on.

CHAIRMAN DANIEL: Without objection; that's how we'll proceed. Bob.

MR. BALLOU: Mr. Chairman, I support the recommendation; it is a good one. Just a quick procedural question I think to Toni; I just need to be reminded are state allocations the sole prerogative of the commission or is it a joint prerogative of the commission and the Mid-Atlantic Council?

MS. TONI KERNS: Bob, it depends on which species you are referencing. Summer flounder is a joint allocation; black sea bass is solely by the state; and scup is solely by the state for the summer state quotas; but then the period allocations are jointly done through the council and the commission.

MR. BALLOU: So given that the Mid is moving forward with their Summer Flounder FMP Amendment Process, it seems very important to me that we coordinate with them early and often on this issue. Thank you.

MS. KERNS: Just so the Policy Board knows, both Kirby and I are on FMAT for the council's summer flounder amendment; and at the joint meeting in August we would bring up whether or not the commission wants to initiate with the council on that amendment so we would have two concurrent amendments going at the same time. Then we can get the board to give us direction for input to the FMAT.

MR. BRANDON MUFFLEY: When the board does look at this, I think there are still some biological and science issues that the technical committee should still evaluate when they look at this and not just the 50/50 options. I think you touched upon and so did Dave that – I know when I was on Management and Science, when I was there we started to look at this and we were looking at some of the other – we wanted to look at some of the other surveys and what they may be showing and not just relying this all on the NMFS Bottom Trawl Survey as you talked about the implications of shifting the fisheries to these

larger fish. I think there are some biological considerations that the technical committee needs to evaluate and not just allocation scenarios when they do talk about this.

CHAIRMAN DANIEL: Yes, that would be my hope, that the flounder board would actually push this down to the technical committee for all those types of discussions and analyses. Last word, Tom.

MR. FOTE: Yes, on the black sea bass I was looking at the northern, but we have a southern black sea bass population; and I'm wondering if that is showing the same temperature movement. Is anybody looking at any work on that? I know it is a different management and there has been a lot of difficulty in the South Atlantic on how to manage black sea bass down there. If we're looking at a temperature shift; are they starting to move north so are they going to be taking from areas there to fill in areas above or are they a completely different species and have a different temperature range?

#### **OTHER BUSINESS**

CHAIRMAN DANIEL: That would be information that could be gleaned from probably the MARMAP Survey, I would think, but I don't know that any of that work has been done. We certainly would welcome any and all black sea bass from the South Atlantic to move to North Carolina. All right, good discussion, thank you. I'm going to move around a little bit on the agenda and turn it over to Toni to take care of a few of these other items that we can knock out here in about five minutes.

MS. KERNS: In February I asked all of the states to look at the declaration of interests for the species boards and make changes. Today we just need to make changes to either add or remove states from the boards. I'm just looking for agreement that these changes are being made today. For spiny dogfish, Florida, Georgia and South Carolina asked to be removed; horseshoe crab, to take New Hampshire off and add the Potomac River Fisheries Commission; black sea bass is to add Maine; lobster, to remove Virginia and North Carolina; and coastal sharks to remove New Hampshire. Are there any other changes that were not given to me that need to be done?

MR. PATRICK AUGUSTINE: It looks like it is pretty clear. If there are not any other additions, would you need a motion, Mr. Chairman?

CHAIRMAN DANIEL: We don't need a motion; just an agreement that there are no others to add. Everybody is cool, happy, satisfied? Okay; have you got another one you can do real quick?

MS. KERNS: For the Cancer Crab, if we initiate a Cancer Crab FMP, then we'll make those changes, just in case anybody is wondering about those. Secondly, the Spiny Dogfish Board asked for the Policy Board to consider writing a letter to NOAA Fisheries on the comments for Amendment 3. Mark Gibson is our Spiny Dogfish Chair; is that good, Mark? It is agreeing to do the changes in the allocation from seasonal to periods, I believe – I'm doing this all from memory – and to have the RSA as well to do the year-to-year rollover of specifications; and it would put their plan more in line with the Commission's Spiny Dogfish Plan.

CHAIRMAN DANIEL: Concurrence is good. Do you concur, Pat?

MR. AUGUSTINE: If I do, we're all set.

CHAIRMAN DANIEL: Okay, any objection to writing that letter? Okay, Bob.

EXECUTIVE DIRECTOR ROBERT E. BEAL: Where we are is the legislators and governors appointees have a lunch meeting in this room. If folks could come back around 1:15, we will restart the Policy Board for a while, Louis, and see how far you want to take that. As I mentioned earlier, a number of folks have traveled in for the MRIP Workshop that is scheduled for two o'clock. We may not want to push that too far, but we'll just see how far we can go and push it to maybe 2:30 or something. If there are things that need to roll over to the Policy Board tomorrow, we can check where we are toward the end at that time, if that sounds okay with everybody.

CHAIRMAN DANIEL: Is everybody comfortable with that approach? All right, we'll see you after lunch.

(Whereupon, the meeting was recessed at 12:15 o'clock p.m., May 14, 2014.)

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## WEDNESDAY AFTERNOON SESSION

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The ISFMP Policy Board of the Atlantic States Marine Fisheries Commission reconvened in the Presidential Ballroom of the Crown Plaza Hotel Old Town, Alexandria, Virginia, Wednesday afternoon, May 14, 2014, and was called to order at 1:35 o'clock p.m. by Chairman Louis B. Daniel, III.

### AMERICAN LOBSTER STOCK ASSESSMENT UPDATE

CHAIRMAN DANIEL: We're back in order. We're not on line, but we're going to hold off on the Cancer Crab discussion and see if we can't get on line. We'll let Genny go through the stock assessment stuff real quick.

DR. GENEVIEVE M. NESSLAGE: I'd like to start by pointing out some proposed changes that the ASC and MSC have suggested to the Policy Board to the stock assessment schedule; the first being American lobster. I'd like to highlight that we are going to be delaying the assessment. There were some problems identified with the landings' data that needed to be corrected.

That pushed us off by about three to four months. We anticipate completion of the stock assessment sometime around the end of the year; and we hope to have a peer-reviewed document next spring meeting. In the meantime the Lobster Board members should know that we are going to be providing a model-free indicator update to you at the August board meeting; so that should hopefully provide an interim picture of what the stock is doing before we have the final model outputs.

Some of the other highlights are the black sea bass assessment discussion occurred at the NRCC meeting recently. The NRCC agreed to move forward with a new plan for a benchmark stock assessment. The data preparation work would begin this fall. The idea would be that we would have a new assessment that would be peer reviewed some time in 2016 at the latest. The results of that assessment, if it passed peer review, would then be available for use of specification-setting in 2017; for the 2017 specification-setting, I should say, to be explicit.

The one thing that you'll notice on the schedule is that we have ASMFC highlighted as the review venue for that assessment. That is not set in stone, but it is an option that the NRCC and the council and the commission might hold in their back pocket just

in case the assessment is done earlier or faster or slower we can get it in and get it done in time for the 2017 specification-setting is the idea.

### **ASSESSMENT SCIENCE COMMITTEE REPORT**

DR. GENEVIEVE M. NESSLAGE: Moving along, horseshoe crab, the ASC and the Horseshoe Crab Technical Committee recommended that the benchmark stock assessment for this species be put on hold until procedures regarding the use of confidential biomedical data be put in place. As you all are well aware, any analyses done that would include fishery-dependent data could not be shared with a peer review panel, the board or members of the public and therefore the technical committee and the ASC are concerned that any work done on that would essentially be wasted.

They could in the meantime, however, update all the fishery-independent indices; and they can do that on a regularly scheduled stock assessment plan. The Multispecies VPA is also changed up a little bit here. The ASC considered the timing of this and suggested that we wait until the menhaden benchmark assessment is peer reviewed in December.

The MS-VPA and several other models and plans for ecological reference point development will be – at least their preliminary results and plan will be reviewed at that peer review in December; the idea being that we don't know how that is all going to fall out. We may need something sooner. We may need more time from all the development.

There may be new models that we will want to consider either in supplement to the MS-VPA or in place of it; and so the ASC would like to reconsider when ecological reference points in the MS-VPA would be peer reviewed after hearing the preliminary peer review results in December. Northern shrimp did not pass the most recent peer review, so the stock assessment subcommittee recommends a new benchmark be done on a faster timescale than originally planned. They would like to do it within the next three years, which would place it in 2017. This would allow time for more model development but also get it done so that it can be used more quickly than originally planned.

Spot was also reviewed by the ASC and they recommend that a new benchmark assessment be conducted for the species, but that it be done in tandem with Atlantic Croaker; the idea being here that the same people, the same datasets, the same

type of models would all be considered and we could more efficiently go through this process if we do both species at once. Croaker is on the schedule for 2016; and we suggested that spot be placed on the schedule at the same time as croaker. Are there any questions about suggested changes to the stock assessment schedule?

(Whereupon, Vice-Chairman Grout assumed the Chair.)

MR. AUGUSTINE: A quick question; we've been coming up with the same issue and problem with horseshoe crabs for several years now without being able to get the data we need to determine what the status of the stock is. Unless we can change the way we operate to get that data, it just seems to me – and I would love to take a draconian move; and when we get back to it again, I would love to cut their quotas drastically so they will support us by giving off the information we need. Whether it is collective or not, we cannot make an assessment. We've taken all the draconian measures because of red knots and shorebirds and everything else.

Commercial is cut back; recreational is cut back. We are in dire straits in New York. Our stock is on a sharp decline. I think Jim could verify that. It hasn't gone up since the other states have cut back in their quota. In the meantime, because we have one sector that is extremely valuable to the world – it is valuable to me; it saved my life – the reality still remains that we have not been able to get the data we need to make a correct assessment.

I'm not sure what other draconian measures we can take other than cutting off their supply. I'm willing to hear someone else's idea; but to go away from this meeting without taking some action, either writing letters to them, sending them a form that they will confidentially submit to us, that the data they supply will be all put together as opposed to separating it out so they're identified as to what they're processing; I just think we have to do that.

Otherwise, we're going to be at this meeting another year from now. Their harvest rate continues to go up exponentially, and yet we have no control over what they take. Again, on the other hand, we're caught. It is a Catch-22 because of a product that is essential for the world. Whatever we can do, Mr. Chairman, I wish we would take some action on that. Thank you.

MS. KERNS: Pat, it is not that the biomedical companies aren't willing to supply us with their data. They are willing to supply it to us, but then we

cannot report it back to the Horseshoe Crab Board because of the way we want to split it out into the regional assessments without disclosing the confidentiality.

You would be able to come back and detail how much is coming from a single biomedical company with how we would present the results to the Horseshoe Crab Board. It is not they're unwilling to provide it to us. It is that we then presenting it back to you would be disclosing the confidentiality.

DR. NESSLAGE: Yes, just one thing to add to what Toni has said; the Horseshoe Crab Technical Committee is concerned about conducting the coast-wide assessment now as well because they would like to add the biomedical mortality to that. Again, as Toni indicated, any analyses that we would conduct, the results we couldn't show because you could simply subtract – you could look back at the old assessments and subtract the numbers and figure out how much they're – or you theoretically could.

MR. AUGUSTINE: So if we could do it on a coast-wide basis; would you have to marry their numbers back to the region? Now, think about it, you just said if we did it on a coast-wide basis; do we have to marry their data back to the region that the horseshoe crabs come from? That it appears to me would be better than what we have right now. Right now we really can't rely on what we have; so we've got to move forward somehow. How do we get out of this dilemma?

MS. KERNS: I would have to get back to you, Pat, because I was not a part of the discussions of the coast-wide assessment. There are more than three companies; so I would on a coast-wide assessment it would be okay to add the biomedical information, but there may be something going on there that I'm unaware of and so I would have to report back to the Policy Board on that.

MR. AUGUSTINE: Could you report back to us collectively, please? That would be most helpful to see where we may go for the next step. We're in a dilemma right now; we're in a canal and we're not out of it. We have no further information. We sit here wallowing because we can't come up with a good assessment.

I think it is absolutely essential to move forward with this. All the states have committed to do what was right, to reduce their quota harvest and everything else. Now I think we've got to get the other piece of

the information and bring it to the table so we can complete our assessment. Thank you.

MR. WHITE: Could we ask the individual industry if they would be willing to waiver all issues and release the amount they're harvesting individually, if they would allow us to do that?

MS. KERNS: We have had those discussion with them; and they have not been in favor of doing that because then it puts them potentially at a disadvantage with their competitor companies of how much of the – and I'm going to say it wrong – the product that they make from the blood, how much capacity or ability they have to make that product; and so therefore they don't want to have that information disclosed to their competitors.

MR. DENNIS ABBOTT: Genny, I recall reading an article recently in the local papers of a study done of the University of New Hampshire regarding horseshoe crab mortality in the biomedical industry; saying that the mortality is much greater than previously thought. Have you seen that article or aware of it?

DR. NESSLAGE: I have not; I'm sorry. I can look into that if you'd like and we can –

MR. ABBOTT: I'll also see if I can find it someplace.

MS. MARIN HAWK: Are you referring to the article done by the University of New Hampshire; that study?

MR. ABBOTT: Yes.

MS. HAWK: The technical committee actually reviewed that article. The research indicated that after bleeding, female horseshoe crabs have a low responding rate. The technical committee reviewed that article and found that the conditions that they used to do the research didn't follow the best management practices. The technical committee acknowledged that the study does show that; but because they didn't follow the BMPs, they were hesitant to really endorse that study.

MR. BALLOU: Mr. Chairman, I'm not sure if this is for Genny or Toni; but the delay in the black sea bass assessment for new model development, does that relate to the issues that we were concerned about and conveyed in our letter the scientific uncertainties? Have they come to terms with those issues and does that relate to the delay? Thank you.



MS. KERNS: It does relate to the delay and the amount of time that we think it is going to take to get a viable model up for peer review that could inform specifications. We tried to set us up with a timeframe where we believe we can produce something to inform specifications for 2017; and if we can get it out there sooner, then we most certainly will aim to do so.

MR. BALLOU: So is the bad news perhaps that there is a delay; but the good news that the new model might perhaps finally get us out of the Tier 4 status?

MS. KERNS: That is our hope.

MR. GROUT: As I understand it, we have to approve the stock assessment schedule here. Pat.

MR. AUGUSTINE: **I move that the board approve the stock assessment schedule as presented.**

MR. GROUT: Bill Adler seconds. Is there any discussion on this? Any opposition to approving the stock assessment schedule? **Seeing none**; thank you, Genny.

(Whereupon, Chairman Daniel assumed the Chair.)

### **INITIATING CANCER CRAB FISHERY MANAGEMENT PLAN**

CHAIRMAN DANIEL: Do you want to do the Cancer Crab?

MS. KERNS: I'm going to report out for the Fishery Improvement Project. Jen Liven couldn't be here from GMRI so I said that I would give her presentation. As you know, the board has been discussing the Cancer Crab Fishery and whether or not we would like to move forward with initiating a Cancer Crab FMP based on the work that the Fishery Improvement Project has been doing.

For those of you that are unfamiliar with the Fishery Improvement Project, it is a group of stakeholders typically including retailers, processors, producers and fishermen that come together to try to solve a problem within a specific fishery or to improve a certain aspect of that fishery that requires attention. The focus of their work plans are the environmental integrity and the long-term sustainability of those fisheries.

The Jonah Crab Fishery Improvement Project Working Group includes several members listed up

on the screen. They came from all different types of backgrounds. The workgroup has been going on since 2012 to better understand the Jonah Crab Fishery, the threats to its sustainability and the actions that can be taken to have long-term sustainability of the resource.

The efforts that they have done to date; they have worked off of the Marine Stewardship Council's pre-assessment and their criteria that they use. The work plan outlines activities and a timeline for completion and recommendations that were put together for the commission. I should note that in your briefing materials you had two documents. One is the recommendations to the commission and then a second was an extensive overview of the Jonah Crab Fishery.

Jonah Crab has long been considered a bycatch in the lobster fishery while there are still some individual fishermen that direct on Jonah Crab. In recent years there has been increased targeting pressure on the crabs; and likely due to a fast-growing market and demand, it could compromise the long-term health of the fishery. The Jonah Crab Resource is unregulated in federal waters and for the most part in most state waters.

Most of the landings do come from federal waters in Area 3. Landings and effort have been increasing rapidly and in an unregulated manner. Since 2002 landings have increased six-fold; and in 2013 we're just close to 11 million pounds. The landings in 2013 came from Massachusetts at 7.5 million, Rhode Island at 3.2 million, Maine as just about a half a million, New Jersey at 68,000, Maryland a 22,000 and New York just over a thousand pounds.

In the past there have been landings as far south as Virginia. There are no minimum size regulations for Jonah Crab. There are some size limits that are based on blue crab and lobster in the states of New Jersey, New York, Connecticut and Maryland. There are no regulations to protect the spawning stock biomass or regulations on prohibiting female harvest.

There are a couple of states that do have harvest limits, including New York, Maine and Maryland. The fishery's value has increased substantially in the past several years with this increase in landings. In 2000 it was about \$1.5 million and in 2012 it was worth about \$8.1 million in ex-vessel value.

There is a concern from the Fishery Improvement Project that if there are no regulations put in place and the fish start to decline, that there could be a loss

of the market and then the ex-vessel price would likely drop if we don't put any regulations in place. There is also a concern with an expanded crab fishery that could threaten the management program that we've put together for the lobster plan to reduce traps in both the Southern New England waters as well as Georges Bank and Gulf of Maine.

It also has concerns about with an increased number of traps in the water, we would have more interactions with right whales. The Conservation Alliance for Seafood Solutions is a collaborative of 18 organizations that advise companies on seafood sustainability and develop guidelines for the Fishery Improvement Projects in order to encourage buyers to support fisheries that are working to address environmental issues even when the fishery doesn't necessarily meet a sustainability criteria.

There are several supermarkets and other major buyers that may stop purchasing a Jonah Crab product unless it can prove that it is managed sustainably. Therefore, there is concern amongst some of the industry members that if no regulations get put in place, that they will stop being purchased and then the fishermen will lose their market; so this market then would be compromised in the long-term sustainability of the fishery.

The FIP recommended to incorporate a Jonah Crab FMP into the Lobster Management Board. It would tie the harvest of Jonah Crab to a lobster license and trap-tagging requirements as it is currently done in Massachusetts, New Hampshire and Maine; and for states that do not have a lobster license, to require a license and trap tags for the harvest of Jonah Crab.

It also recommends requiring a five-inch minimum carapace with an enforcement for a certain amount of tolerance due to the nature of the prosecution of the fishery as well as require full reporting of Cancer Crabs by species to better understand the fishery and establish baseline data. Lastly, they recommend to prohibit the harvest of female Jonah Crabs.

They recommended this as an emergency action that the commission could take prior to adopting an FMP if we did go forward with initiating one, because they feel as though this is an important aspect to the plan because they are concerned about the stock. If there are any questions, I do want to note that both David Borden and Steve Train served on this Fishery Improvement Project, if you didn't notice on the list, so they also could add additional information to the board.

CHAIRMAN DANIEL: We'll take some questions for Toni. Ritchie.

MR. WHITE: Toni, do we have any sense of the breakdown of harvest? It seems like the overwhelming majority is federal waters; but do we have any sense of what percentage federal to state. Then I have a follow-up comment, Mr. Chairman.

MS. KERNS: I don't believe that we have that listed, but, David, do you have more specific answer?

MR. BORDEN: To Ritchie's point, that information is not part of the information that came forward. We don't have an exact breakdown, but I think it is pretty safe to say that the majority of the harvest is coming from federal waters, particularly in Southern New England where most of the fishery is located anywhere from 20 to 50 miles off the coast, 60 miles off the coast.

MR. WHITE: Why is it put to the commission to manage a resource that the overwhelming majority is in federal waters? Why isn't this something the Service is starting this process? I understand the landings come to us, but there are a lot of species where all the landings come to us and we have nothing to do with them, like bluefin tuna.

CHAIRMAN DANIEL: That's a good question. I remember when we requested – I think there was a joint plan or stock assessment or something for weakfish and there just wasn't the time at the Service level. I don't know if the Service wants to address that question or not. If it is coupled with the lobster fishery, that may make sense because then you'd have the feds involved in your lobster fishery. Bill Adler.

MR. WILLIAM A. ADLER: First of all, we do have a catch of crab in state waters as well. It is nothing like the offshore fleet, but we do have that. I thought Toni said there weren't any rules in Massachusetts. We do have a closed season January to a certain month for the taking of edible crabs. We do have that in the state statutes. I think it is in one of these pages on these charts, anyway. We do have that.

MR. ADAM NOWALSKY: The document in the briefing materials indicate some of the confusion that occurs between the Jonah Crab and the Rock Crab. What you suggested in the presentation here was full reporting of all Cancer species, which would include the Rock Crab at that point.

The Rock Crab is predominantly a species in state waters and is not typically found as far offshore or is not harvested in the numbers that the Jonah Crab is. What would you propose is that full reporting; what would it fall under; and how would it affect that Rock Crab that is a fairly significant bait crab in some of our fisheries?

MS. KERNS: Adam, one of the reasons why the commission had recommended a full Cancer Crab as well as the FIP FMP is because of the confusion in the data and the uncertainty in some of the landings if you would try to parse them out; and so that's why we want full reporting and an understanding of the difference between the two species. The problem comes where the common name for Jonah Crab is Rock Crab and the common name for Rock Crab is Sand Crab.

That is why the data has some uncertainty to it. For right now what the FIP had recommended was we have full reporting for everything so that we can have a better clarity on that data, but the measures focus on Jonah Crab at first until we have a better understanding of what the landings look like for the Rock Crab. I would turn to Steve and David to make sure that I have accurately stated what the FIP said.

MR. STEPHEN R. TRAIN: I want to clear up some of the questions as to why it is here. We have other species that we co-manage with the feds. We have shrimp that is primarily harvested in federal waters. The participants in the fishery – and we had a lot of them at the meetings we've had – actually requested, because they are primarily lobster fishermen and this is a secondary harvest or secondary species, to have the same management. To keep everything simple, they actually were hoping we could tie it together much like the states of Maine, New Hampshire and Massachusetts already do with their lobster license.

MR. BORDEN: Mr. Chairman, I'll just follow up on Steve's point – and this gets to the question that Ritchie related to us – is 99 percent of the crabs currently are landed by individuals with lobster licenses. When this issue came up for the FIP process, it made no sense to start out with a completely separate FMP.

The point was that since that large a percent were harvested by the individuals with either state or federal lobster licenses, we thought it would be appropriate to direct these recommendations to the commission since the commission is the lead agency on lobsters. It is just logical. I'm just trying to answer Ritchie's point on that.

If I might just for a couple of minutes, Mr. Chairman, I'd like to make a couple of other points. So that you don't get into a lot of additional questions, maybe I can answer some of these for everyone's edification. This is very much an open process. It was a very unusual process where the supermarkets basically paid in conjunction with the processing industry to develop the guidelines for a sustainability plan.

At least my history with history management issues, I've never been part of a process where the supermarkets were coming in and basically working with an institution like the Gulf of Maine Research Institute and basically saying we want to ensure that this is a sustainable product going ahead.

The other point I would make is that historically Jonah Crab were a bycatch. Now it is becoming very much a targeted fishery particularly in Massachusetts and in Rhode Island. There are some landings in Massachusetts these days where individual vessels land 50,000 pounds of Jonah Crabs where it is seventy-five cents a pound.

The value of the landings at certain times of the year far exceeds the landings from the lobster resource, which was the targeted fishery. If you haven't had a chance to go through the documentation, which I think is very extensive, it pulls together all of the known information on crabs. If you just look at the executive summary in the document, it summarizes the problems that we're trying to avoid.

In other words, we're trying to be proactive and deal with these problems up front. I think it is kind of critical in my own view to get ahead of these issues and not allow a separate crab fishery to develop in federal waters that ends up triggering all kinds of protected species issues, which it surely will.

I think this is a good opportunity where the FIP Process has developed a lot of the information that the commission would need to start the process. I think the important point here is that this is just the start of the process. If the Policy Board were to agree and forward this recommendation to the Lobster Board; it would start the process. There wouldn't be a predetermined outcome.

The board could look at the recommendations that the FIP formulated. I think what Toni and Bob did was, when they develop this year's budget, they actually budgeted funding to do that, which I think was in hindsight an excellent thing for the staff to do. That would just start the process. The staff would take all this documentation and basically prepare a

scoping document and that would start the process. I totally support this and I hope the Policy Board endorses the recommendation. Steve Train has a motion for you, Mr. Chairman.

CHAIRMAN DANIEL: Let me go to Dave Simpson first.

MR. SIMPSON: I just wondered with the fall-off of lobster and the idea that this would be best coupled, you know, lobster/crab managed fishery, whether the traps – I know they catch a lot of Jonahs in lobster traps, but would they be designed differently if the focus became Jonahs; the dimensions of the trap, the vents – well, especially the escape vent, the funnels – how much would they start to look different from a lobster trap?

CHAIRMAN DANIEL: Can you answer that and then you can move right on into whatever you've got.

MR. TRAIN: Currently without regulations on the crab fishery, they can do almost anything; but if it is concurrent regulation with the lobster fishery, which is what most of the guys are working under, they've still got to have the legal lobster vent and they've still got to maintain the trap limit as required by law. Without regulation in that fishery, a lot of what you said could happen.

MR. SIMPSON: And my understanding is that in federal waters if it is capable of catching a lobster, then it is a lobster trap. Is that essentially right and so the vent size requirement would apply and so forth?

MR. TRAIN: Perhaps you'd get a better answer down at the end of the table, but we were told two different things. We were told that applies if you have a lobster license, but it doesn't if you don't.

MR. PETER BURNS: Just to clarify, if someone has a federal lobster permit, they can only fish a lobster trap that meets the specifications that are in the federal regulations. They can't fish anything outside – just like Steve said, they can't fish outside the trap limit or fish a different design than a regular federal lobster trap.

CHAIRMAN DANIEL: Thank you for that clarification. Steve, you've got something you want to present?

MR. TRAIN: I have a motion if you're ready for it. **I would like to move to initiate a Cancer Crab Fisheries Management Plan with the focus on**

**Jonah Crab and task the Lobster Board with development of the FMP.**

MR. BORDEN: Second.

CHAIRMAN DANIEL: I've got a motion from Mr. Train and seconded by Mr. Borden. Is there discussion on the motion? Ritchie.

MR. WHITE: Having heard the discussion that clarified my question earlier; I certainly support the motion; but I also wonder if in this time of financial tightness and with us not being able to do stock assessments as fast as we want them, would there be the ability to ask the Service to provide some financial assistance in this effort where we really are managing a federal species and see if we could get some help financially to take this on.

CHAIRMAN DANIEL: I think we can look into that and report back. Pat.

MR. PATRICK C. KELIHER: Dave Borden made a few comments that I'm not sure jive with what is on the board. This is just to move the discussion back to the Lobster Board. The way this reads is the Lobster Board is going to have to now initiate it and move forward with the development of an FMP.

MS. KERNS: The way staff interprets this is that the Policy Board is saying we want to initiate an FMP so we would start to put together a draft PID, but that PID approval process, just like we normally go through, instead of the PID coming to the Policy Board it would go to the Lobster Board. In a sense what we had discussed is that it would likely become the Lobster and Cancer Crab Board coupled together. They both would have their own individual FMPs, but many aspects of those FMPs might be the same in particular with the Cancer Crab FMP. Does that help?

MR. KELIHER: I'm going to support the motion. I think bringing some consistency into place is good at this time. I think it helps us resolve some potential problems with ESA and Marine Mammal Protection Act issues that the states are continually dealing with, especially in New England with lobsters. And just one little last bit of clarity; this has been budgeted for then; that is my understanding?

MS. KERNS: We've put funds in the budget to do some public hearings, yes.

MR. SIMPSON: So if I take Steve's comment and NOAA's comment that if we don't do this, then a

crab fishery can develop independent of the lobster fishery. If they don't have a lobster permit, then sort of by definition they're not fishing a lobster trap but they can go fish for Jonahs. That sounds like it would be really problematic so I think this is a good idea to do. I'll leave it at that.

MR. GROUT: So, per Ritchie's comment about who is going to help with the monitoring here, I will be looking forward to how you get back to us on NOAA's response. I might even suggest either now or at the August meeting that we write a letter saying we are planning on doing this; what financial assistance can you provide to help with monitoring and management of this species that is occurring in federal waters?

MS. KERNS: Doug, we can do that. I have some pre-discussions with Mike Pentony at GARFO. He has indicated that they would like to have a staff member serve on the plan development team as well, so they are already committing some resources to the development of the document with in-kind resources, I guess you would say. We can follow up with a request for additional resources.

MS. KELLY DENIT: This is in addition to what Toni said. I just would point out obviously the FY-15 budget is already out for federal agencies in terms of what we've requested from Congress. Who knows what they'll actually provide, but this is certainly something that we can think about as part of moving forward with the planning for the FY-16 budget if this is something that we can potentially try and discuss through the federal appropriation request process.

MR. BORDEN: Mr. Chairman, I just want to give credit and acknowledge the participation of the National Marine Fisheries Service. They had staff at every single one of these meetings and provided information and analysis, did literature reviews. Peter Burns and his staff have helped with some of the technical and management issues. I totally understand why Doug and Ritchie are pointing out the need for additional funding to support the effort, but I just point out that the National Marine Fisheries Service has been a very willing, eager and successful participant in the process.

CHAIRMAN DANIEL: That's good to hear. Bob.

MR. BALLOU: I strongly support the motion and it is largely because of the strength and quality of the FIP Process and FIP Report. I really think this has been an excellent process and the results are really

compelling and really strong and it provides a very strong basis for us to move forward on; so credit to all those involved.

MR. ABBOTT: Mr. Chairman, just as our federal partners just stated, just last week we went over our budget for the next fiscal year also; and I don't think – I mean, I know we didn't put money in for anything that would involve Cancer Crabs.

CHAIRMAN DANIEL: That was not the budget for next year.

MR. ABBOTT: When I say for next year, the one that we will be working on.

MS. KERNS: The commission has not done its Action Plan for 2015. We've only done our Action Plan for 2014. In the fall we put forward the Action Plan which we will put resources – how we allocate our resources to come back to the Policy Board and the full commission for their approval. If this motion passes, then we would put funds in to continue the development of an FMP. We did reserve a small amount of money to do a few public hearings just in case the Cancer Crab FMP did go forward since we had been discussing it for the past several meetings.

CHAIRMAN DANIEL: Anybody else? Seeing none, I will read the motion: move to initiate a Cancer Crab FMP with the focus on Jonah Crab and task the American Lobster Board with the development of the FMP. Motion by Mr. Train; seconded by Mr. Borden. Is there any objection to the motion? **Seeing none; it carries unanimously.** Shanna.

## COMMITTEE ON ECONOMICS AND SOCIAL SCIENCE REPORT

MS. SHANNA L. MADSEN: I'm going to go ahead and make this nice and brief so we can move along. Back in October the Committee on Economics and Social Science gave a presentation which listed a number of options as to where and what degree they could provide socio-economic information. The board suggested that CESS actually complete a case study on local species that was a comprehensive socio-economic analysis.

Using our existing data, CESS could provide useful information to the board regarding projected socio-economic impacts of regulations or allocations. CESS could also investigate the impacts on landings, trends, prices, fleet capacity, user conflicts and cooperation as well as social variables. CESS would

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also like to give socio-economic impacts on not just what the current status of the fishery is but also how past management actions have affected the fishery.

Along with this, the CESS would provide details of what data or information is currently not being collected for a stock that actually could have importance to future decisions. During the board meeting, there were two species that were suggested to the CESS, and those were lobster and eel. Recently CESS actually received a request from a Menhaden Board member that CESS also investigate various allocation options for menhaden and both the social and economic impacts of those allocations.

Essentially what CESS would like to hear from the board as which species they should begin with. CESS is more than willing to continue doing case studies in the future with other species, but we can only do one species at a time.

Any sort of recommendations that you guys can put forth to us would be great. One of the considerations that we took into account was that we were going to start with eel, but we realized that the addendum is already in progress and we would not be able to make any recommendations to that addendum in a quick timeframe.

MS. KERNS: And as a reminder to the Policy Board, the rationale for why we can only do one species at a time is this avenue of case study costs approximately \$20,000. We have set aside that money in the budget to do one species for this year. We do not have additional funds in order to do more than one at a time. If we want to continue on with these types of studies, then we would need to set aside money for next year, et cetera.

MR. THOMAS O'CONNELL: I'd like to put forth a recommendation if there is support to charge CESS with beginning to explore a framework to consider allocation of menhaden. It is an issue that the Menhaden Board discussed in December of 2012 when we advanced the last amendment. It is an action item in the 2014 plan that we begin to examine allocation issues so that when we have the 2016 assessment we'd be able to also review the last allocation.

My interest is if there is support to have CESS work on beginning to identify a framework that the board could use to examine allocation for menhaden, what some other data needs might be, associated cost and timelines and see if we could pull together the

resources to have that information available when we have the 2016 assessment. Thanks.

CHAIRMAN DANIEL: So that's one vote for menhaden. Tom.

MR. FOTE: I'll second that vote. After the last Menhaden Board meeting, we spent an hour and fifteen minutes deciding if Florida could basically use a cast net fishery, and we need to get this straightened out. Let's go and get it straightened out.

CHAIRMAN DANIEL: Are there any other species that anyone would like to put forward for consideration? There was some discussion about – I brought up a point – I can't remember when – about just trying to do something that had broad-based interests and one that I thought of was summer flounder and red drum; but red drum is sort of mostly a southern state.

Summer flounder tends to affect more constituent groups than the others; but I think from some of the discussions that I've heard this week, the menhaden seems to be a reasonable proposal to move forward with, especially with the issues that we're having with the bait fishery at this particular juncture. Certainly, the floor is open for anyone that wants to suggest anything else. John.

MR. JOHN M.R. BULL: I was wondering if I could get a little bit more information on exactly the parameters would be for this look on socio-economic impact.

MS. MADSEN: We don't have anything specific currently. The issue is that we didn't really want to delve into a species without being positive that is the direction that the board wanted to go. What we can do is once we have established a species, we can definitely come back to the board with a game plan, a timeline, exactly what we think that we can pull and give to you. I just didn't want to set the committee off on one thing and then kind of turn them over to something else.

MR. PATRICK A. CAMPFIELD: I just wanted ask for some clarification in terms of the timing. Mr. O'Connell had asked for something in parallel with the 2016 menhaden assessment. I wanted to see if we wanted to wait that long or for the 2014 assessment.

CHAIRMAN DANIEL: Have you got some comments on that, Tom?

MR. O'CONNELL: Yes; I just think that the committee is going to require some time to begin to identify what sorts of criteria may be worthy of this board to consider in looking at allocation changes, if there is a change. They have to come back to the board with some of those ideas and get further guidance from us, look at what the timeframes and cost would be. I just think that is going to take probably – it is going to probably take the time that is probably going to parallel and getting information out of that 2016 assessment. I think we have to hear back from them, but I think it is going to take some time to pull together.

CHAIRMAN DANIEL: Asking staff; could we have a summary of the approach and what you can give us by the next meeting?

MS. MADSEN: Yes; I think that should be possible. I already have a call scheduled for the end of May so that we can start to lay out some of those things.

CHAIRMAN DANIEL: Is that the desire of the board? Is there any objection to that approach? Seeing none; that is so ordered. I've asked to go ahead and get through the action items. It should take about ten or fifteen minutes; and then we'll regroup with the MRIP discussion. Genny.

### **CONSIDER COMMENTS ON NOAA FISHERIES STOCK ASSESSMENT PRIORITIZATION**

DR. NESSLAGE: The Stock Assessment Prioritization Agenda Item; the National Marine Fisheries Service has drafted a prioritization protocol for ranking stock assessments that would be conducted and reviewed each year. The idea behind this was that all of the fish stocks would be assigned scores or weighed in a weighting scheme based on several factors, including fishery importance, ecosystem importance, stock status, their biology and the assessment history. Once all that scoring was done, then there is a set of algorithms that they have developed that would then produce a draft schedule for each council.

The goal of this is to provide a somewhat more objective and transparent framework for setting the stock assessment priorities each year. Spearheading this effort was Dr. Rick Methot. He was kind enough to present to the Assessment Science Committee and science staff on the draft process and answer some of our questions.

They have solicited feedback from the public and the commission would like to provide some questions, comments and concerns. If you look in the supplemental materials, there is a letter that has been drafted by staff summarizing the Assessment Science Committee and staff's concerns with the process.

I won't go through all the details, but I will highlight a few of the issues that we are probably most concerned with; the first being that we, at least at this moment, are not considered in this process at all. That was a red flag to us largely because some of our most high-profile species like menhaden, lobster and striped bass all involve stock assessment scientists from the NOAA Fisheries Centers and that several of our species are reviewed through the SARC and SEDAR processes, including red drum, menhaden, and croaker.

Also, because of that, if we aren't involved in that prioritization process, we're not sure how we would fit into the decision-making at that point. Even for species that aren't managed or jointly managed with the councils; we do have species that are completely under our own management process to do involve federal staff and federal venues.

We were concerned that if we weren't involved in the prioritization process-setting, that we're not sure where we would fall out in all of that. We highlighted that concern. Also, number two, there is some wording in the document that states that all state- and commission-managed stocks would automatically fall into a second tier for consideration; and we're concerned that our stocks would thus be placed at a lower or low priority for assessments being conducted or reviewed.

The other major concern I think that those who have reviewed this process have is the scoring system. While it is still trying to balance the needs of overfished stocks or stocks that are in poor condition for one reason or another with the needs our well-managed stocks or our stocks that are in good condition, the scoring system still appears to be heavily weighted towards stocks that are in poor condition.

We're concerned that many of our species which may be in good conditions because of frequent good stock assessments may end up suffering as a result. I don't know how much more detail you'd like me to go into at this point, but I'm happy to answer any questions you may have.

MR. AUGUSTINE: I read the comment in there about river herring. Have you had direct contact with them about doing something with that and are we going anywhere? As you know, we're having a lot of river passages being opened up and we're seeing a very good increase in those animals going upstream. It just seems to me if that is just ignored or down low in Tier 2; I think sooner or later we've got to get some attention to it. Could you help us on that one?

DR. NESSLAGE: Yes, we have spoken with Dr. Methot and identified the fact that we're not currently updated in their databases that they're using to create this prioritization scheme. One of the problems that we ran into what he is referring to is that river herring has all the different systems' assessments and that didn't really fit into the database that they're using. We brought that to his attention and he is going to work with us to try and figure out a way to get into the system.

MR. GROUT: Mr. Chairman, I had the pleasure of getting a report on this at our New England Council Dr. Methot. My first comment and comment by many of my fellow council members is, boy, this was put together by a stock assessment biologist and not a policy person.

But that being said, I read over the draft letter and I think there are important concerns that I think the commission should move forward in a letter to Dr. Methot to make him aware of these concerns that we have. I'm hoping that we won't lose the Regional Coordinating Council's input into these, too. I think that is very valuable where we have Bob and I think, Toni, you sit on it, too, and trying some to get some of our assessments done, too.

CHAIRMAN DANIEL: Thank you, Doug; I agree. Does anybody have a concern over the content of the letter or sending the letter to Dr. Methot? Is there any objection to that? Seeing none; so ordered. One more item.

### **OTHER BUSINESS**

MS. DENIT: Just quickly; we wanted to follow up on the 2014 recreational summit that was held here in D.C. back in April that was focused on getting input from constituents on a variety of recreational fishing-related issues. One of the major outcomes of that summit was the agency deciding that it needed to develop a recreational fishing management policy.

I wanted to make sure that this board was aware of that decision and also kind of just quickly run

through what that policy development process looks like. As the states are key partners in this, we wanted to make sure and flag this; and also towards the end, I will get to kind of my two requests of the commission.

Just quickly up here on the board you'll see running through kind of from this essentially now until the end of the year. The idea is to start initially with getting broad stakeholder input. Our approach is to have both listening sessions in person as well as sort of a national webinar, use electronic technologies kinds of approaches; taking that input and developing a draft policy; and then from there moving through internal review and clearance and getting the document again back out for an opportunity for folks to review and provide an additional round of comments and then a final policy ideally some time in the winter.

This is kind of hitting on the key points in terms of virtual, which is we will be setting up a website. We heard a number of comments about wanting to get as broad a range as possible of stakeholders to provide input into this policy. One avenue to do that was to create a website where folks would be able to go and provide comments in responses to some trigger questions that we will be putting up there.

As I mentioned, we will also host a national town hall and then also have the MAFAC Recreational Fishing Subgroup have an opportunity to weigh in. We will be hosting a state directors' meeting in September. We see that as a critical place where we will be able to get input as part of this. Also an interstate commission's webinar is another avenue. Here you have a list of where we would be planning to hold our listening sessions – they are generally in conjunction with council meetings – as an opportunity to get stakeholders while they're participating in those other meetings.

This brings me to my two requests. The first would be that we would be interested in being able to hold a stakeholder input session as part of the August commission meeting and so seeking feedback from this board and the commission on that concept.

The second idea would be again trying to improve our outreach and reaching as many anglers as we can – would be the interest of board members in providing information on the website access as part of public hearings or other outreach that you all are conducting throughout the summer where we could provide that information to you all and ask that you share that with your stakeholders as you're out and



about this summer. With that, I would happy to answer any questions and look forward to hearing the feedback.

CHAIRMAN DANIEL: Are there any questions for Kelly? Is there any objection to participating with them in August? Dave.

MR. SIMPSON: Kelly, do you have dates for the September state directors' meeting or is it still to be determined?

MS. DENIT: We do; September 8<sup>th</sup> through 10<sup>th</sup> is what we're looking at.

MR. FOTE: Over the years I've attended many of these meetings and this is probably one of the best run with the commission staff, Laura doing a great job of getting the housing arrangements and everything else, and Danielle basically coordinating and NMFS basically doing it. It was one of the best-run meetings I have been at in a long time and they've done a great job putting it together. I just want to compliment them.

Sometimes you go to these things and you say why am I wasting my time; and I don't think it was wasted time. I was interested in listening to all the Hawaii fishermen and they wanted to talk to me about a saltwater fishing license when I'm out there in December; so that should be an interesting meeting. They're one of the few states with like New Jersey and New York that don't have a saltwater fishing license.

CHAIRMAN DANIEL: I guess folks could get with you if they have constituent groups or meetings that they're going to hold over the summer to try to generate and get that material. You can certainly send me some. I have a lot over the next three months. Anything else?

### **HABITAT AND ARTIFICIAL REEF COMMITTEE REPORTS**

MS. KERNS: We were going to have a Habitat Committee and Law Enforcement Committee Report; but I'm going to quickly just go through. The Habitat Committee as well as the Artificial Reef Committee met since our last meeting in February. Their committee reports are on the briefing CD. Please look at them; they have been doing some great work.

The Artificial Reef Committee is going to be developing guidelines for marine artificial reef

materials – it will be the third edition – as well as they're going to look into doing a white paper on the long-term economic benefits of artificial reefs. The Habitat Committee will be doing for their habitat management series, Nearshore and Estuarine, Aquaculture, Sciaenid Habitat Source Document as well as a living shoreline guidance document, which will be an update from the first edition. The Habitat Hotline will look at adaptations to climate change.

### **LAW ENFORCEMENT COMMITTEE REPORT**

The Law Enforcement Committee met yesterday and today. We will send out a report on their meeting to the Policy Board.

### **OTHER BUSINESS**

CHAIRMAN DANIEL: All right, any other business? Tom.

MR. FOTE: Two interesting issues have come up in the last month in New Jersey, but I think it is affecting along the whole coast. The Army Corps of Engineers, in their usual ultimate wisdom, is looking for places to get beach replenishment sand. The Third District, which is Philadelphia, said we're going to do you a favor and take the Manasquan Ridge and make it a borrow pit and two other lumps on one of our artificial reefs. We're working on that.

The other one is seismic blasting. Keven Walken and a bunch of fishermen do the research on sturgeon; and they're proposing to do this sonic blasting in June and July when all the porpoises, turtles, sturgeon and everything else is out there. We shouldn't be doing it; plus it will chase whatever fish from both the commercial and the recreational sector away from that whole area.

Anybody is not realizing that the noise they generate with this sonic blast is 250,000 decibels when an airplane is 120 – I mean, so we have some resolutions going in from the New Jersey Legislature on that if some people want to see copies of this. The sand mining is one of the concerns because we have problems enough with surf clams and things like that and we don't want to destroy the places where they do if.

You know, it is interesting; in the documents is says these are important fishery areas; and, by the way, we're going to take and mine sands out of them. As far as the seismic blasting, they says, oh – and you'd appreciate this, Louis – they said that they could have

I think it was 620 takes. Now, isn't that nice; would you like 620 marine mammal takes. I mean, this is what they're proposing just for the one operation. And as you're familiar, this is not just going to happen in New Jersey. They're going up and down the whole coast on this. I thought I'd just bring that to your attention and maybe the Habitat Committee could look at it.

**ADJOURNMENT**

CHAIRMAN DANIEL: Anything else to come before the ISFMP Policy Board? If not, we will stand adjourned.

(Whereupon, the meeting was adjourned at 2:45 o'clock p.m., May 14, 2014.)