



Atlantic States Marine #3 Fisheries Commission

2019 Summer Meeting Summary

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

2019 Summer Meeting
Arlington, VA
August 6 - 8, 2019

Toni Kerns, ISFMP, or
Tina Berger, Communications
For more information, please contact
the identified individual at
703.842.0740

Meeting Summaries, Press Releases and Motions

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EXECUTIVE COMMITTEE (AUGUST 6, 2019)

Meeting Summary

The Executive Committee met and discussed several issues including: 1) development of a policy on non-payment of state assessments; 2) revised format for the Annual Report; 3) transition to state conduct of the For-Hire Telephone Survey; 4) a proposed resolution regarding biosecurity and bait sources; and 5) future Commission Annual Meetings. The following action items resulted from the Committee's discussions:

- Policy on non-payment of state assessments – Staff presented a discussion paper on non-payment of state appropriations. The paper notes that the Commission guiding documents do not provide any remedies to address late payments by member states. The paper also presents an example policy on addressing non-payment of state appropriations. The Executive Committee provided feedback on the example policy. Staff will further develop the policy for the Committee's review at the Annual Meeting.
- Revised Annual Report – The Executive Committee approved a shortened version of the Commission's Annual Report. The updated version will focus on the highlights of the Commission's activities while still meeting the obligation to annually report to Congress. The updated version will direct readers to the Commission website for additional details.
- Transition to state conduct of the For-Hire Telephone Survey (FHTS) – The Executive Committee agreed to transition the conduct of the FHTS to state conduct beginning on January 1, 2020. NOAA Fisheries will provide resources to support state conduct. The State of Delaware has asked ACCSP staff to conduct its relatively small number of FHTS calls.
- Proposed resolution regarding biosecurity and bait sources – The Executive Committee reviewed a draft resolution that details biosecurity risks and impacts associated with non-native bait sources. The resolution will be updated based on the Executive Committee feedback and presented to the ISFMP Policy Board for consideration at the Annual Meeting in October.
- Future Annual Meetings – The Commission's next three Annual Meetings will be held in New Hampshire (2019), New Jersey (2020), and North Carolina (2021).

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

Motions

No motions made.

SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (AUGUST 6, 2019)

Meeting Summary

The South Atlantic State/Federal Fisheries Management Board reviewed public comment and reports from the Advisory Panel and Cobia Technical Committee concerning Amendment 1 to the Interstate

Fishery Management Plan for Atlantic Migratory Group Cobia. Amendment 1 was approved by the Board and later by the Commission. Details of Amendment 1 are included in a press release under the Business Session section later in this document.

The Board also reviewed the 2019 Traffic Light Analyses (TLA) for Atlantic croaker and spot. The TLA assigns a color (red, yellow, or green) to categorize relative levels of indicators on the condition of the fish population (abundance metric) or fishery (harvest metric). For example, as harvest or abundance increases relative to its long-term mean, the proportion of green in a given year will increase and as harvest or abundance decreases, the amount of red in that year will increase. The Board annually evaluates amounts of red against threshold levels to potentially trigger management action. While both species have shown strong, long-term declines in harvest, management action was not triggered for either species because abundance metrics from fishery-independent surveys do not show similar declines. The Board initiated addenda to the Atlantic croaker and spot management plans during the May 2019 meeting that would update the TLAs to make abundance metrics more representative of trends in regional abundances of adult fish. These draft addenda are in development and will be presented to the Board in October, 2019.

The Board also elected to approve state compliance reports and Fishery Management Plan Reviews for Atlantic croaker and Atlantic cobia via email.

For more information, please contact Dr. Mike Schmidtke, Senior Fishery Management Plan Coordinator, at mschmidtke@asmfc.org or 703.842.0740.

Motions

Move to approve language addressing Issues 1 (Goal), 2 (Objectives), 4 (Commercial Landings Monitoring), and 11 (Commercial Quota Management) in Draft Amendment 1 to the Cobia FMP.

Motion made by Mr. Batsavage and seconded by Dr. Rhodes. Motion carries (10 in favor, 1 abstention).

Main Motion

Move to approve language addressing Issues 3 (Definition of Overfishing), 6 (Sector Quota Allocation), and 7 (Recreational Harvest Evaluation).

Motion made by Mr. Woodward and seconded by Ms. Fegley. Motion amended.

Motion to Amend

Move to amend to change in issue 7 “the underharvest evaluation time period to a minimum of two years.”

Motion made by Mr. Nowalsky and seconded by Mr. Woodward. Motion carries by consent.

Main Motion as Amended

Move to approve language addressing Issues 3 (Definition of Overfishing), 6 (Sector Quota Allocation), and 7 (Recreational Harvest Evaluation), with the underharvest evaluation time period changed to a minimum of two years.

Motion carries (10 in favor, 1 abstention).

Move to adopt Option B under Issue 5 coastwide total harvest quota, vessel limits, possession or bag limits, minimum size limits, and commercial closure triggering mechanism may be set for up to 3 years.
Motion made by Ms. Fegley and seconded by Mr. Woodward. Motion carries (10 in favor, 1 abstention).

Move to adopt Option B under Issue 8: Recreational landings, quotas, and targets will be evaluated and set in units of numbers of fish.

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

Main Motion

Move to adopt Option A, status quo, under Issue 9, commercial fisheries would continue to operate under a minimum size limit of at least 33 inches fork length or the total length equivalent (37 inches).

Motion made by Ms. Fegley and second by Mr. Nowalsky.

Motion to Substitute

Move to substitute “to adopt Option B, commercial fisheries would operate under a minimum size limit of at least 36 inches fork length or the total length equivalent (40 inches).”

Motion made by Mr. Batsavage and seconded by Mr. Bell. Motion fails (0 in favor, 9 opposed, 1 abstention, 1 null).

Main Motion

Move to adopt Option A, status quo, under Issue 9, commercial fisheries would continue to operate under a minimum size limit of at least 33 inches fork length or the total length equivalent (37 inches).

Motion made by Ms. Fegley and second by Mr. Nowalsky. Motion passes (10 in favor, 1 abstention).

Move to adopt Option A, status quo, under Issue 10: All states shall maintain a daily vessel limit, not to exceed 6 fish per vessel.

Motion made by Mr. Haymans and seconded by Ms. Bolen. Motion carries (10 in favor, 1 abstention).

Move to adopt Option B under Issue 12 which would allow states to apply for *de minimis* status for their commercial fishery.

Motion made by Ms. Fegley and seconded Mr. Bell. Motion carries (10 in favor, 1 abstention).

Move to adopt Option A for Issue 13: recommend to the Secretary to implement regulations in federal waters corresponding to vessels’ permitted/licensed state of landing (all sectors).

Motion made by Mr. Nowalsky and seconded by Ms. Fegley. Motion carries (9 in favor, 1 opposed, 1 abstention).

Move to recommend to the Commission the approval of Amendment 1 to the Cobia Interstate Fishery Management Plan as amended today, with an implementation date of July 1, 2020.

Motion made by Dr. Rhodes and second by Mr. Woodward. Motion carries unanimously. Roll Call: In favor – NJ, DE, MD, PRFC, VA, NC, SC, GA, FL, NMFS, and USFWS.

LEGISLATORS AND GOVERNORS' APPOINTEES

Meeting Summary

The Legislators and Governors' Appointees had a robust discussion about how best to address the impacts of shifting species distributions on our species management programs and in particular allocation among the states. Some of the issues discussed include:

- Building in the concept of conditional allocation into our management programs that would allow dynamic allocation based on resource health and distribution
- For quota managed species, establish a pool of unassigned quota that could either be used by the states that need it or hold it back when the species conservation demands it
- Recognition that the public is increasingly intolerant of allocation paralysis
- The observation that we may not be including important information or data on species due to the rigorous criteria maintained by our technical committees regarding the number of samples in a dataset or the limited time series of a data collection program
- The need to evaluate current studies identifying those species that are most vulnerable to distribution shifts
- The concept of using the market to determine species allocations between sectors
- How do you reallocate quota and maintain critical infrastructure that was created as a result of historical allocation schemes
- The recognition that if we don't address this head-on, someone else will force our hands to do so or will do it for us (e.g., Congress)

Based on this discussion, the LGAs recommended to the ISFMP Policy Board that it conduct a workshop to allow for a thorough discussion of shifting species distribution and reallocation that is not tied to a specific species. Further, the LGAs recommended that the staff draft a white paper that provided background on those species that are exhibiting distribution shifts with some examples of some species allocation schemes.

For more information, please contact Deke Tompkins, Legislative Executive Assistant, at dtompkins@asmfc.org or 703.842.0740.

AMERICAN EEL MANAGEMENT BOARD (AUGUST 6, 2019)

Meeting Summary

The American Eel Management Board met to receive an update on the Draft Coastwide Cap Coverage Policy and to consider Glass Eel Aquaculture Proposals. An Allocation Work Group met over the past year to develop a draft policy to address overages of the coastwide cap established under Addendum V. The Work Group discussed and evaluated different overage scenarios and how best to allocate potential reductions among jurisdictions that contribute 1% or more of the coastwide harvest. The draft policy will be presented to the Board at the Commission's Annual Meeting In October.

The Board was presented glass eel aquaculture proposals from North Carolina (two year proposal) and Maine (for 2020 only). Both states summarized their 2019 season, with the American Eel Farm (AEF) in North Carolina harvesting 13.82 pounds and American Unagi (AU) in Maine harvesting 130 pounds.

While AEF harvested 13.82 pounds no glass eels survived due to a total mortality event in June. For the upcoming fishing season, AEF proposed a number of changes, in particular changing the fishing year to be continuous over two calendar years, starting November 1 and ending March 31 the following year. AU chose not to harvest the full 200 pound allocation to prevent stressing the facility's capacity. AU proposed no changes to its monitoring or husbandry program for 2020, only a continuation of its previously approved proposal. The Technical Committee (TC) reviewed and approved both proposals. The TC recommended that future proposals include information on the waterbody harvest occurs in; catch per unit effort at the harvest site; and a summary of the previous year's harvest. The Law Enforcement Committee also reviewed the proposals and had no objections. The Board considered these reports and after a lengthy discussion approved both aquaculture proposals for one year with the specification that harvested eels will be grown out to the yellow eel life stage (min 9"). For the North Carolina proposal, the fishing season will start November 1, 2019 and end March 31, 2020.

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

Motions

Move to approve the 2020 aquaculture proposals (Maine 1 year, North Carolina 2 years) with the TC's recommendations and following the addendum to harvest up to 200 lbs per calendar year.

Motion made by Ms. Patterson and seconded by Mr. Geer. Motion split.

Move to approve Maine's 2020 aquaculture proposal with the TC's recommendation. Eels harvested will be grown out to the yellow eel life stage (minimum 9").

Motion made by Ms. Patterson and seconded by Mr. Geer. Motion passes (17 in favor).

Main Motion

Move to approve NC's 2020-2021 aquaculture proposal with the TC's recommendations. In 2019, there will be no fishing in Nov-Dec. As per the addendum, the facility can harvest up to 200 lbs per calendar year. Eels harvested will be grown out to the yellow eel life stage (minimum 9") and the Board will be provided with an annual review.

Motion made by Ms. Patterson and seconded by Mr. Geer.

Motion to Amend

Move to amend to remove 2021.

Motion made by Sen. Miner and seconded by Mr. Kane. Motion passes (10 in favor, 6 opposed, 1 abstention).

Main Motion as Amended

Move to approve NC's aquaculture proposal with the TC's recommendations for 2020 only. In 2019, there will be no fishing in Nov-Dec. As per the addendum, the facility can harvest up to 200 lbs per calendar year. Eels harvested will be grown out to the yellow eel life stage (minimum 9") and the Board will be provided with an annual review to approve the second year.

Motion to Substitute

Move to substitute to approve NC’s aquaculture proposal for up to 200 lbs for 2019-2020 (Nov 1st 2019-March 31st 2020) consistent with the TC’s recommendations. Eels harvested will be grown out to the yellow eel life stage (min 9”).

Motion made by Mr. Miller and second by Mr. Keliher. Motion passes (16 in favor, 1 abstention).

Main Motion as Substituted

Move to approve NC’s aquaculture proposal for up to 200 lbs for 2019-2020 (Nov 1st 2019-March 31st 2020) consistent with the TC’s recommendations. Eels harvested will be grown out to the yellow eel life stage (min 9”).

Motion carries without objection.

HORSESHOE CRAB MANAGEMENT BOARD (AUGUST 6, 2019)

Meeting Summary

The Horseshoe Crab Management Board discussed responses to the 2019 Horseshoe Crab Benchmark Stock Assessment, approved for management use in May 2019. The assessment evaluated the stock status of the resource by region, assigning statuses of “Good” to the Southeast (NC-FL) population, “Neutral” to the Northeast (MA-RI), Delaware Bay (NJ-VA), and coastwide populations, and “Poor” to the New York population (CT-NY). These statuses were based on trends of fishery-independent surveys in the respective regions.

The Board previously directed the Delaware Bay Ecosystem Technical Committee and Adaptive Resource Management Subcommittee to incorporate Delaware Bay population estimates from the assessment’s Catch Multiple Survey Analysis. Staff updated the Board that these groups will meet to discuss how to best accomplish this in September 2019.

The Board discussed response to the “Poor” status of the New York population. New York and Connecticut representatives informed the Board of plans to require bait bags for New York’s and Connecticut’s whelk fisheries, which use horseshoe crab as bait. The states indicated other management actions may be considered as well. The Board determined that management actions at the state level, rather than through a management document, would be appropriate and requested that progress of population rebuilding in the New York region be tracked by reporting of annual abundance indices in the region through the annual Fishery Management Plan Review.

Finally, the Board directed the Horseshoe Crab Technical Committee to work with staff from the Northeast Fisheries Science Center’s Fisheries Observer Program to improve estimates of horseshoe crab discards and associated mortality.

For more information, please contact Dr. Michael Schmidtke, Fishery Management Plan Coordinator, at mschmidtke@asmfc.org.

Motions

No motions made.

ATLANTIC MENHADEN MANAGEMENT BOARD (AUGUST 6, 2019)

Press Release

ASMFC Atlantic Menhaden Board Maintains TAC at 216,000 MT for 2020

Arlington, VA – The Commission’s Atlantic Menhaden Management Board maintained the total allowable catch (TAC) of 216,000 mt for the 2020 fishing season with the option to revisit the 2020 TAC following review of the 2019 single-species and ecological reference point benchmark stock assessments and peer-review reports. The TAC will be made available to the states based on the state-by-state allocation established by Amendment 3 (see accompanying table).

The 2019 benchmark stock assessments are scheduled for peer review at the Southeast Data, Assessment and Review process (SEDAR 69) in early November. It is expected the benchmark assessments and peer-review reports will be available for Board review in February 2020. The assessments will be used to evaluate the health of the stock and inform the management of the species in an ecological context. Should the Board determine a change in the quota is necessary after review of the assessments, a two-thirds vote would be required for reconsideration of the 2020 TAC.

For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at mappelman@asmfc.org or 703.842.0740

Motions

Move to approve the 2019 Atlantic Menhaden FMP Review, state compliance reports, and *de minimis* status for Pennsylvania, South Carolina, Georgia, and Florida.

Motion made by Mr. Hasbrouck and seconded by Mr. Kane. Motion carries without opposition.

Move to maintain the TAC for 2020 at 216,000 metric tons with the option to revisit the 2020 TAC following review of the 2019 single-species and ecological reference point benchmark stock assessments and peer-review reports.

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

2020 ATLANTIC MENHADEN QUOTAS			
		Metric Tons	Pounds
TAC		216,000	476,198,486
1% Set Aside*		2,160	4,761,985
TAC After Set Aside		213,840	471,436,501
STATE	ALLOCATION	QUOTA (MT)	QUOTA (LBS)
ME	0.52%	1,106	2,437,866
NH	0.50%	1,069	2,357,313
MA	1.27%	2,725	6,008,565
RI	0.52%	1,107	2,440,542
CT	0.52%	1,103	2,431,491
NY	0.69%	1,477	3,256,768
NJ	10.87%	23,250	51,257,740
PA	0.50%	1,069	2,357,183
DE	0.51%	1,096	2,416,467
MD	1.89%	4,038	8,901,558
PRFC	1.07%	2,295	5,060,296
VA	78.66%	168,213	370,846,528
NC	0.96%	2,044	4,507,320
SC	0.50%	1,069	2,357,183
GA	0.50%	1,069	2,357,183
FL	0.52%	1,108	2,442,500
TOTAL	100%	213,840	471,436,501
*1% of the TAC is set aside for episodic events, the remaining TAC is allocated to the states per the provisions of Amendment 3. Quotas may be adjusted pending final 2019 landings and the redistribution of any relinquished quota.			

INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (AUGUST 7, 2019)

Meeting Summary

The ISFMP Policy Board opened its meeting by taking a moment of silence to honor the life of Captain Ed O'Brien who passed away on June 1. The Board was presented summaries of the Executive Committee (see Executive Committee meeting summary), State Director's and the Legislative and Governors' Appointee (LGAs) meetings (see LGA meeting summary). The LGAs recommend the Policy Board conduct a workshop to allow for a discussion of shifting species distribution and reallocation that is not tied to a specific species. It further recommended the staff draft a white paper to provide background on those species exhibiting distribution shifts with some examples of species allocation schemes. Given there are a number of related efforts in process regarding the impact of changing ocean conditions of fishery resources, staff will work with leadership to determine how best to move forward on this issue.

As a part of the Commission's 2019 Action Plan, the Policy Board conducted a review of stock rebuilding performance to determine if rebuilding for each species is consistent with the Commission Vision and Goals. The Board reviewed the rebuilding progress for each of the species under Commission management. This review was intended to determine if the progress toward each species rebuilding goals was occurring at an appropriate rate. The Board focused on the species in the categories of "concern," "depleted," and "unknown" in their discussions, as well as the species board's response to scientific advice. It was noted while striped bass was placed in the depleted category (it did not fit into any of the 5 commission status categories) it was not considered depleted relative to Commission's definition of a depleted stock, it is overfished. Staff will work to present revised stock categories for Board review.

The Board reviewed and approved changes to two Commission guidance documents and approved a new guidance document. The ISFMP Charter was revised to reflect the number of public hearings (4) required under the Atlantic Coastal Act for FMPs/Amendments. The Technical Guidance and Benchmark Stock Assessment document was revised to add ACCSP Committees and provide greater clarity to Commission processes. In recent years, Commission management boards have established Work Groups (WG) to further explore complex management issues. The process and procedures in which individual WG and boards follow has varied. In order to have consistency and transparency in the WG process, the Board approved standard operating policies and procedures for WGs.

The Commission has been discussing ways to improve enforcement capabilities of the offshore lobster fishery. An Offshore Lobster Enforcement Vessel Working Group was formed to develop a plan for logistic support and staffing of an offshore enforcement vessel. The group is recommending a 55-foot vessel be constructed with funds from the NOAA Asset Forfeiture Fund. In addition, it believes a larger steel hull vessel is still needed for long-term enforcement of the offshore fishery. Maine will continue to develop a plan and cost estimate for construction and maintenance of the 55-foot vessel.

Dr. Lisa Havel provided an update for the Policy Board regarding the Atlantic Coastal Fish Habitat Partnership (ACFHP). The ACFHP Steering Committee met in May and received updates on the Southeast and Northeast Fish Habitat Conservation Prioritization; FY2019 project funding; the Business Plan finalization and next steps; discussed outreach and communications initiatives; came to consensus on the 2019 Melissa Laser Fish Habitat Conservation Award recipients; and reviewed the current action plan. Jeff Beal from Florida Fish and Wildlife Conservation Commission also provided a presentation on

local fish habitat conservation work. The FY2020 National Fish Habitat Action Plan – US Fish and Wildlife Service on-the-ground conservation funding RFP is now open, with a September 13th deadline to submit proposals. For more information, visit: <https://www.atlanticfishhabitat.org/fy2020-atlantic-coastal-fish-habitat-partnership-application-cycle/>. Hab in the MAB: Research on Black Sea Bass Habitat Use was completed this spring, and the final report was received in May. Results will be presented to the Summer Flounder, Scup, Black Sea Bass Management Board later this week. The project came in under budget and was granted a no-cost extension through the rest of the year to complete some additional habitat research, present its findings, publish its results, and replace some SCUBA gear. ACFHP endorsed two projects – a salt marsh wetland hydrology project in Brookhaven, New York (led by NYS DEC) and an oyster shell recycling program in Atlantic County, New Jersey (led by NJ DEP). ACFHP welcomed two new partners: The Pew Charitable Trusts and Mid-Atlantic Fishery Management Council.

The Policy Board discussed the importance of the Hook and Line Striped Bass Tagging Survey and the critical need to find long-term funding. The tagging information is used for the assessment and management of the resource. Staff will work with leadership to explore options for funding. Lastly, the Policy Board agreed to have staff draft comments to NOAA Fisheries for Board review on the goals and objectives of the Atlantic Large Whale Take Reduction Team Plan

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

Motions

Move to approve changes to the ISFMP Charter, changes to the Technical Guidance and Benchmark Stock Assessment document, and approve Working Group SOPPs as modified today. Motion made by Mr. Abbott and seconded by Dr. Davis. Motion passes by unanimous consent.

COMMITTEE ON ECONOMICS AND SOCIAL SCIENCES (AUGUST 7, 2019)

Meeting Summary

The Committee on Economics and Social Sciences (CESS) met to review Committee activities and discuss plans for the future. CESS species representatives (Committee members serving as liaisons for ASMFC species) provided updates on their respective species and any socioeconomic information they developed to support management. The Committee met with ASMFC staff to discuss the Commission's socioeconomic information needs, as well as ways to improve Committee integration with ASMFC processes. The CESS also reviewed the Commission's draft Risk and Uncertainty Policy. The Committee will continue to develop feedback on the Policy to be provided to the Risk and Uncertainty Work Group.

For more information, Please contact Sarah Murray, Fisheries Science Coordinator, at smurray@asmfc.org or 703.842.0740.

BUSINESS SESSION (AUGUST 7, 2019)

Press Release

ASMFC Approves Atlantic Cobia Amendment 1

Arlington, VA – The Atlantic States Marine Fisheries Commission approved Amendment 1 to the Interstate Fishery Management Plan (FMP) for Atlantic Migratory Group Cobia (Atlantic cobia). Amendment 1 establishes management measures that transition the FMP from complementary management with the South Atlantic and Gulf of Mexico Fishery Management Councils to sole management by the Commission. Amendment 1 to the FMP was initiated in anticipation of the Councils' Regulatory Amendment 31 to the Coastal Migratory Pelagics (CMP) FMP, which was approved earlier this year and removed Atlantic cobia from the Councils' oversight.

Amendment 1 changes several portions of the Commission's FMP that were previously dependent on the CMP FMP and institutes a long-term strategy for managing in the absence of a federal plan. Several of these changes establish processes for the Commission to carry out management responsibilities previously performed by the South Atlantic Council, including setting of harvest quotas and sector allocations, defining stock status criteria, and recommending management measures to be implemented by NOAA Fisheries in federal waters. Additionally, Amendment 1 transitions responsibilities of monitoring and closing (if necessary) commercial harvest to the Commission.

Moving forward, the Commission will recommend to NOAA Fisheries that fishing in federal waters be regulated according to the state of landing. If a vessel has licenses for multiple states with open seasons, they must follow the most restrictive license's regulations. If a vessel has licenses for multiple states, only one of which has an open season, they may fish under the regulations of the open state. Regulations resulting from this recommendation would only apply in federal waters. Fishermen would still be required to follow state possession or landing limits in state waters.

Amendment 1 establishes a harvest specification process, which allows the Board to specify a limited set of management measures for up to 3 years. One of the measures that may be set through this process is a coastwide harvest quota. However, until the first specification process occurs, after completion of the ongoing stock in 2020, the current coastwide quota (670,000 pounds) remains in effect.

The Amendment also changes the units used to measure and evaluate the recreational fishery from pounds numbers of fish. To accommodate this change, the recreational harvest quota in pounds (620,000) is converted to numbers (22,142 fish) and allocated among the states, resulting in the following state recreational harvest targets:

- Virginia: 8,724 fish
- North Carolina: 8,436 fish
- South Carolina: 2,679 fish
- Georgia: 2,081 fish
- 1% *De Minimis* Set Aside: 222 fish

States still may set their own seasons and vessel limits to achieve their respective targets.

Finally, Amendment 1 establishes a *de minimis* status for the commercial sector that exempts states with small commercial harvests from in-season monitoring requirements. States are required to implement measures of Amendment 1 by July 1, 2020. Amendment 1 will be available on the Commission's website, <http://www.asmf.org/species/cobia>, by the end of August.

For more information, please contact Dr. Michael Schmidtke, Fishery Management Plan Coordinator, at mschmidtke@asmfc.org or 703.842.0740.

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PR19-22

Motions

On behalf of the South Atlantic State/Federal Fisheries Management Board, move to approve Amendment 1 to the Cobia Interstate Fishery Management Plan, with an implementation date of July 1, 2020.

Motion made by Mr. Geer. Motion passes by unanimous consent. Roll Call: In Favor – ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, VA, NC, SC, GA, FL.

SPINY DOGFISH MANAGEMENT BOARD (AUGUST 7, 2019)

Meeting Summary

The Spiny Dogfish Management Board met to consider approval of Draft Addendum VI for public comment. The Draft Addendum proposes allowing commercial quota to be transferred between all regions and states. The Commission's FMP allocates the coastwide quota to the states of Maine-Connecticut as a regional allocation and to the states of New York- North Carolina as state-specific allocations. Currently, the FMP only allows quota transfers between states with individual allocations. Consequently, regions are unable to benefit from quota transfers, which assists in the full utilization of the coastwide quota and avoiding quota payback requirements for unintended quota overages. The 2019–2020 coastwide quota was reduced by 46% due to declining biomass as indicated in the 2018 stock assessment update. If landings in the 2019-2020 fishing year remain status quo, the coastwide quota would not be exceeded but some states could face an early quota closure.

The Board considered the Draft Addendum and discussed the benefits of including quota overage forgiveness for state and regions when they have exceeded their allocation but the coastwide quota has not been exceeded. Given the FMP allows states and regions to rollover up to 5% of unused quota when the projected spawning stock biomass (SSB) is above the SSB target, the Board opted not to include a quota overage forgiveness option. The Board also discussed whether to scope public comment on the concept of eliminating the current federal commercial trip limit as part of the Draft Addendum. The Board provisionally approved Draft Addendum VI pending the addition of language to the document that will ask the public to comment on the federal commercial trip limit. It is anticipated the Draft Addendum will be available in mid-August for public comment, with information on public hearings and the public comment process to be included in a future press release.

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

Motions

Move provisional approval of Draft Addendum VI for public comment subject to inclusion of the overage forgiveness option and to scope on the concept of eliminating the federal commercial trip limit to be replaced by the state trip limits (NC-NY) and northern region trip limit.

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

Move to amend to strike quota forgiveness from this motion.

Motion made by Ms. Ware and seconded by Mr. Plumlee. Motion carries (11 in favor, 1 opposed).

Main Motion as Amended

Move provisional approval of Draft Addendum VI for public comment subject to the addition of scoping on the concept of eliminating the federal commercial trip limit to be replaced by the state trip limits (NC-NY) and northern region trip limit.

Motion carries unanimously (12 in favor).

SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (AUGUST 7, 2019)

Meeting Summary

The Summer Flounder, Scup, and Black Sea Bass Management Board met to consider potential black sea bass commercial management strategies related to state-by-state allocations; receive an update on the management strategy evaluation of the summer flounder recreational fishery; receive a report on the Atlantic Coastal Fish Habitat Partnership and Mid-Atlantic Fishery Management Council funded project on Characterizing Black Sea Bass Habitat in the Mid-Atlantic Bight; discuss discard mortality; and receive a progress update on the recreational management reform working group.

First, the Board reviewed strategies for addressing black sea bass commercial state-by-state allocations that were presented in the [Plan Development Team Report](#) in May 2019, which included 1) status quo commercial allocations; 2) a dynamic approach that gradually shifts allocations over time based on a combination of historical resource utilization and current stock distribution information (referred to as the TMGC approach); 3) trigger-based allocation approaches, and 4) hybrid approaches that combine multiple options. In addition, the Board reviewed strategies proposed by the State of Connecticut to address their disproportionately low allocation of 1%. The Board agreed to move forward with development of all of these proposed options and to consider initiating a management action after the Mid-Atlantic Fishery Management Council (Council) has had an opportunity to provide input at the October joint meeting of the Board and Council. In addition to discussing allocation strategies, the Board drafted a goal statement to reflect the variety of factors guiding the development of black sea bass commercial management options.

Next, Dr. Jason McNamee (RI DEM) provided an update on the ongoing development of the Management Strategy Evaluation Project on summer flounder recreational management strategies. The project has produced a web application tool which allows managers to manipulate recreational

measures and forecast harvest and discards. If desired, this fishery management tool could be applied to the black sea bass recreational fishery.

Dr. Brad Stevens of the University of Maryland Eastern Shore presented his research on characterizing black sea bass habitat in the Mid-Atlantic Bight, which was funded by the Council and the Atlantic Coast Fish Habitat Partnership and completed earlier this year. The study found black sea bass abundance is positively associated with submerged hard structures dominated by sea whips. Additionally, degradation of sea whips in the Mid-Atlantic Bight may result in a reduction in black sea bass habitat.

The Board reviewed information on discard mortality in the summer flounder, scup and black sea bass fisheries, with a particular focus on black sea bass recreational discards. In recent years, the summer flounder and black sea bass fisheries have experienced an increase in dead discards relative to total landings, in part due to reduced catch limits and management measures. Additionally, recent studies have prompted concerns that the 15% mortality rate assumed in the stock assessment may not reflect the actual recreational mortality rate for black sea bass. In light of this information, the Board will discuss next steps with regards to prioritizing and addressing discard mortality issues at the Commission's Annual Meeting in October.

Lastly, the Board was updated on the Recreational Management Reform Working Group's progress since the Joint Commission/Council meeting in March. To date the group's efforts have focused on identifying strategies to increase management stability and flexibility, while reducing the administrative burden of the annual evaluation and setting of recreational measures. The Working Group will continue to develop potential approaches to be presented to the Board and Council at the joint meeting in October.

For more information on black sea bass, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org. For more information on summer flounder and scup, please contact Dustin Colson Leaning, Fishery Management Plan Coordinator, at dleaning@asmfc.org.

Motions

No motions made.

TAUTOG MANAGEMENT BOARD (AUGUST 7, 2019)

Meeting Summary

The Tautog Management Board met to review the Draft Implementation Guidelines (guidelines) for the commercial harvest tagging program, which will be implemented by the states in January 2020. Staff outlined the tagging program requirements as specified in Amendment 1 and summarized the implementation guidelines, emphasizing the guidelines are recommendations intended to enhance the enforceability and compatibility of state regulations, not compliance requirements. In addition, staff presented comments from the Technical Committee and Advisory Panel on the guidelines, including challenges that may be encountered during the first year of implementation.

The Board discussed components of the guidelines that may present practical difficulties for implementation, including tag expiration. Rather than specifying a required coastwide tag expiration date, the Board modified the guidelines to clarify that commercial tags should expire at the end of the

fishing year in each state, unless a state determines this would unnecessarily restrict harvest and sale at the end of the year in which case the state can establish an alternative expiration date.

Each state will submit a tag order request to the Commission within the next two months, and tags will be distributed to the states before the end of the year. Considering the Board discussion, some states indicated they may not be able to implement the tagging program by January 2020. States will notify the Commission by September 15 if they anticipate being unable to meet the implementation date.

Finally, the Board reviewed and approved the 2019 Fishery Management Plan Review for the 2018 Fishing Year and elected Bill Hyatt, governor's appointee for the state of Connecticut, as Vice-Chair.

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

Motions

Move to accept the 2019 Tautog FMP Review and state compliance reports and approve *de minimis* status for Delaware and Maryland.

Motion made by Mr. Kane and seconded by Mr. Borden. Motion passes by unanimous consent.

Move to elect Bill Hyatt (CT) as Vice-Chair of the Tautog Management Board.

Motion made by Mr. Davis and seconded by Dr. McNamee. Motion passes by unanimous consent.

ATLANTIC STRIPED BASS MANAGEMENT BOARD (AUGUST 8, 2019)

Press Release

Atlantic Striped Bass Management Board Approves Draft Addendum VI for Public Comment

Arlington, VA – The Commission's Atlantic Striped Bass Management Board (Board) approved Draft Addendum VI for public comment. The Addendum was initiated in response to the 2018 Benchmark Stock Assessment which indicates the resource is overfished and experiencing overfishing. The Draft Addendum explores a range of management alternatives designed to end overfishing and reduce fishing mortality to the target level in 2020.

"The Draft Addendum is a critical first step to stem overfishing as quickly as possible and begin efforts to rebuild the biomass," said Board Chair Dr. Michael Armstrong with the Massachusetts Division of Marine Fisheries. "Following approval of the Addendum, the Board will likely initiate a new amendment to consider a longer term strategy to fully rebuild the resource."

The Draft Addendum proposes management options for both commercial and recreational sectors in the ocean and in Chesapeake Bay in order to reduce total fishery removals by 18% relative to 2017 levels. The proposed measures include reduced quotas for commercial fisheries, and changes in bag limits, minimum sizes, and slot size limits for the recreational sector. Since catch and release practices represent a significant component of overall fishing mortality, the Draft Addendum also explores the

mandatory use of circle hooks when fishing with bait to reduce release mortality in recreational striped bass fisheries.

It is anticipated the majority of Atlantic coastal states will conduct public hearings on the Draft Addendum; a subsequent press release will announce the details of those hearings once they become finalized. Fishermen and other interested groups are encouraged to provide input on the Draft Addendum either by attending state public hearings or providing written comment. The Draft Addendum will be available on the Commission website (www.asmfc.org) under Public Input by August 19th. Public comment will be accepted until 5:00 PM (EST) on September 27, 2019 and should be forwarded to Max Appelman, Fishery Management Plan Coordinator, 1050 N. Highland St, Suite A-N, Arlington, VA 22201; 703.842.0741 (FAX) or at comments@asmfc.org (Subject line: Draft Addendum VI). Organizations planning to release an action alert in response to Draft Addendum VI should contact Max Appelman at mappelman@asmfc.org or 703.842.0740.

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PR19-23

Motions

Move to adopt Draft Addendum VI to Amendment 6 of the Striped Bass FMP for public comment.

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

Motion to Amend

Motion to amend to include an option under section 2.2.6 that conservation equivalency will not be permitted while the Atlantic Striped Bass stock is overfished or experiencing overfishing.

Motion made by Mr. Abbott and seconded by Mr. McMurray. Motion fails (2 in favor, 12 in favor, 2 abstention).

Motion to Amend

Move to amend to add two sub-options under section 3.1 2-A4 and 3-A4 to include a slot size limit with a 30" minimum size limit and a maximum size limit that meets the required reduction for the two different sections.

Motion made by Mr. Hasbrouck and seconded by Mr. Batsavage. Motion passes unanimously (16 in favor).

Motion to Amend

Move to amend to remove from Draft Addendum VI language that exempts states with minimum size fish lower than the FMP standard from conservation equivalency so that all states are required to submit a conservation equivalency proposal.

Motion made by Mr. Gilmore and seconded by Ms. Ware. Motion (11 in favor, 4 opposed, 1 abstentions).

Main Motion as Amended

Move to add two sub-options under section 3.1 2-A4 and 3-A4 to include a slot size limit with a 30" minimum size limit and a maximum size limit that meets the required reduction for the two different sections; remove from Draft Addendum VI language that exempts states with minimum size fish lower than the FMP standard from conservation equivalency so that all states are required to submit a

conservation equivalency proposal; and adopt Draft Addendum VI to Amendment 6 of the Striped Bass FMP for public comment as modified today.

Motion passes unanimously.

Main Motion from May 2019

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

Motion to Amend from May 2019

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

Move to postpone to the Spring Meeting 2020.

Motion made by Mr. Luisi and seconded by Mr. Gary. Motion passes (11 in favor, 5 opposed).

WIND POWER WORKSHOP FOR NEW ENGLAND & MID-ATLANTIC COMMISSIONERS AND NOAA FISHERIES (AUGUST 8, 2019)

Meeting Summary

The Commission ended its Summer Meeting with a Wind Power Workshop, with a focus on wind energy activities in New England and the Mid-Atlantic. The Workshop was largely informational with presentations on the issues, challenges and opportunities surrounding wind energy development and fisheries; the role of NOAA Fisheries and the states in offshore wind activities, including policies and associated research activities; and fishing industry engagement in research and development. Workshop participants had a productive discussion on how best to coordinate state and federal activities and suggested the Commission could play a coordination role in scheduling meetings among the states, federal agencies, industry and NGOs, as well as tracking available science and research activities regarding the impacts to fisheries from offshore wind energy.

Links to additional resources and information on wind energy activities and fisheries (as provided in the presentations) follow:

- <https://www.mass.gov/doc/ma-dmf-recommended-fisheries-studies-for-offshore-wind-development-draft-for-public-review/download>
- <https://www.mass.gov/doc/management-objectives-and-research-priorities-for-offshore-wind-and-fisheries/download>
- <http://www.dpuc.state.ct.us/DEEPEnergy.nsf/c6c6d525f7cdd1168525797d0047c5bf/d3d132f10da308ea8525844f00683853?OpenDocument>
- <https://seagrant.gso.uri.edu/recreational-and-commercial-fishermen-view-the-block-island-wind-farm-through-a-different-lens/>
- <http://www.mafmc.org/northeast-offshore-wind>
- <https://www.nefmc.org/library/april-2019-offshore-wind-in-the-northeast-region-special-session>

- <http://www.briloon.org/offshorewindny>
- http://www.dem.ri.gov/programs/bnatres/fishwild/pdf/RIDEM_VMS_Report_2017.pdf
- http://www.dem.ri.gov/programs/bnatres/fishwild/pdf/RIDEM_VMS_Report_2018.pdf
- http://www.dem.ri.gov/programs/bnatres/marine/pdf/RIDEM_VWValue.pdf
- http://www.dem.ri.gov/programs/bnatres/marine/pdf/W_NYCACom.pdf
- <http://www.dem.ri.gov/programs/marine-fisheries/offshore-wind.php>

Workshop presentations and an audio link of the proceedings will be available early next week at <http://www.asmfc.org/home/2019-summer-meeting>.