



Atlantic States Marine Fisheries Commission

2021 Summer Meeting Webinar Summary

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

2021 Summer Meeting Webinar
August 2-5, 2021

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

TABLE OF CONTENTS

AMERICAN LOBSTER MANAGEMENT BOARD (AUGUST 2, 2021)	3
<i>Press Release</i>	3
<i>Meeting Summary</i>	3
<i>Motions</i>	4
ATLANTIC LARGE WHALE TAKE REDUCTION TEAM UPDATE (AUGUST 2, 2021)	5
<i>Meeting Summary</i>	5
ATLANTIC STRIPED BASS MANAGEMENT BOARD (AUGUST 3, 2021)	5
<i>Press Release</i>	5
<i>Meeting Summary</i>	6
<i>Motions</i>	7
TAUTOG MANAGEMENT BOARD (AUGUST 3, 2021)	7
<i>Meeting Summary</i>	7
<i>Motions</i>	8
SCIAENIDS MANAGEMENT BOARD (AUGUST 3, 2021)	8
<i>Meeting Summary</i>	8
<i>Motions</i>	9
EXECUTIVE COMMITTEE (AUGUST 4, 2021)	9
<i>Meeting Summary</i>	9
<i>Motions</i>	10
SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD CONCURRENT WITH THE MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (AUGUST 4, 2021)	11
<i>Press Release</i>	11

<i>Motions</i>	12
ATLANTIC MENHADEN MANAGEMENT BOARD (AUGUST 4, 2021)	13
<i>Press Release</i>	13
<i>Meeting Summary</i>	14
<i>Motions</i>	15
WIND ENERGY DEVELOPMENT WORKSHOP (AUGUST 5, 2021)	15
<i>Meeting Summary</i>	15
ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM COORDINATING COUNCIL (AUGUST 5, 2021)	15
<i>Meeting Summary</i>	15
<i>Motions</i>	16
INTERSTATE FISHERIES MANAGEMENT PROGRAM (ISFMP) POLICY BOARD (AUGUST 5, 2021)	16
<i>Meeting Summary</i>	16
<i>Motions</i>	18
BUSINESS SESSION (AUGUST 5, 2021)	19
<i>Press Release</i>	19
<i>Motions</i>	20

AMERICAN LOBSTER MANAGEMENT BOARD (AUGUST 2, 2021)

Press Release

ASMFC American Lobster Board Initiates Draft Addendum XXIX

The Commission's American Lobster Management Board initiated Draft Addendum XXIX to Amendment 3 to the Interstate Fishery Management Plan for American Lobster. The Draft Addendum considers implementing electronic tracking requirements for federally-permitted vessels in the American lobster and Jonah crab fishery, with the goal of collecting high resolution spatial and temporal effort data.

"In my opinion, this is the single most important thing the American Lobster Board can do to ensure the viability of the American lobster fishery," stated Board Chair Dan McKiernan from Massachusetts. "Through the proposed action, the Board seeks to significantly improve our understanding of stock status, identify areas where lobster fishing effort might present a risk to endangered North Atlantic right whales, and provide important information to help reduce spatial conflicts with other ocean uses, such as wind energy development and aquaculture."

A number of challenges facing the fishery (e.g., rising water temperatures, protected species interactions, reduced recruitment) present a critical need for the collection of enhanced spatial and temporal data via electronic tracking devices in the offshore fishery. The stock assessment models that estimate exploitation and abundance for American lobster could be greatly improved with these data, as they would provide size composition data at a finer resolution than what is currently available. Additionally, the models used to assess the location of vertical lines in the fishery and their associated risk to endangered right whales could be substantially improved with vessel tracking data, which could impact federal risk reduction requirements for the fishery. Better understanding the footprint of the U.S. lobster fishery will also be vital to ocean planning efforts to minimize spatial conflicts with other ocean uses such as aquaculture, marine protected areas, and offshore energy development, as well as provide fishery managers tools to help maintain industry fishing grounds. Furthermore, vessel tracking could improve the efficiency and efficacy of offshore law enforcement efforts.

Draft Addendum XXIX will propose specifications for tracking devices to ensure the collected data meet both management and assessment needs. These specifications include data reporting rates, preferred technologies, and minimum standards for tracking devices. Implementation timelines, as well as budgetary and staff resource needs will be further discussed as the Draft Addendum is developed. For more information, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org or 703.842.0740.

###

PR21-14

Meeting Summary

In addition to initiating a Draft Addendum to consider implementing electronic tracking requirements for federally-permitted vessels in the American lobster and Jonah crab fishery, the American Lobster Management Board (Board) considered a number of items: a progress report on the development of Draft Addendum XXVII on Gulf of Maine/Georges Bank resiliency, a Jonah Crab pre-assessment report

and recommendations on initiating a stock assessment from the Jonah Crab Technical Committee (TC), and paths forward for developing a management strategy evaluation (MSE) for the lobster fishery.

Staff updated the Board on the development of the Draft Addendum XXVII, which aims to proactively increase biological resiliency of the Gulf of Maine/Georges Bank (GOM/GBK) stock. The Plan Development Team (PDT) provided draft management options and considerations for developing a trigger mechanism that would automatically implement management measures to improve the biological resiliency of the GOM/GBK stock if the trigger is reached. The TC also provided preliminary recommendations for defining management triggers based on indices of abundance and identified management measures most likely to increase stock resiliency, such as changes to minimum and maximum gauge sizes. The TC is currently developing an analysis to project the impacts of various gauge size changes on the stock and the fishery. The PDT will finalize the Draft Addendum based on the results of this analysis, and the Board will consider Draft Addendum XXVII for public comment in October 2021.

The Jonah Crab TC Chair presented a pre-assessment report to the Board, which provided the TC's evaluation of available data sets, findings on potential approaches for a near-term stock assessment to provide management advice, and research recommendations to advance future stock assessments. To date, there is no range-wide stock assessment of Jonah crab, stock status is unknown, and there has been limited science-based advice available to support management of the fishery. Given the data available, a steady increase in landings as the fishery has developed, and persistent uncertainty about sustainability and market limitations, the TC recommends moving forward with a stock assessment. The TC believes conducting a near-term stock assessment would help answer questions about the status and sustainability of the resource and provide more information with which to manage the fishery in a shorter timeframe. The Board agreed with this recommendation and approved the initiation a stock assessment for Jonah crab to be completed in 2023.

The Board also discussed proposed paths forward for the development of a management strategy evaluation (MSE) for the lobster fishery. In May, the TC recommended the Board pursue a two-phase MSE focused on the Gulf of Maine/Georges Bank (GOM/GBK) stock, with the goal of providing short-term management guidance while concurrently building the framework to expand the MSE to a spatially explicit approach. As the first steps in the MSE process, the TC recommended 1) forming a steering committee composed of Board and TC members, Commission staff, members of the Commission's Committee on Economics and Social Sciences, industry stakeholders, and individuals with past experience in MSE, and 2) conducting a workshop to develop management goals and objectives. Though the Board expressed interest in pursuing an MSE, it postponed development of an MSE in order to prioritize ongoing work on other actions. Considering current workloads for Draft Addenda XXVII and XXIX, the Board again agreed to delay discussing next steps for MSE until its next meeting.

For more information, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org or 703.842.0740.

Motions

Move to initiate an addendum to implement electronic tracking for federally-permitted vessels in the lobster and Jonah crab fishery, with the goal of collecting high resolution spatial and temporal effort data. This tracking data shall be collected under the authority of the Atlantic Coastal Fisheries

Cooperative Management Act. The PDT should use the Work Group report on vessel tracking as guidance when developing options and system characteristics.

Motion made by Mr. Reid and seconded by Ms. Patterson. Motion approved by unanimous consent.

Move to initiate a stock assessment for Jonah crab to be completed in 2023

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

ATLANTIC LARGE WHALE TAKE REDUCTION TEAM UPDATE (AUGUST 2, 2021)

Meeting Summary

NOAA Fisheries provided an overview of North Atlantic right whale mortalities and gear interactions by fishery and gear type along the Atlantic coast. It also updated the states on its efforts and those of the Atlantic Large Whale Take Reduction Team to develop recommendations to modify the Atlantic Large Whale Take Reduction Plan (ALWTRP) to reduce risk to North Atlantic right whales in a number of fisheries. There are two rulemakings in process. Phase I focuses on the Northeast American lobster and Jonah crab trap fisheries, and is in its final stages of rulemaking. Phase 2 focuses on a number of additional fisheries, including gillnets on a coastwide basis and Atlantic mixed species trap/pot fisheries, and is in the initial scoping phases. The video of this session, can be found [here](#).

For more information, please contact Colleen Coogan with NOAA Fisheries at colleen.coogan@noaa.gov or visit the ALWTRP webpage at <https://www.fisheries.noaa.gov/new-england-mid-atlantic/marine-mammal-protection/atlantic-large-whale-take-reduction-plan>.

ATLANTIC STRIPED BASS MANAGEMENT BOARD (AUGUST 3, 2021)

Press Release

**States Achieve Required Coastwide Reductions in Atlantic Striped Bass Total Removals
*Development of Draft Amendment 7 Continues; Board Initiates Addendum to Amendment 6***

The Commission's Atlantic Striped Bass Management Board's review of the performance of the 2020 fishery yielded positive news, with the states achieving Addendum VI's goal of reducing total removals by 18% relative to 2017 levels. In fact, the states realized an estimated 28% reduction in total removals coastwide in numbers of fish from 2017 levels. Total removals include commercial harvest, commercial dead discards, recreational harvest, and recreational release mortality. Addendum VI was initiated in response to the 2018 benchmark assessment and aims to reduce total removals in order to end overfishing and reduce fishing mortality to the target level in 2020. The next stock assessment update for striped bass, scheduled to occur in 2022, will provide an update on the status of stock relative to the biological reference points.

The COVID-19 pandemic disrupted data collection for the Marine Recreational Information Program (MRIP) dockside sampling program, but MRIP was able to fill those data gaps using information from 2018 and 2019. While this does increase the uncertainty around the estimates of total recreational catch, there is still high confidence in those estimates and the estimates of the realized reductions.

After considering 2020 fishery performance, the Board provided guidance on a number of topics related to the development of Draft Amendment 7 (e.g., recreational release mortality, conservation equivalency, management triggers). Amendment 7 was initiated in August 2020 to update the

management program to reflect current fishery needs and priorities as the status and understanding of the resource and fishery has changed considerably since implementation of Amendment 6 in 2003. The Amendment is intended to build upon Addendum VI's action to end overfishing and initiate rebuilding. The Plan Development Team will continue to develop options for the Draft Amendment based on the guidance received from the Board.

Concurrent with the development of Draft Amendment 7, the Board initiated an addendum to Amendment 6 to consider allowing the voluntary transfer of commercial striped bass quota between states/jurisdictions that have commercial quota. This action is in response to a request from the State of Delaware to reconsider Delaware's current commercial quota allocation.

Based on progress made on Draft Amendment 7 and Draft Addendum VII to Amendment 6, the Board's next opportunity to meet and consider possible approval of both documents for public comment will be in October during the Commission's Annual Meeting. For more information, please contact Emilie Franke, Fishery Management Plan Coordinator, at efranke@asmfc.org or 703.842.0740.

###

PR21-15

Meeting Summary

The Atlantic Striped Bass Management Board met to review the draft Fishery Management Plan (FMP) Review and state compliance for fishing year 2020; review the juvenile abundance index (JAI) for the Albemarle Sound-Roanoke River (A-R) striped bass stock; provide guidance to the Plan Development Team (PDT) on the development of Draft Amendment 7; and consider options for addressing commercial quota allocation in a future management document.

The Board received a report from the Technical Committee (TC) on the JAI for the A-R striped bass stock in North Carolina. The A-R JAI showed recruitment failure for three consecutive years (2018, 2019, 2020), which tripped the recruitment-based management trigger established through Amendment 6 to the Atlantic Striped Bass FMP. The TC reviewed potential factors contributing to A-R recruitment declines and considered recommending action to the Board. The TC's report noted recent management action by North Carolina to reduce the total allowable landings for the Albemarle Sound and Roanoke River management areas in response to the 2020 A-R stock assessment. The TC report also noted results from an analysis of river flow and young-of-year recruitment conducted by the North Carolina Division of Marine Fisheries. The low JAI values from 2017–2020 align with high flow rates observed during those years which exceeded the upper bound of flow that provides the greatest chance of successful striped bass spawns. Considering North Carolina's recent management action to reduce striped bass total allowable landings and the ongoing monitoring and analysis of river flow impacts on recruitment, the TC recommended no action by the Board. Following the TC's recommendation, the Board did not take any action in response to the recruitment-based management trigger that was tripped by the A-R JAI in 2020.

For more information, please contact Emilie Franke, Fishery Management Plan Coordinator, at efranke@asmfc.org or 703.842.0740.

Motions

Move to approve the FMP Review for the 2020 fishing year and state compliance reports.

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

Move to initiate an addendum to amendment 6 to allow voluntary transfers of commercial striped bass quota as outlined in the memo of July 26th, 2021 to the Atlantic Striped Bass Management Board regarding these transfers

Motion made by Mr. Clark and second by Mr. Geer. Motion passes (8 in favor, 7 opposed).

Move to approve Chris Dollar and Charles Green representing Maryland to the Striped Bass Advisory Panel.

Motion made by Mr. Luisi and seconded by Mr. Gary. Motion stands approved by unanimous consent.

TAUTOG MANAGEMENT BOARD (AUGUST 3, 2021)

Meeting Summary

The Tautog Management Board (Board) met to receive a progress report on the stock assessment update, review the Risk and Uncertainty Decision Tool for tautog, and consider the Fishery Management Plan (FMP) Review for the 2020 fishing year and implementation of the commercial tagging program.

The Stock Assessment Subcommittee (SAS) is continuing work updating each of the regional assessment models. The COVID-19 pandemic impacted data collection in 2020 and resulted in delays in data availability as well as some missing data. The SAS was able to overcome these challenges, and the assessment update is anticipated to be completed later this fall. In conjunction with the assessment update, the Board was also presented an overview of the Risk and Uncertainty Decision Tool, which the ISFMP Policy Board previously approved using tautog as a pilot case. The Decision Tool will be developed with feedback from the Board, Technical Committee (TC), Advisory Panel (AP), and Committee on Economic and Social Sciences (CESS) to provide the Board a framework for making management changes in response to the stock assessment update if needed.

The Board was also presented with the FMP Review for the 2020 fishing season. Coastwide commercial landings and recreational harvest declined from 2019 to 2020 and this trend is likely attributed to restrictions from the COVID-19 pandemic affecting market demand for tautog with restaurants and markets closed along the coast. A few states saw their commercial landings increase, most notably Massachusetts and Rhode Island which exceeded their state quotas and have adjusted their 2021 state quotas to account for those overages. The Board approved the FMP Review, state compliance, and *de minimis* requests from Delaware and Maryland.

The Board was presented reports from the TC, a subset of the AP, and the Law Enforcement Committee (LEC) on the implementation of the commercial tagging program in 2020. Generally, the tagging program was implemented with minimal issues in most states, with challenges largely attributed to learning how to apply tags correctly. New York and Connecticut both implemented the tagging program starting in 2021. New York TC members reported they received many complaints, most notably about increased mortality associated with tagging while at sea. Based on feedback from New York, the TC recommended the Board consider additional research and tagging trials to evaluate

alternative tag types. To address these concerns, the Board agreed Rhode Island, and Massachusetts should discuss and share best tagging practices with New York prior to the Annual Meeting.

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 FMP Review for the 2020 fishing year, state compliance reports, and *de minimis* requests from Delaware and Maryland.

Motion made by Dr. Davis and seconded by Mr. Miller. Motion passes unanimously.

SCIAENIDS MANAGEMENT BOARD (AUGUST 3, 2021)

Meeting Summary

The Sciaenids Management Board met to review the annual Traffic Light Analysis (TLA) for spot and Atlantic croaker; receive a recommendation on the use of a TLA for black drum; approve the red drum and Atlantic croaker annual Fishery Management Plan (FMP) Reviews, state compliance reports, and *de minimis* requests; consider approval of a croaker state implementation plan from Florida; and receive an update on the Red Drum Simulation Stock Assessment.

Review Traffic Light Analysis (TLA) for Spot and Atlantic Croaker and Technical Committee Recommendations

The Board was presented with the findings of the TLA reports from the Spot and Atlantic Croaker Technical Committees (TCs). The TLAs use recreational and commercial landings for a harvest metric and several fishery-independent surveys for an abundance metric. While both commercial and recreational harvest datasets were available for 2020, there are caveats associated with the 2020 data due to interrupted sampling because of the COVID-19 pandemic. The pandemic had a greater effect on fishery-independent sampling with several surveys missing 2020 data altogether. Additionally, the Chesapeake Bay Multispecies Monitoring and Assessment Program, which is used for both species, was not available for 2019-2020 due to lack of calibration factors, although it will be available in the future. Data limitations lead to an 'unknown' status for the 2021 TLAs for both species for abundance metrics. Harvest metrics could be calculated for the TLA but since management measures were triggered last year to reduce harvest, the metrics should not be used since they reflect a decrease in harvest due to the management action. Because management measures were triggered in 2020, both species must retain triggered management measures until 2023 (spot) and 2024 (Atlantic croaker) due to the timeline outlined in Addendum III for each species. Therefore, despite the challenges faced when running the TLAs for spot and croaker, the TC recommended retaining current triggered management and reevaluate in 2022 to determine stock status when additional data becomes available.

Review Technical Committee memo with recommendations for the Black Drum Traffic Light Approach and Benchmark Stock Assessment

At the March meeting of the Sciaenids Board, the Board tasked the TC with evaluating the use of a TLA for black drum if the TC recommended delaying the next benchmark stock assessment currently scheduled for 2022. The TC met and reviewed updated data to discuss the merit of a TLA compared to the scheduled stock assessment. The TC determined that continuing with the scheduled stock assessment is preferred over the development of a TLA at this time to provide updated reference

points for the stock based on recalibrated MRIP data. The benchmark stock assessment will continue as scheduled in 2022.

Fishery Management Plan Reviews for Red Drum and Atlantic Croaker, and Review of State Implementation Plan from Florida

The Board reviewed and approved the 2020 Fishing Year FMP Reviews and state compliance reports for red drum and Atlantic croaker. *De minimis* requests were approved for New Jersey's and Delaware's 2022 red drum fisheries. For Atlantic croaker, *de minimis* status was approved for New Jersey (commercial and recreational), Delaware (commercial and recreational), South Carolina (commercial), and Georgia (commercial). Due to the triggering of management measures from the 2020 TLA for Atlantic croaker, non-*de minimis* states must make changes to their commercial fishery that are projected to reduce the 10-year average of state commercial harvest by 1%. Given its level of harvest, Florida no longer qualified for *de minimis* status and submitted a state implementation plan, which was approved by the Board, for its commercial Atlantic croaker fishery, requiring a vessel limit in state waters.

Update on Red Drum Modeling Process and Simulation Stock Assessment

Staff provided a short overview of the ongoing Simulation Stock Assessment for red drum. Work is continuing on schedule, with a peer-review anticipated for spring 2022.

Other Business

During other business, the Board elected Chris Batsavage as Vice Chair for the Sciaenids Management Board.

For more information, please contact Savannah Lewis, Fishery Management Plan Coordinator, at slewis@asmfc.org or 703.842.0740.

Motions

Move to approve the Red Drum FMP Review for the 2020 fishing year, state compliance reports, and *de minimis* status for New Jersey and Delaware.

Motion made by Mr. Cimino and seconded by Mr. Bell. Motion is approved by consent.

Move to approve the Atlantic croaker state implementation plan from Florida.

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

Move to nominate Chris Batsavage as Vice-chair of the Sciaenids Management Board

Motion made by Mr. Clark and seconded by Mr. Geer. Motion is approved.

EXECUTIVE COMMITTEE (AUGUST 4, 2021)

Meeting Summary

The Executive Committee (EC) met to discuss several issues, including the second round of CARES assistance, pending shark finning legislation, future meetings format, Recovering Americas Wildlife Act and Conservation Equivalency. The following action items resulted from the Committee's discussions:

- Mr. Beal provided a brief overview of the second round of CARES assistance, technically known as the Consolidated Appropriations Act of 2021, or “The ACT”. The Commission has received the Cooperative Agreement and half of the states have submitted Spend Plans. Mr. Beal reminded the Committee the funds must be obligated by 9/30/21, and Congress prefers the funds are disbursed by this date, but the funds will not revert if not spent by the states by 9/30/21. We have the flexibility and time to get these funds to fisheries participants who need them.
- The Administrative Oversight Committee was unable to meet to discuss the Statement of Investment Policy Guidelines; but will meet before the Annual Meeting to discuss it. The Vice-Chair proposed this topic be moved to the EC agenda at Annual Meeting for action.
- The EC received an update on federal shark conservation legislation introduced in the 117th Congress. The four bills discussed were:
 - S. 1106 - Shark Fin Sales Elimination Act, Booker (D-NJ)
 - H.R.2811 - Shark Fin Sales Elimination Act of 2021, Sablan (D-MP)
 - S. 1372 - Sustainable Shark Fisheries and Trade Act of 2021, Rubio (R-FL)
 - H.R. 3360 - Sustainable Shark Fisheries and Trade Act of 2021, Webster (R-FL)

The Commission’s Legislative Committee has raised concerns about discarding legally harvested shark parts, as required by S. 1106 and H.R. 2811. The Legislative Committee will continue to monitor these bills and will react as needed.

- Mr. Beal reported the staff will be looking into the possibility of a hybrid meeting for the 80th Annual Meeting in Long Branch, NJ October 18-21, 2021. The EC will continue to monitor the situation regarding the Delta variant of Covid-19 and keep the Commissioner apprised. Chair Keliher recommended travelers hold off on purchasing plane tickets at this time.
- The EC approved sending a letter in support of the Recovering Americas Wildlife Act to the Senate.

The EC discussed Conservation Equivalency (CE) with the thought it might be time to review its policy, based on the successes and failures of the current approach to CE. The policy was last revised in 2016 and much has changed in the interim. Chair Keliher will appoint a workgroup to develop a specific charge, which, after approval by the EC will be given to the Management & Science Committee for action.

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

Motions

No motions made.

SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD CONCURRENT WITH THE MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (AUGUST 4, 2021)

Press Release

**New York's Black Sea Bass Baseline Commercial Quota
Increased to 8% under Addendum XXXIII**

The Commission's Summer Flounder, Scup and Black Sea Bass Management Board (Board) approved a 1% increase in New York's black sea bass commercial allocation, bringing New York's baseline share of the coastwide quota to 8%. This action modifies the state commercial quota allocations that had been previously approved through Addendum XXXIII to the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan. The final 2022 state-by-state commercial shares can be found in the table on page 2.

Addendum XXXIII, approved in February 2021, addressed significant changes in the distribution of black sea bass that have occurred since the original allocations were implemented in 2003, while also accounting for the states' historical harvest of black sea bass. Among other things, the Addendum changed Connecticut's baseline allocation from 1% to 3% of the coastwide quota to address its disproportionately low allocation compared to the increased availability of black sea bass in state waters of Long Island Sound (LIS). The remaining state shares (with the exception of Maine and New Hampshire) were allocated using their adjusted historical allocations (to account for the Connecticut change) as well as a portion based on the most recent regional biomass distribution information from the stock assessment.

In March, New York appealed the allocation changes approved by the Board in February. The Commission's appeal process provides states/jurisdictions the opportunity to appeal management decisions if a state/jurisdiction finds a Board decision has not been consistent with language of an FMP, resulted in unforeseen circumstances or impacts, did not follow established processes, or was based on flawed technical information. Through its appeal, New York argued that its baseline quota should increase similarly to that of Connecticut as it too had experienced a significant disparity between allocation and the abundance/availability of black sea bass in LIS, which is shared by New York and Connecticut.

In May, the Interstate Fisheries Management Program Policy Board (Policy Board) considered the appeal and found it was justified based on New York's arguments. This included data showing New York's historical allocation was based largely on its ocean fishery. Since 2010, there has been an exponential increase of black sea bass in LIS. This increased availability has resulted in an expansion of New York's commercial black sea bass landings from LIS from 24% (2004-2008) to 51% (2015-2019) of the state's total landings.

The Policy Board remanded Section 3.1.1 of Addendum XXXIII (which only addresses baseline allocations) back to the Board for corrective action to address impacts to New York's baseline allocation in a manner comparable to the consideration given to Connecticut. The Policy Board's action specified the Board must increase New York's baseline allocation by up to 2%, while maintaining Connecticut's baseline allocation of 3%. No other aspects of these allocations, and no other alternatives in the associated Addendum, may be revised by the Board.

Based on the Policy Board’s directive, the Board considered a number of motions with various increases in New York’s baseline quota and ultimately approved a 1% increase. As a joint partner in the management of black sea bass, the Mid-Atlantic Fishery Management Council also approved the same changes to New York’s commercial quota share. The Council will forward its revised recommendations, which include adding the state-by-state shares to the federal Fishery Management Plan, to NOAA Fisheries for final approval.

Revised State Shares of Black Sea Bass Commercial Quota

State	Addendum XXXIII Approved Baseline Allocations	New Baseline Allocations	Difference for New Baseline	Resulting 2022 Allocation*
ME	0.25%	0.25%	0.00%	0.40%
NH	0.25%	0.25%	0.00%	0.40%
MA	12.77%	12.62%	-0.15%	15.44%
RI	10.81%	10.68%	-0.13%	13.06%
CT	3.00%	3.00%	0.00%	3.67%
NY	7.00%	8.00%	1.00%	9.79%
NJ - N	9.83%	9.71%	-0.12%	19.81%
NJ - S	9.83%	9.71%	-0.12%	
DE	5.00%	5.00%	0.00%	4.09%
MD	10.81%	10.68%	-0.13%	8.73%
VA	19.65%	19.42%	-0.23%	15.88%
NC	10.81%	10.68%	-0.13%	8.73%
Total	100%	100%	0%	100.00%

*These allocations represent the baseline quota plus the regional biomass distribution based on the results of the 2021 Operational Stock Assessment. These allocations will be updated if future assessments indicate a change to the biomass distribution.

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

###

PR21-16

Motions

Main Motion

Move to increase New York’s baseline allocation in a manner comparable to the consideration given Connecticut for the expansion of black sea bass into Long Island Sound. New York’s baseline allocation for Black Sea Bass will be increased by 2%. This action maintains Connecticut’s baseline allocation of 3% and maintains the percentage of quota redistributed according to regional biomass. The remaining states’ baseline quotas will be adjusted consistent with the allocation tables provided during this meeting.

Board: Motion made by Mr. Hasbrouck and seconded by Dr. McNamee

Council: Motion made by Mr. DiLernia and seconded Mr. Farnham

Motion to Amend

Move to amend to change 2% to 1%

Board: Motion made by Mr. Cimino and seconded by Mr. Batsavage. Motion passes (6 in favor, 5 opposed, 1 abstentions).

Council: Motion made by Mr. Cimino and seconded by Mr. Batsavage. Motion passes (14 in favor, 4 opposed, 1 abstention)

Main Motion as Amended

Move to increase New York's baseline allocation in a manner comparable to the consideration given Connecticut for the expansion of black sea bass into Long Island Sound. New York's baseline allocation for Black Sea Bass will be increased by 1%. This action maintains Connecticut's baseline allocation of 3% and maintains the percentage of quota redistributed according to regional biomass. The remaining states' baseline quotas will be adjusted consistent with the allocation tables provided during this meeting.

Motion to Amend

Move to amend the New York baseline black sea bass allocation be increased by 1.75%

Board: Motion made by Mr. Gilmore and seconded by Dr. McNamee. Motion fails (4 in favor, 6 opposed, 1 abstention, 1 null)

Council: Motion made by Mr. Risi and seconded by Mr. Farnham. Motion fails (4 in favor, 14 opposed, 1 abstention)

Main Motion as Amended

Move to increase New York's baseline allocation in a manner comparable to the consideration given Connecticut for the expansion of black sea bass into Long Island Sound. New York's baseline allocation for Black Sea Bass will be increased by 1%. This action maintains Connecticut's baseline allocation of 3% and maintains the percentage of quota redistributed according to regional biomass. The remaining states' baseline quotas will be adjusted consistent with the allocation tables provided during this meeting.

Board: Motion passes (11 in favor, 1 abstention).

Council: Motion passes (18 in favor, 1 opposed).

Move to rescind the main motion as adopted at the February 1, 2021 meeting.

Council Only: Motion made by Mr. DiLernia and seconded by Mr. Farnham. Motion passes by consent.

Move to submit the Black Sea Bass Commercial State Allocation Amendment to NMFS with the preferred alternatives as approved at the December 16, 2020 and February 1, 2021 meetings as amended by the action today.

Council Only: Motion made by Mr. Cimino and seconded by Ms. Davidson. Motion carries based on unanimous consent with one abstention by GARFO.

ATLANTIC MENHADEN MANAGEMENT BOARD (AUGUST 4, 2021)

Press Release

ASMFC Atlantic Menhaden Board Initiates Addendum on Fishery Measures

The Commission's Atlantic Menhaden Management Board initiated an addendum to Amendment 3 to consider changes to commercial allocations, the episodic event set aside (EESA) program, and the incidental catch and small-scale fisheries provision. This action responds to the recommendations of a

Board work group charged with evaluating provisions of the current management program and providing strategies to refine those provisions.

Amendment 3 (2017) established commercial fishery allocations, allocating a baseline quota of 0.5% to each jurisdiction with the rest of the total allowable catch (TAC) allocated based on historic landings between 2009 and 2011. The work group report outlined landings have shifted in recent years, with some states landing significantly more quota (through transfers and other FMP provisions) than they are allocated due to changes in abundance of menhaden and availability of other bait fish. The Board action aims to align state quotas with recent landings and availability while maintaining access to the resource for all states, reduce dependence on quota transfers, and minimize regulatory discards.

The addendum will also propose changes to the EESA and incidental catch and small-scale fisheries provisions. Both provisions have been impacted by recent trends in landings, most notably in New England where states rely on the EESA to keep their commercial fishery open while working to secure quota transfers. The increasing abundance of menhaden in New England has also led to a rise of landings under the incidental catch and small-scale fisheries provision once commercial quotas have been met. The Board is interested in exploring options to promote accountability such as capping the total amount of landings under this category or to count these landings against the TAC. Management alternatives for the incidental catch and small-scale fisheries will also consider changes to the current eligibility of gear types under the provision. In addition to these topics, the Board indicated the management document should maintain flexibility to respond to management needs in the future.

The Board will consider the Draft Addendum at the Annual Meeting in October and provide feedback, if needed, to further develop the document. For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at krootes-murdy@asmfc.org or 703.842.0740.

###

PR21-17

Meeting Summary

The Atlantic Menhaden Management Board met to review data needs for the potential development of a spatially-explicit model for menhaden, consider initiating an addendum based on the work group report on Amendment 3 provisions (for more details see press release), and discuss fish kills in a number of states this year.

In February, the Board tasked the Technical Committee (TC) and Ecological Reference Point Work Group (ERP WG) with providing more information on potential spatially-explicit modeling approaches for menhaden, a research recommendation identified in the 2019 benchmark assessment. Specifically, the Board requested information on what data would be needed, a timeline for development and implementation, and if the assessment could resolve questions regarding management of menhaden in the Chesapeake Bay. The TC and ERP WG discussed potential approaches for developing a spatially-explicit model that varied in range of spatial complexity, data needs, and timelines. The TC and ERP WG highlighted that pursuing any of the spatially-explicit approaches would likely extend the timeline to complete the next benchmark assessment, currently scheduled for 2025, though the length of additional time needed would depend on the management objectives and modeling approach. After preliminary discussion, the Board will provide guidance on priorities for the next benchmark and potential spatial modeling efforts at the Annual Meeting in October.

The Board also received public comment on the number of menhaden mortality events that have occurred in multiple states this year. While menhaden mortality events can occur seasonally when schools of menhaden get stuck in waters with low oxygen levels, the Board shared the public's concerns given the frequency and distribution of the mortality events. New Jersey indicated that in evaluating samples from some of these events in its state waters, the cause was attributed to the presence of the bacteria *Vibro anguillarum*. To better track and monitor these fish kills, the Board requested staff work with the U.S. Fish and Wildlife Service to provide a summary of menhaden mortality events over the last year at the Annual Meeting.

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

Motions

Move to initiate an addendum to consider changes to commercial allocation, the episodic events set aside, and the small-scale/incidental catch provision. The purpose of this action is to address the issues outlined in the Atlantic Menhaden work group memo and the PDT should use the strategies provided in the work group memo as a starting point.

Motion made by Ms. Ware and seconded by Mr. Hasbrouck. Motion approved by unanimous consent.

WIND ENERGY DEVELOPMENT WORKSHOP (AUGUST 5, 2021)

Meeting Summary

Peter Burns and Andy Lipsky, representing NOAA Fisheries Greater Atlantic Regional Fisheries Office and Northeast Fisheries Science Center, respectively, provided updates on NOAA Fisheries' role in the offshore wind development process, including data exchange, regulatory process, survey mitigation, and research on interactions of offshore wind on NOAA trust resources. The presentations from the Workshop can be found [here](#). For more information, please contact Peter Burns (GARFO) at Peter.Burns@noaa.gov or Andy Lipsky (NEFSC) at andrew.lipsky@noaa.gov.

ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM (ACCSP) COORDINATING COUNCIL (AUGUST 5, 2021)

Meeting Summary

The ACCSP Coordinating Council met to review funding projects and future projections, receive an update on progress by the Accountability subgroup, and discuss Atlantic Recreational Priorities. The Council was provided an overview of ACCSP proposals submitted for FY2022. Eight maintenance proposals and four new proposals were submitted in addition to the ACCSP Administrative proposal. All proposals will be ranked by the Operations and Advisors Committees in September and brought to the Council for action in October, 2021. A funding summary from 2018-2022 was presented, with projections of maintenance proposals for 2022-2025.

The Council was also provided an update on the Accountability small group. The group has defined accountability, inventoried current practices on data validation & quality control, and surveyed data managers and consumers on data gaps. The next step is to document best practices regarding data validation and data corrections. The Council discussed Atlantic Recreational Priorities and identified

three additional suggestions for 2022-2026 including citizen science, in-season monitoring, and regional coordination for consistent use of MRIP data.

For more information, please contact Geoff White, ACCSP Director, at geoff.white@accsp.org.

Motions

No motions were made.

INTERSTATE FISHERIES MANAGEMENT PROGRAM (ISFMP) POLICY BOARD (AUGUST 5, 2021)

Meeting Summary

The ISFMP Policy Board (Policy Board) met to review a presentation on the Marine Recreational Information Program (MRIP) updates, received reports on the State Director's Meeting and from the Executive Committee (see Executive Committee meeting summary earlier in this document), updates on the East Coast Scenario Planning Initiative and the Mid-Atlantic Fishery Management Council's (MAFMC) Research Steering Committee to Evaluate Restarting the Research Set-Aside (RSA) Program, as well as reports from the Assessment Science Committee, Habitat and Artificial Reef Committees, and the Atlantic Coastal Fish Habitat Partnership (ACFHP).

Reports from the Executive Committee and State Directors Meeting

Commission Chair Pat Keliher presented the Executive Committee Report (see Executive Committee meeting summary earlier in this document). The Chair also provided an overview of the State Directors Meeting, which occurred on August 2. Notably, the meeting began with the directors welcoming Janet Coit as NOAA's Assistant Administrator for Fisheries. Chair Keliher expressed his excitement to have someone of Ms. Coit's caliber and experience with East Coast fisheries issues (as past Director of Rhode Island) to be working with the states at the federal level. Her knowledge of the inner workings of state fisheries management combined with her understanding of the Commission's process will make her a great partner for the states. Ms. Coit talked about some of her priorities for state/federal cooperation on the Atlantic coast, including issues associated with wind energy development, the East Coast Climate Change Scenario Planning Initiative, Atlantic large whale protections, and finding ways to minimize bycatch. Paul Doremus presented NOAA's budget and priorities for FY 2021 and 2022, while ASMFC Executive Director Bob Beal discussed Commission funding priorities, which included the Atlantic Coastal Fisheries Cooperative Management Act, NEAMAP and SEAMAP, ACCSP/FINs, Interjurisdictional Fisheries Act, and Recreational Data Collection. Jen Anderson provided an update of on NOAA's activities regarding the right whale conservation framework, and Sam Rauch discussed NOAA's efforts to increase diversity within the agency and on the regional management councils. State Directors discussed focusing on increasing diversity at the advisory panel and technical committee levels as a first step. Brian McManus from Florida talked about improvements to the fishery disaster process to decrease the time needed to distribute assistance in fishery disasters.

MRIP: 2020 Catch Estimates

Richard Cody, NOAA Fisheries, provided an overview on 2020 recreational harvest estimates and other updates to MRIP. While the COVID-19 pandemic disrupted the Access Point Angler Intercept Survey (APAIS), its overall impact on recreational fishing data collection was lower than first expected, with NOAA Fisheries being able to fill gaps in 2020 catch data with data collected in 2018 and 2019. These imputed data — also known as proxy or replacement data — match the time, place, and fishing mode combinations that would have been sampled had the APAIS continued uninterrupted. Imputed data

were combined with observed data to produce catch estimates using MRIP's standard estimation methodology. To ensure imputed data weren't over-represented against observed data, the original sample weights for the 2018 and 2019 catch records were down-weighted.

NOAA Fisheries' recently released a [Recreational Fishing Survey and Data Standards](#) guide. These standards were established to promote data quality, consistency, and comparability across the recreational fishing surveys administered and funded through MRIP, thereby, facilitating the shared use of the statistics these surveys produce. The standards set clear criteria for what NOAA Fisheries considers sound recreational fishing survey management practices, and their establishment removes ambiguities about whether a practice should be considered a recommendation or a requirement. While these standards were established in 2020, several are already in use. The implementation of the remaining standards will be phased-in. Once the standards are fully implemented, previously published data will be updated. If those data do not meet the standards, they will not be provided as part of the agency's marine recreational fisheries statistics

East Coast Scenario Planning Initiative

Staff presented an update on the progress of the East Coast Scenario Planning Initiative the Commission has been working on with the 3 Atlantic Coast Councils and NOAA Fisheries. The Initiative is a way of exploring how fisheries management might have to evolve over the next couple of decades as climate change becomes a bigger issue. No one knows exactly how climate change will play out, and the precise effects that it will have, so the Initiative partners are using scenario planning to explore what might happen and how management agencies might adapt to those potential changes. The Initiative is a structured, engaging way to bring a wide variety of stakeholders together with different perspectives to discuss complex issues. Staff announced the date of three workshops in late August/early September to introduce scenario planning and gather general input on important environmental drivers. Anyone interested in this topic is encouraged to attend a webinar and can find information on how to join [here](#). Additionally, planning partners will also be conducting outreach on those upcoming workshops.

MAFMC RSA Program

Adam Nowalsky discussed the MAFMC's effort to explore possibly reinstating the RSA. MAFMC is hosting a series of 4 workshops (3 webinars and 1 in-person meeting) to explore the possible redevelopment of the RSA program. The goal of these workshops is to develop recommendations regarding whether and how the RSA program should be redeveloped. Each webinar will target a separate topic related to RSA (research, funding, and enforcement). The Scientific and Statistical Committee (SSC) Economic Working Group will work collaboratively with the Council's Research Steering Committee to provide economic input specific to each webinar topic, as well as develop meeting reports and briefing materials for the in-person workshop in the fall. The first webinar was held in July and focused on identifying how research goals will be prioritized, projects will be screened, and results will be communicated to the Council and stakeholders. The Council's SSC Economic Working Group also gave a report on these topics.

Changes to ASMFC Stock Assessment Schedule

Staff presented the Assessment Science Committee's recommended revisions to the Commission's stock assessment schedule, which were approved by the Policy Board. The update of the Ecological Reference Point (ERP) assessment in 2022 was removed to be consistent with the ERP Work Group's recommendation to only update the single-species assessment before the next benchmark. The striped

bass assessment update was shifted from 2021 to 2022 to allow time for management changes to take effect and to avoid challenges that could result from having a 2020 terminal year for the assessment. In addition, the 2023 assessment update was shifted to 2024 to maintain the two-year assessment update schedule. A benchmark assessment for black drum was scheduled for 2022 per the Black Drum Technical Committee's recommendation. The assessment schedule was revised to indicate that the 2023 river herring assessment will be a benchmark assessment. The expected completion date for the Spanish mackerel assessment shifted from 2021 to 2022.

Reports from ACFHP, Habitat Committee & Artificial Reef Committee

Dr. Lisa Havel provided updates on the ACFHP, Habitat Committee (HC), and Artificial Reef Committee. The ACFHP Steering Committee met virtually June 29-30, 2021. It discussed the National Fish Habitat Conservation through Partnerships Act enactment, received updates on current on-the-ground projects and the fundraising development strategy, approved the 2021 Melissa Laser Fish Habitat Conservation Award recipient, and welcomed Restore America's Estuaries as the newest ACFHP partner. For FY2021 National Fish Habitat Action Plan – US Fish and Wildlife Service (USFWS) funding, \$1.5 million will be provided for operational support and 3 on-the-ground projects: Living with Water – USS Battleship North Carolina Habitat Restoration (Wilmington, NC), Armstrong Dam Removal (Braintree, MA), and Ecological Restoration of 39 Salt Marsh Acres at Great Meadows Marsh (Stratford, CT). ACFHP is also a partner in the Bill Burton Pier outreach project, led by Coastal Conservation Association of Maryland and funded by NOAA Recreational Fisheries. ACFHP also endorsed 4 projects recently, two of which are on-the-ground: Carysfort Estuarine and Rockland Hammock Restoration (Key Largo, FL), and Cape Sable Coastal Wetland Restoration (Everglades, FL).

The HC met virtually June 24, 2021 and discussed the status and next steps for the documents they are currently working on: Acoustic Impacts to Fisheries, Fish Habitats of Concern, and the 2021 issue of *Habitat Hotline Atlantic*. The Committee also discussed developing a comment letter on the proposed elimination of dredge windows in the U.S. Army Corps of Engineers Savannah District, which the Policy Board unanimously agreed to send. The HC has also welcomed new members: Alexa Fournier (NY), David Dippold (PA), and Randy Owen (VA).

Dr. Havel also presented on the Artificial Reef Committee's newly published update to the 1988 publication [Profiles of State Artificial Reef Programs and Projects](#). The update highlights accomplishments of Atlantic state artificial reef programs over the past 30+ years.

ASMFC Appeals Process

Lastly, under other business, the Chair of the Summer Flounder, Scup and Black Sea Bass Board (Board) raised a process issue under the Commission's appeals process that arose during the Board's discussions of New York's appeal of Addendum XXXIII. The Policy Board agreed to have a review of the appeals process, with the Executive Committee reviewing any suggested changes to the process before coming back to the Policy Board for final consideration.

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

Motions

No motions were made.

Press Release

**ASMFC Approves Amendment 2 to the Bluefish FMP
to Adjust Allocation and Establish a Rebuilding Plan**

The Atlantic States Marine Fisheries Commission approved the Amendment 2 to the Interstate Fishery Management Plan (FMP) for Bluefish: *Allocation and Rebuilding Program*. The Amendment updates the FMP goals and objectives, initiates a rebuilding plan, establishes new allocations between the commercial and recreational sectors, implements new commercial allocations to the states, revises the process for quota transfers between sectors, and revises how the management plan accounts for management uncertainty.

The Commission's Bluefish Management Board and the Mid-Atlantic Fishery Management Council (Council), who jointly manage bluefish, initiated the Amendment in December 2017 to consider revisions to the commercial and recreational fisheries allocations and the state-specific commercial allocations. In 2019, an operational stock assessment for bluefish indicated the stock was overfished, and the Board and Council subsequently incorporated the rebuilding plan in the Amendment.

Given the stock's overfished condition, the Amendment establishes a 7-year rebuilding plan to be achieved through a constant fishing mortality approach. Rebuilding progress will be analyzed through management track stock assessments every two years. The 2021 management track assessment will be used to inform specifications for the 2022-2023 fishing years. The Amendment also revises sector allocations, increasing the recreational allocation from 83% to 86% of the acceptable biological catch and decreasing the commercial allocation from 17% to 14%. Catch data from 1981-2018 were used as the basis for sector allocations since this time series captures the cyclical nature of the fishery, while providing each sector with sufficient access to the resource considering historical usage.

The Amendment revises state-by-state commercial allocations to better reflect the current distribution of the stock and the needs of the states' commercial fisheries. The Amendment allocates a baseline quota of 0.1% to each state, and then allocates the rest of the commercial quota based on landings data from 2009 to 2018 (see Table 1 below). Recognizing that several states will be losing quota during a time when the coastwide commercial quota is already at an historic low, the Amendment phases-in the allocation changes over 7 years in order to reduce short-term economic impacts to the affected commercial fishing industries. State allocations will be reviewed by the Commission and Council within 5 years.

The Amendment updates the sector transfer process to allow for quota transfers in either direction between the commercial and recreational sectors. Previously, quota could only be transferred from the recreational sector to the commercial fishery. The transfers will now be capped at 10% of the acceptable biological catch for a given year.

Table 1. Revised state allocation percentages of the bluefish commercial quota based on 2009-2018 landings data with a minimum default allocation of 0.1%. Previous allocations are provided for comparison purposes.

State	Previous Allocations Under Amendment 1	Revised Allocations to be Phased in Over 7 Years
Maine	0.67%	0.11%
New Hampshire	0.41%	0.22%
Massachusetts	6.72%	10.12%
Rhode Island	6.81%	9.61%
Connecticut	1.27%	1.09%
New York	10.39%	19.76%
New Jersey	14.82%	13.85%
Delaware	1.88%	0.49%
Maryland	3.00%	1.92%
Virginia	11.88%	5.87%
North Carolina	32.06%	32.03%
South Carolina	0.04%	0.10%
Georgia	0.01%	0.10%
Florida	10.06%	4.78%

Finally, the Amendment modified the management uncertainty tool within the FMP to a sector-specific approach. It allows the Commission and Council to apply a buffer to either sector, in the form of a quota reduction, to account for management uncertainty during specifications. While this tool has not been used often, the modified approach allows managers to better target areas of uncertainty within one sector without reducing the quota or harvest limit in the other sector.

Given the joint nature of the Amendment and the federal process that requires the Council’s Amendment to undergo federal review and rulemaking, the implementation date for the Commission plan will be set once NOAA Fisheries approves the Council’s Amendment. The Amendment is expected to go into effect for the 2022 fishing year.

For more information, please contact Dustin Colson Leaning, Fishery Management Plan Coordinator, at dleaning@asmfc.org or 703.842.0740.

###

PR21-18

Motions

Move on behalf of the Bluefish Management Board the approval of the Bluefish Allocation and Rebuilding Amendment to the Bluefish Interstate Fishery Management Plan 2. The effective date of the FMP modifications would be consistent with the effective date published in the final rule in the Federal Register.

Motion by Mr. Batsavage. Motion passes without objection.