



Atlantic States Marine Fisheries Commission

2018 Summer Meeting Summary

Vision: Sustainably Managing Atlantic Coastal Fisheries

2018 Summer Meeting
Arlington, VA
August 7 – 9, 2018

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Meeting Summaries, Press Releases and Motions

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EXECUTIVE COMMITTEE (AUGUST 7, 2018)

Meeting Summary

The Executive Committee met to discuss a number of issues, including federal appropriations; the Commission's future role in aquaculture along the coast; the development and use of ecosystem reports; and the future scope of recreational data collection programs. The following action items resulted from the Committee's discussions:

- Federal Appropriations – For FY 18, the Council and Commission budget line was increased in the federal budget. Staff was directed to develop options for using additional ACFCMA funds for consideration by the Executive Committee in October.
- ASMFC's Future Role in Aquaculture on the East Coast – The Committee agreed to establish an Aquaculture Committee composed of state and federal representatives to characterize current state and federal activities and suggest potential future roles for the Commission.
- Development and Use of Ecosystem Reports – The Committee reviewed the federal ecosystem reports and requested that staff work with our federal partners to incorporate Commission-managed species into these reports. The information in the reports will help inform future management of the included Commission managed species.
- Future Scope of the Recreational Data Collection Programs – The Atlantic states, through the Commission, began conducting the Access Point Angler Intercept Survey component of the Marine Recreational Information Program (MRIP) and have significantly improved the efficiency and output of the Program. Based on this success, the states are considering increasing their role in recreational data collection. The Executive Committee reviewed a white paper detailing the workload associated with state conduct of additional aspects of MRIP. The states will continue to consider increasing recreational data collection efforts with a final decision to be made in early 2019.

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

ATLANTIC HERRING SECTION (AUGUST 7, 2018)

Meeting Summary

The Atlantic Herring Section met to review the results of the 2018 Benchmark Stock Assessment, discuss potential in-season adjustments to the 2018 sub-ACLs, and provide recommendations on specifications for the 2019 fishing year. The Section also discussed changing the Section to a Board in order to improve collaboration with the New England Fishery Management Council (NEFMC) and NOAA Fisheries.

Dr. Matt Cieri presented the results of the 2018 Atlantic Herring Benchmark Stock Assessment. Model results show a decline in recruitment and spawning stock biomass over the last five years. In particular,

2016 represented the lowest level of recruitment on record. Projections from the stock assessment suggest that if the full 2018 acceptable biological catch (ABC) is caught (111,000 mt), coastwide catch in 2019 could be 13,700 mt. In contrast, if half of the 2018 ABC is harvested (55,000 mt), coastwide catch in 2019 could be 28,900 mt. Given the Peer Review Report had not been released at the time of the Section meeting, the Section will review the comments of the peer reviewers in October.

In light of the results of the stock assessment, the Section discussed an in-season adjustment to the 2018 sub-ACLs. Staff reviewed a motion from NEFMC recommending that the Regional Administrator cap 2018 Atlantic herring landings in order to reduce the severity of cuts in 2019. Given the Section had approved 2018 sub-ACLs as part of a three-year specification process back in 2015, an in-season adjustment by NOAA Fisheries could mean there are different 2018 sub-ACLs in state and federal waters. As a result, the Section approved a motion to adjust the 2018 sub-ACLs so that they match those promulgated in-season by NOAA Fisheries. This motion was conditional on action by NOAA Fisheries given the in-season adjustment has not yet occurred. The motion also recommended that the 2018 sub-ACL for management area 2 be set at 8,200 mt, consistent with the NEFMC recommendation.

The Section discussed 2019-2021 herring specifications. Staff reviewed the components of a herring specification package, as well as a potentially revised timeline in which 2019 catch levels would be implemented via rule-making; 2020-2021 catch levels would be implemented via a specification package. This new timeline, which still needs to be approved by NEFMC, would eliminate the need for an interim rule at the start of 2019. With this new information, the Section recommended NEFMC consider a range of options for the research set aside (0-3%), fixed gear set aside (0-295 mt), and border transfer (0-4,000 mt) so that the consequences of potentially reducing these components under a lower ABC are evaluated.

The Section discussed transitioning to a Board in order to improve collaboration with NEFMC and NOAA Fisheries. Unlike management boards, sections are composed of state members only and are established under Amendment One to the Commission's Compact. If the Section became a Board, NOAA Fisheries, US Fish and Wildlife, and the NEFMC could have a seat. Ultimately, the Section recommended the Policy Board change the Atlantic Herring Section to a Management Board, and invite NEFMC to have a voting seat. This recommendation is contingent upon NEFMC adding an ASMFC seat to its Herring Plan Development Team and Herring Committee.

Finally, the Section approved Beth Casoni and Gerry O'Neill to the Atlantic Herring Advisory Panel. For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

Motions

Move to recommend to the Policy Board to change the Herring Section to a Board and invite the NEFMC to have one voting seat. This action is conditional on NEFMC adding an ASMFC staff seat to their Herring PDT and an ASMFC seat to the Herring Committee, with the understanding that is not the same person.

Motion made by Mr. Reid and seconded by Mr. Keliher. Motion passes.

Move to reconsider the 2018 Atlantic herring sub-ACLs so that they match those promulgated in-season by NOAA Fisheries. Implementation of these revised sub-ACLs is contingent upon NOAA Fisheries making an in-season adjustment to the 2018 Atlantic herring sub-ACLs. The revised 2018 sub-ACLs would become effective upon notice from NOAA Fisheries that they have been implemented in federal waters. In addition, recommend that the 2018 Area 2 sub-ACL be set at 8,200 mt as consistent with the NEFMC recommendation.

Motion made by Mr. Reid, and seconded by Mr. Kane. Motion passes without objection.

Move to approve Beth Casoni and Gerry O’Neill to the Atlantic Herring Advisory Panel.

Motion made by Dr. Pierce and seconded by Mr. Reid. Motion passes without objection.

ATLANTIC MENHADEN MANAGEMENT BOARD (AUGUST 7, 2018)

Meeting Summary

The Atlantic Menhaden Board (Board) met to consider a postponed motion from its May 2018 meeting to find the Commonwealth of Virginia out of compliance for not fully implementing and enforcing the mandatory provisions of Amendment 3 to the Interstate Fishery Management Plan. Specifically, the Commonwealth has not established the reduced Chesapeake Bay reduction fishery harvest cap of 51,000 metric tons. After extensive deliberations, and with the understanding that the Cap is unlikely to be exceeded in 2018, the board decided to further postpone the motion to its February 2019 meeting to allow the Commonwealth’s legislature an opportunity to implement the Cap when it reconvenes in January.

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

Motions

Postponed Motion from May 2, 2018

Move the Atlantic Menhaden Board recommend to the ISFMP Policy Board that the Commonwealth of Virginia be found out of compliance for not fully and effectively implementing and enforcing Amendment 3 to the Atlantic Menhaden Fishery Management Plan if the State does not implement the following measure from section 4.3.7 (Chesapeake Bay Reduction Fishery Cap) of Amendment 3: The annual total allowable harvest from the Chesapeake Bay by the reduction fishery is limited to no more than 51,000 mt.

Motion made by Mr. Batsavage and seconded by Mr. Estes.

Move to substitute that if harvest from the Chesapeake Bay by the reduction fishery exceeds 51,000 metric tons, then the Atlantic Menhaden Board will recommend to the ISFMP Policy Board that the Commonwealth of Virginia be found out of compliance for not fully and effectively implementing and enforcing Amendment 3 to the Atlantic Menhaden Fishery Management Plan since the state has not implemented the following measures from Section 4.3.7 (Chesapeake Bay Reduction Fishery Cap) of Amendment 3:

- **The annual total allowable harvest from the Chesapeake Bay by the reduction fishery is limited to no more than 51,000 metric tons.**

- Harvest above the Cap in any given year will be deducted from the next year's allowable harvest.
- Any amount of un-landed fish under the Cap cannot be rolled over into the subsequent year.

The implementation of these regulations is necessary to achieve the conservation goals and objectives of the FMP. In order to come back into compliance, the Commonwealth of Virginia must implement the above measure as contained in Amendment 3 to the Atlantic Menhaden FMP. Staff will notify the Board if reduction harvest from the Bay reaches 90% of the Cap, and if the Cap is exceeded.

Motion made by Mr. Blazer and seconded by Mr. Bowman. Motion Fails (Roll Call: In Favor – ME, DE, MD, PRFC, VA, SC; Opposed – NH, MA, RI, CT, NY, NJ, PA, NC, GA, FL; Abstain – USFWS, NMFS).

Postponed Motion from May 2, 2018:

Move the Atlantic Menhaden Board recommend to the ISFMP Policy Board that the Commonwealth of Virginia be found out of compliance for not fully and effectively implementing and enforcing Amendment 3 to the Atlantic Menhaden Fishery Management Plan if the State does not implement the following measure from section 4.3.7 (Chesapeake Bay Reduction Fishery Cap) of Amendment 3: The annual total allowable harvest from the Chesapeake Bay by the reduction fishery is limited to no more than 51,000 mt.

Motion made by Mr. Batsavage and seconded by Mr. Estes.

Move to postpone to the February 2019 Commission meeting.

Motion made by Mr. Gary and seconded by Mr. Abbott. Motion carries (13 in favor, 5 opposed).

Move to elect Spud Woodward as Vice-Chair of the Atlantic Menhaden Management Board.

Motion made by Mr. Ballou and seconded by Dr. Rhodes. Motion carries without objection.

AMERICAN EEL MANAGEMENT BOARD (AUGUST 8, 2018)

Press Release

ASMFC American Eel Board Approves Addendum V

Arlington, VA – The Commission's American Eel Management Board approved Addendum V to the Interstate Fishery Management Plan for American Eel. The Addendum increases the yellow eel coastwide cap starting in 2019 to 916,473 pounds. This modest increase in the cap (less than 1%) reflects a correction in the historical harvest. Further, the Addendum adjusts the method (management trigger) to reduce total landings to the coastwide cap when the cap has been exceeded and removes the implementation of state-by-state allocations if the management trigger is met. Lastly, the Addendum maintains Maine's glass eel quota of 9,688 pounds.

The Addendum responds to concerns with the previous Addendum's (IV) yellow eel management triggers given the timing and precision of landings data and the challenges of state-by-state quota management. Under Addendum IV, management action would have been triggered when (1) the coastwide cap is exceeded by more than 10% in a given year; or (2) the coastwide cap is exceeded in two

consecutive years, regardless of the percent overage. If either of these triggers had been met, state-by-state quotas would have been required to be implemented.

Under Addendum V, management action will now be initiated if the yellow eel coastwide cap is exceeded by 10% in two consecutive years. If the management trigger is exceeded, only those states accounting for more than 1% of the total yellow eel landings will be responsible for adjusting their measures. A workgroup will be formed to define the process to equitably reduce landings among the affected states when the management trigger has been met.

The Board slightly modified the glass eel aquaculture provisions, maintaining the 200 pound limit for glass eel harvest but modifying the criteria for evaluating the proposed harvest area's contribution to the overall population consistent with the recommendations of the Technical Committee. Under the revised provisions, the Board approved Maine's glass eel aquaculture proposal for the 2019 fishing season, allowing for an additional 200 pounds of glass eels to be harvested for development in domestic aquaculture facilities. This amount is in addition to the Maine's glass eel quota.

The implementation date for Addendum V is January 1, 2019. The Addendum will be posted to the Commission's website by the end of August at <http://www.asmfc.org/species/american-eel> under Managements Plans. For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at krootes-murdy@asmfc.org or 703.842.0740.

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PR18-23

Motions

Main Motion

Move to conditionally approve section 3.1, Option 2: Increase Maine's Glass Eel Quota to 11,749 pounds pending the strengthening of Maine laws governing the elver fishery. Changes shall include, but not be limited to, the chain of custody of elvers from harvest to export thus ensuring the swipe card system cannot be bypassed. Maine would be required to report back to the Law Enforcement Committee which would make recommendations to the Eel Management Board at the 2019 Summer Meeting for Board consideration.

Motion made by Mr. Keliher and seconded by Mr. Clark. Motion substituted.

Motion to Substitute

Move to substitute to accept Section 3.1, Option 1: Status Quo.

Motion made by Mr. Abbott and seconded by Mr. Miller. Motion passes (Roll Call: In Favor – NH, MA, RI, NJ, PA, MD, DC, SC, GA, FL, NMFS, USFWS; Opposed – ME, CT, NY, DE, VA, NC; Abstain – PRFC. Motion passes.

Main Motion as Substituted

Move to accept Section 3.1, Option 1: Status Quo.

Motion passes (13 in favor, 5 opposed, 1 abstention).

Move to adopt under section 3.2, Option 1, Status Quo for Glass eel Aquaculture provisions, with the additional language presented today by the Technical Committee to redefine the measures established by Addendum IV.

Motion made by Mr. McKiernan and seconded by Mr. Keliher. Motion passes (18 in favor, 1 abstention).

Move to adopt under section 3.3, Issue 1: Coastwide Cap, Option 1: Status Quo with the updated landings of 916,473 pounds, and Issue 2: Management Trigger, Option 3: 2 Years of exceeding the coastwide cap by 10%.

Motion made by Mr. Clark and seconded by Mr. Borden. Motion carries (17 in favor, 2 opposed).

Move to adopt Sub-Option 2B Under Issue 3 (Allocation) - 1% rule for states to reduce landings: All states with landings greater than 1% will work collectively to achieve an equitable reduction to the coast wide cap. Additionally, a workgroup of states harvesting over 1% will be formed to define 'equitable reduction' and to determine how a reduction process would work if a trigger is fired.

Motion made by Ms. Fegley and seconded by Mr. O'Reilly. Motion passes (17 in favor, 2 abstentions).

Move to adopt an implementation date of January 1, 2019.

Motion made by Mr. Gilmore and seconded by Mr. Fote. Motion carries without objection.

Move to approve Addendum V for American Eels as modified today.

Motion made by Ms. Fegley and seconded by Mr. Clark. Motion carries without objection.

Move to accept the Maine Glass Eel Aquaculture Proposal for the 2019 season, to grow out eels to the yellow eel life stage.

Motion made by Mr. Keliher and seconded by Mr. Gilmore. Motion carries (16 in favor, 1 opposed, 1 null).

ATLANTIC STURGEON MANAGEMENT BOARD (AUGUST 8, 2018)

Meeting Summary

The Atlantic Sturgeon Board received an update from NOAA Fisheries regarding the development of the Endangered Species Act (ESA) listing 5-year Review and Recovery Plan for Atlantic sturgeon. The intent of the 5-year Review is to determine whether the species listing status should be changed (e.g., reclassified from endangered to threatened, or delisted). NOAA Fisheries expects to issue one document that will contain the 5-year review for each of the five distinct population segments, and a draft report is expected in early 2019. NOAA Fisheries will request members of the Commission's Atlantic Sturgeon Technical Committee to review the draft report. After publishing the final report, and if warranted, a separate rulemaking is required to make any changes to the species listing. The intent of a Recovery Plan is to identify measurable criteria which, when met, would result in a determination that the species be delisted. NOAA published a Recovery Plan Outline to provide interim strategies and goals for recovering the species, and further development of the Plan is expected once the 5-year review is completed.

The Board reviewed a report from the Technical Committee (TC) regarding highest priority data needs identified in the 2017 benchmark assessment and where to focus state resources. In addition to

recommending states continue fishery-independent survey and tagging programs utilized in the assessment, the report highlighted fiscally responsible approaches to collect much needed information on bycatch and abundance (e.g., taking advantage of short-term funding sources to conduct 2-3 year studies in a river or DPS, and repeating that study 5 or 10 years down the road). States will take the recommendations of the TC back to its stakeholders and consider an appropriate response at a later meeting.

The Board also passed a motion to disband the Atlantic Sturgeon Advisory Panel (AP). With Atlantic sturgeon listed under the ESA, and the 2017 benchmark assessment showing very little change in the resource's abundance since the 1998 assessment, it's unlikely that there will be any management activity for the foreseeable future. If the Board determines that it would benefit from the input of an AP down the road, staff will work with the states to re-establish an AP at that time. Lastly, the Board approved the 2018 Fishery Management Plan Review of the 2016 fishing year.

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

Motions

Move to approve the 2018 FMP Review for Atlantic Sturgeon.

Motion made by Mr. Fote and seconded by Mr. Geer. Motion passes without objection.

Move to disband the Atlantic Sturgeon Advisory Panel.

Motion by Mr. White, second by Mr. Kane. Motion carries (17 in favor).

COASTAL SHARKS MANAGEMENT BOARD (AUGUST 8, 2018)

Meeting Summary

The Coastal Sharks Management Board met to consider Draft Addendum V for public comment; receive a presentation on NOAA Fisheries Highly Migratory Species (HMS) Draft Amendment 11; and review outreach information on best practices for shore-based shark fishing and provide feedback.

Draft Addendum V proposes options to allow the Board to streamline the process of state implementation of federal shark regulations so that complementary measures are seamlessly and concurrently implemented at the state and federal level whenever possible. Specifically, the Draft Addendum identifies commercial and recreational measures that could be adjusted either on an annual (through the specification process) or ad hoc basis. The FMP allows for state commercial quotas, possession limits, and season dates to be set annually through a specifications process. All other changes to commercial or recreational management can only be accomplished through an addendum or emergency action. While addenda can be completed in a relatively short period of time, the timing of the addenda and state implementation can result in inconsistencies between state and federal shark regulations, particularly when NOAA Fisheries adopts changes through interim emergency rules. Currently, the only option for the Board to respond quicker than an addendum is through an emergency action, which has a set of criteria that are rigorous and often not met, making it rarely used to enact regulatory changes. For example, NOAA Fisheries recently implemented an increase in the recreational

size limit for shortfin mako sharks based on new assessment information. While this is an important conservation measure, it does not constitute an emergency action in state waters since the conservation of shortfin mako sharks is not substantially at risk by unanticipated changes in the ecosystem, the stock, or the fishery due to catch in state waters. After deciding not to modify shortfin mako regulations in state waters, the Board chose to initiate Draft Addendum V to allow more flexibility in responding to changes in stock status of coastal shark species managed under the FMP. The Board approved the Draft Addendum V for public comment and a press release outlining the public comment period and process will be released later this month with the draft document.

The Board was presented the Draft Amendment 11 on shortfin mako regulatory changes. The Board had previously been presented the scoping document for the Amendment in May; the public comment period for the Amendment began in late July. The Draft Amendment was initiated in response to the most recent stock assessment for shortfin mako sharks, which found the resource to be overfished and experiencing overfishing. The Draft Amendment proposes a range of alternatives for each of the following issues areas: (1) commercial management; (2) recreational management; (3) rebuilding goals; and (4) monitoring. HMS will be hosting public hearings on the document in August and September, with the public comment period ending October 1. It is anticipated Amendment 11 regulatory changes will be implemented in spring 2019.

The Board received a presentation on outreach materials for shore-based shark fishing. Amendment 5b, which was focused on dusky shark management, proposed improving outreach and education materials for the public, including information on how best to handle sharks that have been caught from shore (beach and pier) locations. To achieve this goal, HMS has developed draft language for signs that could be placed at public access points for beaches and pier fishing areas. The Board was presented this draft language and provided feedback on the language as well as potential challenges with installing signs at designated locations. Board members suggested that tackle shops may be a better location for signs to be displayed as concerns were raised about potential vandalism that may occur to signs on beaches. Moving forward, HMS will update the draft display language and will work with Commission staff to solicit more information from Board members on outreach materials as they are further developed.

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

Motions

Main Motion

Move to approve Draft Addendum V for public comment as presented today.

Motion made by Dr. Davis and seconded by Mr. Hasbrouck. Motion amended.

Motion to Amend

Move to amend to include the regional commercial quotas, possession limits, and season start dates under Option 3.

Motion made by Dr. Armstrong and seconded by Ms. Davidson. Motion approved without opposition.

Main Motion as Amended

Move to approve Draft Addendum V for public comment as presented today and to include the regional commercial quotas, possession limits, and season start dates under Option 3.

Motion approved without objection.

SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (AUGUST 8, 2018)

Meeting Summary

The Summer Flounder, Scup and Black Sea Bass Board received an update on the development of a draft strategic plan for reforming recreational black sea bass management and discussed options for black sea bass and summer flounder a recreational management for 2019 and beyond. The draft strategic plan was presented at the joint meeting of the Board and Council in April 2018 in response to wide-ranging concerns with the current management program. After the meeting, Board members provided written feedback on the draft document. In June, a group consisting of several Board members, ASMFC, Council, and NOAA Fisheries staff met to discuss potential strategies to incorporate fishing mortality and stock condition into management to increase the stability of annual measures. The Board agreed to continue the development of the strategic plan through a recreational working group process, as well as form a separate working group to address commercial management issues.

The Board was presented with 2019 recreational black sea bass management options to consider for inclusion in Draft Addendum XXXII, initiated at the May 2018 meeting. In July, the Black Sea Bass Recreational Working Group (WG) met to discuss management options and develop recommendations for Board consideration. The WG recommended several options for further development, including an option to set black sea bass recreational measures through the annual specifications process, as opposed to establishing management measures through addenda. The Board agreed to consider this option, noting it would provide more flexibility to react to harvest information that is unavailable until 2019. Additionally, the Board discussed whether to include noncompliance issues in the Draft Addendum. Noncompliance issues were raised by Board in October 2017 due to reports of illegal harvest on party charter boats. The Board postponed a decision on this issue and requested time on at the Council meeting later this month to discuss the topic jointly. The WG will continue to develop options for Draft Addendum XXXII. The document will be presented to the Board for consideration and approval for public comment at the Commission's Annual Meeting (October 2018) with possible final action on Addendum XXXII at the Joint Board/Council meeting in December 2018.

The Board also received a presentation on options for summer flounder recreational management for 2019 and beyond. Addendum XXVIII, which has been used to set mandatory regional recreational measures for the 2017 and 2018, will expire at the end of this year. While the Board and Council will set the 2019 recreational harvest limit (RHL) later this month, it is anticipated that the 2019 RHL will be revised in early 2019 due to the timing of the 2018 assessment, complicating efforts to develop recreational measures this fall. After discussing the merits of different approaches, the Board moved to include summer flounder recreational management for 2019 and beyond in Draft Addendum XXXII. The WG will develop summer flounder recreational management options for the Draft Addendum.

Lastly, the Board discussed interest in reinstating the research set aside (RSA) program. The RSA program was administrated by the Council and has been suspended since 2014 due to concerns that the program was vulnerable to abuse through under-reporting and non-reporting of catch. Board members have expressed concern that in the absence of the program, there are fewer funding opportunities to pursue research important to fisheries management. The Board moved to establish a working group to address this topic and request a meeting with the Mid-Atlantic Council's Research Steering Committee.

For information of black sea bass, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org, and for information on summer flounder and scup, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, krootes-murdy@asmfc.org.

Motions

Move that non-compliance issues be removed from further development from draft Addendum XXXII for recreational black sea bass and be considered with joint federal measures.

Motion made by Mr. Nowalsky and seconded by Mr. O'Reilly. Motion postponed.

Move to postpone until the joint meeting with the MAFMC in August 2018.

Motion made by Mr. Reid and seconded by Mr. Kane. Motion passes (9 in favor, 3 opposed).

Move that the Summer Flounder, Scup, Black Sea Bass Board create a working group and request to meet with the Mid-Atlantic Fishery Management Council's Research Steering Committee to examine the possibility of reestablishing the Research Set Aside program.

Motion made by Mr. Hasbrouck and seconded by Mr. Reid. Motion passes (8 in favor, 1 opposed, 2 abstentions, 1 null).

ATLANTIC STRIPED BASS MANAGEMENT BOARD (AUGUST 8, 2018)

Meeting Summary

The Atlantic Striped Bass Board met to consider approving the 2018 Fishery Management Plan (FMP) Review and State Compliance Reports for the 2017 fishing year. The Board approved the Review Report and discussed two inconsistencies in state regulations for the 2018 fishing year. Among them, Maryland's newly implemented conservation equivalency measures for its summer and fall recreational fishery in the Chesapeake Bay. Specifically, the implemented circle hook requirement currently does not apply to all anglers "fishing with bait, non-artificial lures" as proposed, and subsequently approved by the Board at its February 2018 meeting (the measures as implemented require anglers to use circle hooks while live-lining or chumming, and "J" hooks may be used with processed baits while not live-lining or chumming). The circle hook requirement, as implemented, is assumed to account for the overwhelming majority of anglers targeting striped bass and addresses unintended negative impacts to anglers targeting other species such as catfish, perch or croaker. Maryland will continue to monitor the effectiveness of the measures and report back to the Board in February 2018. If the intent of the conservation equivalency measures are not realized, the Board may require adjustments for 2019 and beyond.

The Board also received an update on progress with the 2018 Benchmark Stock Assessment. The assessment will include catch and index data through 2017, as well as the newly calibrated MRIP catch estimates, and is scheduled for peer-review at the 66th SAW/SARC at the end of November. Lastly, the Board elected David Borden as its Vice-Chair.

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

Motions

Move to approve the 2018 FMP Review and state compliance reports for Atlantic Striped Bass.

Motion made by Mr. Fote and seconded by Mr. Kane. Motion passes unanimously.

Move to elect David Borden as Vice-Chair of the Atlantic Striped Bass Management Board.

Motion made by Mr. Grout and seconded by Mr. Fote. Motion passes without objection.

INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (AUGUST 9, 2018)

Meeting Summary

The ISFMP Policy Board Chair provided overviews of the State Directors and Executive Committee meetings (see Executive Committee meeting summary) and Bob Beal updated the Board on strategic planning. Commission leadership met to discuss how to move forward with the next iteration of the strategic plan. The group also discussed how to improve collaboration and cooperation within the Commission. A workshop will be conducted at the Annual Meeting to address both of these issues.

As a part of the Commission's 2018 Action Plan, the Policy Board conducted a review of stock rebuilding performance to determine if management and rebuilding goals for each species are consistent with the Commission's vision and goals. This review was intended to determine if the progress toward each species rebuilding goals was occurring at an appropriate rate. The Board focused on the species in the categories of "concern," "depleted," and "unknown" in their discussions, as well as species boards' responses to scientific advice. The Board requested an additional section be added to the depleted species category that would help describe the different pressures on the resource (e.g. environmental changes, fishing pressure, passage issues).

Based on a recommendation from the Atlantic Herring Section, the Policy Board approved changing the Atlantic Herring Section into the Atlantic Herring Management Board conditional on the New England Fishery Management Council adding an ASMFC staff seat to its Herring PDT and an ASMFC seat to the Herring Committee. (Unlike management boards, sections are composed of state members only and are established under Amendment One to the Commission's Compact.) Once it becomes a management board, the Commission can invite the New England Fishery Management Council to become a voting member. This action was taken to improve communication and collaboration between the two management bodies since their decisions can impact both state and federal permit holders.

Dr. Lisa Havel provided an update on the Atlantic Coastal Fish Habitat Partnership (ACFHP). The ACFHP Steering Committee met in May and received updates on science and data initiatives, including the

Southeast Fish Habitat Conservation Prioritization; the ACFHP website revision; and collaboration with the National Fish Habitat Partnership and other Fish Habitat Partnerships. The Southeast Fish Habitat Conservation Prioritization and Mapping project, funded by NOAA Fisheries, will spatially prioritize areas for fish habitat conservation using GIS mapping and analysis. The results will be available in a web-based map, and static maps of the individual variables will also be created. The project is anticipated to be completed by the end of the August. ACFHP also received FY2018 National Fish Habitat Action Plan funding that will be applied to four projects along the coast: New York (SAV conservation in Coecles Harbor), New Jersey (Columbia Dam removal on the Paulins Kill), Maryland (SAV restoration in Chesapeake Bay), and North Carolina (oyster reef and salt marsh restoration on Carrot Island). ACFHP is currently accepting applications for FY2019 National Fish Habitat Action Plan funding. More details can be found on its website, www.atlanticfishhabitat.org; the proposal deadline is September 25, 2018.

Jeff Kipp and Dr. Kristen Anstead provided progress updates on the Shad and Horseshoe Crab Benchmark Stock Assessments. Both assessments have experienced challenges in gathering data for the assessment. Shad will have a methods workshop this fall and a peer review in late 2019. Due to issues in data gathering and modeling, the Horseshoe Crab Assessment Peer Review will be later than originally scheduled, with a report to the Board by spring 2019.

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

Motions

On behalf of the Atlantic Herring Section, move to recommend to change the Herring Section to a Board and invite the NEFMC to have one voting seat. This action is conditional on NEFMC adding an ASMFC staff seat to their Herring PDT and an ASMFC seat to the Herring Committee, with the understanding that is not the same person.

Motion passes by unanimous consent.

SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (AUGUST 9, 2018)

Press Release

ASMFC South Atlantic Board Releases Atlantic Cobia Draft Amendment 1 Public Information Document for Public Comment

Arlington, VA – The Commission’s South Atlantic State/Federal Fisheries Management Board approved for public comment the Public Information Document (PID) for Draft Amendment 1 to the Interstate Fishery Management Plan (FMP) for Atlantic Migratory Group Cobia (Atlantic cobia). As the first step in the amendment process, the document seeks input from stakeholders and those interested in Atlantic cobia about changes observed in the fishery/resource and potential management measures.

Draft Amendment 1 was initiated in anticipation of removal of Atlantic cobia from the South Atlantic and Gulf of Mexico Fishery Management Councils’ (SAFMC and GMFMC, respectively) Fishery Management Plan for Coastal Migratory Pelagic Resources (CMP FMP). Both Councils approved removal of Atlantic cobia from the CMP FMP earlier this year, and this action is now pending review by the Secretary of

Commerce. If approved by the Secretary of Commerce, there would no longer be a federal management plan for Atlantic cobia, and the Commission would become the sole management body for this stock.

The PID outlines three main issues: recommended management for federal waters, a harvest specification process, and biological monitoring requirements. If Atlantic cobia is removed from the CMP FMP, the Commission will need to develop management measures to be recommended for implementation by NOAA Fisheries in federal waters, since a portion of the fishery occurs offshore. Additionally, several management measures within the Interstate FMP are dependent upon the CMP FMP, meaning that these measures will need to be redefined to continue management in state waters.

A harvest specification process would allow the Board to periodically (e.g. annually or biennially) set certain management measures through a Board vote without having to gather input via public hearings as done through an addendum or amendment process. This would expedite the Board's decision-making process for measures where states commonly gather public input through their administrative process. The Board and members of the public have expressed a desire to change some of the current FMP management measures, and this could be accomplished through a harvest specification process.

Finally, biological monitoring programs have been recommended for Board consideration by the Cobia Plan Development Team and Technical Committee. Information obtained by such programs, like ages or lengths, can provide important information beyond harvest estimates to managers as they make decisions.

Stakeholders are encouraged to provide input on the PID either by attending state public hearings or providing written comment. The PID can be obtained at http://www.asmfc.org/files/PublicInput/CobiaDraftAmd1PID_PublicComment.pdf or via the Commission's website, www.asmfc.org, under *Public Input*. Public comment will be accepted until **5 PM (EST) on October 4, 2018** and should be forwarded to Dr. Michael Schmidtke, 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: Cobia PID). If your organization is planning to release an action alert related to the Amendment 1 PID, please contact Michael Schmidtke at mschmidtke@asmfc.org prior to its release.

It is anticipated the states of Georgia, South Carolina, North Carolina, Virginia, and potentially Maryland or Delaware will be conducting public hearings in September 2018. A subsequent press release will provide the details of those hearings. The Management Board will meet at the Commission's 2018 Annual Meeting in October to review and consider public comment and provide direction to staff for items to be included in Draft Amendment 1.

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PR18-24

Meeting Summary

The South Atlantic State/Federal Fisheries Management Board met to review the 2018 update of the 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 declines in recent harvest, neither species had management action triggered because abundance metrics from fishery-independent surveys do not show similar declines.

Disagreements in trends between harvest and abundance metrics motivated the Board to task the Atlantic Croaker Technical Committee and Spot Plan Review Team (TC/PRT) with developing recommended updates to the TLA, which were presented to the Board in February 2018. In May 2018, the Board postponed a motion to incorporate these updates until a joint Atlantic Croaker and Spot Plan Development Team (PDT) could recommend a management response to triggers that would result from the updates. At the Summer Meeting, the PDT recommended several types of management measures that could be applied. It suggested a form of long-term, coastwide management would be useful to prevent harvest from exacerbating environmental and other effects that have caused Atlantic croaker, in particular, to show a cyclical pattern in harvest throughout the fishery's history. The Board voted against the postponed motion from May, intending to gather more specific public input on possible long-term management measures that could be considered for the Atlantic croaker and spot fisheries. The Board also reviewed an update to the Southeast Data, Assessment, and Review (SEDAR) 58 process for Atlantic cobia. The assessment has been delayed by approximately two months to allow for the incorporation of new recreational catch estimates, which were updated by the Marine Recreational Information Program (MRIP) in July 2018.

The Cobia Technical Committee (TC) presented a report responding to a Board task from February 2018 regarding the most appropriate way to evaluate the impacts of recreational harvest of the Atlantic cobia stock. The TC recommended recreational landings of Atlantic cobia be evaluated in MRIP-estimated numbers rather than pounds, if practically feasible. The TC also recommended the Board consider biological monitoring requirements that would require states to collect information other than landings, such as ages or lengths, which could inform stock health and provide additional information for management decisions.

The Board elected to approve state compliance reports and Fishery Management Plan Reviews for Atlantic Croaker and Red Drum via email. The Board also approved the appointment of Craig Freeman to the South Atlantic Species Advisory Panel. Finally, the Board elected Robert Boyles (SC) as Vice Chair.

For more information, please contact Dr. Mike Schmidtke, FMP Coordinator, at mschmidtke@asmfc.org or 703.842.0740.

Motions

Postponed Motion from May 3, 2018

Move to initiate an addendum to the spot and croaker fishery management plans that incorporates the new traffic light analyses and management response to those analyses.

Motion by Mr. Batsavage, seconded by Mr. Gary. Motion fails (8 opposed, 2 abstentions, 1 null).

Move to approve the Public Information Document for Draft Amendment 1 to the Cobia Fishery Management Plan for Public Comment.

Motion made by Ms. Fegley and seconded by Mr. Woodward. Motion carries without objection.

Move to approve Craig Freeman as a member of the South Atlantic Species Advisory Panel.

Motion made by Mr. Cimino and seconded by Ms. Fegley. Motion carries without opposition.

Move to elect Mr. Robert Boyles as Vice Chair.

Motion made by Mr. Woodward and seconded by Dr. Rhodes. Motion carries without opposition.