



# Atlantic States Marine Fisheries Commission

## 2015 Spring Meeting Summary

*Vision: Sustainably Managing Atlantic Coastal Fisheries*

2015 Spring Meeting  
Alexandria, Virginia  
May4-7, 2015

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### Meeting Summaries, Press Releases and Motions

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## **ATLANTIC HERRING SECTION (MAY 4, 2015)**

### ***Press Release***

#### **ASMFC Atlantic Herring Section Approves Draft Amendment 3 for Public Comment**

Alexandria, VA – The Commission’s Atlantic Herring Section has approved Draft Amendment 3 to the Interstate Atlantic Herring Fishery Management Plan (FMP) for public comment. Draft Amendment 3 was initiated to strengthen spawning sea herring protections in Area 1A (inshore Gulf of Maine) and address concerns raised by the commercial Atlantic herring industry. The Draft Amendment proposes (1) changing the spawning monitoring program (default start dates, area boundaries, and length of the closure period); (2) removing the fixed gear set-aside rollover provision, and (3) requiring a vessel’s fish hold to be emptied before leaving on a fishing trip. The empty fish hold provision is also being addressed by the New England Fishery Management Council under Framework Adjustment 4 to the Federal Fishery Management Plan for Atlantic Herring.

The Commission’s Plan Development Team conducted a review of the current spawning monitoring program and recommended new tools and adjustments to improve protection for spawning fish. The review revealed spawning events occur at different times each year and typically last six weeks. Therefore, a modification to the spawning protection program would be appropriate to protect the herring resource. The suite of options include a new forecast system to allow fisheries biologists to pool samples of herring from Maine and Massachusetts and project the date of peak spawning. A range of options for adjusting the default closure start dates are based on analysis of spawning data from the past decade, and provides flexibility in the proportion of spawning fish protected. The Draft Amendment proposes merging the Western Maine (WM) and Massachusetts-New Hampshire (MA-NH) spawning areas because there have been no significant differences in the starting dates of spawning events. Lastly, an option proposes to extend the closure period in MA-NH (or WM-MA-NH) to six weeks reflecting the current characteristics of the rebuilt herring population, which is characterized by a broader age class structure and longer overall spawning season since the current spawning program was developed.

At the request of the fishing industry, the Draft Amendment also includes options to remove the fixed gear set-aside provision and establish a requirement for empty fish holds. Currently, 295 mt is set-aside for the fixed gear fishery in Area 1A until November 1, after which the remaining set-aside is made available to all Area 1A gear types. Maine fixed gear fishermen have requested access to the set-aside until the overall total allowable landings limit has been harvested. Draft Amendment 3 also includes a proposal to establish a requirement for fish holds to be empty of fish prior to trip departures. Members of industry initiated the empty fish hold provision because it would prevent mixing of catch from multiple trips, which can improve accounting of catch and bycatch. In addition, the provision could encourage less wasteful fishing practices by creating an incentive to catch amounts of herring as demanded by markets.

Maine, New Hampshire, and Massachusetts, and possibly the states of Rhode Island through New Jersey, will be conducting public hearings on the Draft Amendment this spring and summer. Fishermen and other interested groups are encouraged to provide input on the Draft Amendment either by attending state public hearings or providing written comment. The Draft Amendment will be available on the Commission website, [www.asmfc.org](http://www.asmfc.org), on the Public Input page no later than May 15<sup>th</sup>. A subsequent press release will announce the details of the scheduled hearings as well as the deadline for the submission of public comment, which will be 14 days following the last public hearing. For more information, please contact, Toni Kerns, ISFMP Director, at [tkerns@asmfc.org](mailto:tkerns@asmfc.org) or 703.842.0740.

###

PR15-12

## **Motions**

### **Move to approve draft Amendment 3 for public comment.**

Motion made by Mr. Adler and seconded by Mr. Borden. Motion carries unanimously.

### **Move to approve the 2014 FMP Review and state compliance reports and *de minimis* status for NY.**

Motion made by Dr. Pierce and seconded by Mr. Gilmore. Motion carries unanimously.

### **Move to accept John Stanley joining the Advisory Panel.**

Motion made by Mr. Train and seconded by Mr. Hasbrouck. Motion carries unanimously.

## **AMERICAN LOBSTER MANAGEMENT BOARD (MAY 4, 2015)**

### ***Press Release***

### **ASMFC American Lobster Board Approves Addendum XXIV**

Alexandria, VA – The Commission’s American Lobster Management Board has approved Addendum XXIV to Amendment 3 to the Interstate Lobster Fishery Management Plan. The Addendum aligns state and federal measures trap transfer programs for Lobster Conservation Management Areas 2, 3, and Outer Cape Cod regarding the conservation tax on trap allocations when whole fishing businesses are transferred, trap allocation transfer increments, and restrictions on trap allocation transfers among permit holders who are authorized to fish both state and federal waters (dual permit holder) within a single lobster management area.

Addendum XXIV removes the 10% conservation tax on full business transfers. Transfer tax on full business transfers was found to be not necessary to prevent the activation of latent effort and that current regulations provide sufficient controls for latent effort. Addendum XXIV also specifies traps shall be transferred in 10 trap increments in all areas that currently have a trap transferability program, unless specified otherwise. This change allows for fewer traps to be transferred at one time thus allowing more flexibility for a permit holder in the trap transfer process. This repeals restrictions on vessel size and trap allocation transfers and does not require a permit be retired if the permit holder has less than 50 traps.

Finally, Addendum XXIV allows dual permit holders to transfer allocation with dual permits holders from other states. If a dual permit holder chooses to purchase a federal trap allocation from a dual permit holder from another state, only the federal allocation will transfer. Therefore, the buyer must also purchase state allocation from a permit holder in their own state to align the federal and state allocations. If the state and federal allocations do not align, the most restrictive rule applies. The Addendum’s measures are effective immediately.

The Addendum will be available on the Commission’s website, [www.asmfc.org](http://www.asmfc.org), on the American lobster page. For more information, please contact, Megan Ware, Fishery Management Plan Coordinator, at [mware@asmfc.org](mailto:mware@asmfc.org) or 703.842.0740.

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PR15-12

### ***Meeting Summary***

The American Lobster Management Board reviewed a series of issues including the Draft Jonah Crab FMP, the Draft Addendum XXIV, and the progress of the Lobster Trap Transfer Database. The Draft Jonah Crab FMP, which proposes the first management measures for the species, was approved for public comment. The document proposes goals and objectives, measures for permits including options for a lobster/crab permit and a crab only permit, spawning stock biomass protections, non-trap limits, and data collection elements. A press release will

announce the availability of the document for public comment and public hearing dates and locations. A motion to establish a Jonah crab fishery control date immediately was passed to notify that individuals entering the fishery after the control date may be treated differently than those participating prior to the control date. The Commission will work with NOAA fisheries to finalize the control date. The Board also finalized measures for Addendum XXIV (see above press release).

In response to a recommendation from the Fishing for Energy Workshop, which highlighted the persistence of derelict gear, the Board voted to recommend to the ISFMP Policy Board to convene the Gear Technology Working Group. The working group, in conjunct with industry, will assess the effectiveness of ghost panels. An update on the Lobster Trap Transfer Database stated that the Database will be ready for the August and September trap transfer window. The peer reviewed Lobster Stock Assessment will be presented at the August meeting.

The Board also recommended to the ISFMP Policy Board to have the Commission send a letter to the NEFMC requesting a prohibition on all bottom tending mobile gear in Closed Area II from July 15<sup>th</sup> to October 31<sup>st</sup>. This provision aligns with the language in the groundfish and offshore lobster industry agreement as well as Addendum XX. The Commission previously sent comments to NEFMC identifying the importance of the large seasonal migration of lobster into and out of Closed Area II and the contribution these migrating lobster have on the overall health of the Gulf of Maine and Georges Bank lobster stocks. During the summer and fall months, the abundance of large female and egg-bearing lobsters is high (~35% of all egg-bearing lobster biomass). The Board discussed a motion to initiate the process to develop an addendum to prohibit all mobile gear in Closed Area II, but this motion was tabled until the August meeting after the NEFMC meets in June to take action on Closed Area II measures. The Jonah Crab Advisory Panel was populated with seven individuals. For more information please contact Megan Ware, FMP Coordinator, at [mware@asmfc.org](mailto:mware@asmfc.org) or 703.842.0748.

### ***Motions***

#### **Motion to approve the document for public comment as modified today.**

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

**Move to establish a Jonah crab fishery control date immediately. The intention of the control date is to notify current and potential new entrants to the fishery, especially those who fish in jurisdictions that do not require a specific permit for harvest of Jonah crabs, that should the Board establish limited entry programs for the Jonah crab fishery, eligibility to participate in the commercial fishery in the future may be affected by the person's or vessel's past participation based on verifiable documentation of landings and effort and/or licenses possessed prior to that date.**

Motion made by Mr. Train and seconded by Mr. Abbott. Motion passes (10 in favor, 1 opposed, 1 null).

**Motion to approve the addendum with the following options: Issue 1- option B; Issue 2- option B; Issue 3- include option 2.**

Motion made by Mr. Borden and seconded by Mr. Hasbrouck. Motion passes unanimously

**Motion to approve the addendum as written.**

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

**Recommend to the Policy Board to task the Gear Technology Working Group to work with industry to assess lobster ghost panel effectiveness.**

Motion made by Ms. Patterson and seconded by Mr. Hasbrouck. Motion passes unanimously

**Move to approve Todd Richards Ellis (NH), Captain Jan Horecky (MA), William Purtell (MA), David Spencer (RI), Brian Thibeault (RI), Chris Scola (NY), and Earl Gwin (MD) to the Jonah Crab Advisory Panel.**

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

**Move to request the Policy Board to send a letter to the NEFMC reiterating our concerns for lobster and request a prohibition on all bottom tending mobile gear in closed area 2 from June 15<sup>th</sup> to October 31<sup>st</sup> north of 41 degrees 30 minutes.**

Motion made by Mr. Borden and seconded by Mr. Adler. Motion passes (7 in favor, 4 abstention).

**Move to direct staff to initiate the process of developing an addendum to the Lobster FMP to prohibit all mobile gear in closed areas 2 north of 41 degrees 30 minutes during June 15<sup>th</sup> to October 31<sup>st</sup> should the area reopen.**

Motion made by Mr. Borden and seconded by Mr. Adler. Motion tabled until August Meeting.

**Motion to table the motion to the August meeting.**

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

**ATLANTIC MENHADEN MANAGEMENT BOARD (MAY 5, 2015)**

***Press Release***

**ASMFC Atlantic Menhaden Board Sets 2015 and 2016 TAC at 187,880 MT & Initiates Amendment to Establish Ecological Reference Points**

Alexandria, VA – The Commission’s Atlantic Menhaden Management Board approved a total allowable catch (TAC) for the 2015 and 2016 fishing seasons at 187,880 mt per year, a 10% increase from the 2014 TAC. The increase responds to the positive findings of the 2015 Atlantic menhaden benchmark assessment which indicates the resource is not overfished nor experiencing overfishing relative to the current biological reference points. The TAC will be made available to the states/jurisdictions based on the state-by-state allocation established by Amendment 2 (see accompanying table). The Board also committed to moving forward with the development of an amendment to establish ecological based reference points that reflect Atlantic menhaden’s role as a forage species. The amendment will also consider changes to the current state-by-state allocation scheme.

“The Board struck an important balance by increasing fishing opportunities to both the reduction and bait fisheries and committing to fully evaluating the ecological role of Atlantic menhaden through the amendment process,” stated Board Chair Robert Boyles from South Carolina.

2015 ATLANTIC MENHADEN QUOTAS*		
STATE	QUOTA (MT)	QUOTA (LBS)
ME	73.24	161,466
NH	0.06	123
MA	1,559.74	3,438,630
RI	33.32	73,457
CT	32.45	71,537
NY	103.13	227,365
NJ	20,816.87	45,893,335
DE	24.56	54,153
MD	2,553.08	5,628,568
PRFC	1,154.66	2,545,595
VA	158,700.12	349,873,884
NC	916.55	2,020,645
SC	-	-
GA	-	-
FL	33.43	73,695
<b>TOTAL</b>	<b>186,001.20</b>	<b>410,062,453</b>

\*Quotas may be adjusted pending final 2014 landings. Total landings after 1% set-aside for episodic events.

The Board has established a working group to aid in the development of issues to be addressed in the Public Information Document (PID) and draft amendment. The Board will meet later this year to review the working group's progress. The PID is the first step in the Commission's amendment process. It will gather information concerning the Atlantic menhaden fishery and resource and provide an opportunity for the public to identify and comment on major issues relative to the management of this species. For more information, please contact Mike Waine, Senior Fishery Management Plan Coordinator, at [mwaine@asmfc.org](mailto:mwaine@asmfc.org) or 703.842.0740.

###

PR15-15

### **Motions**

**Move to accept the 2015 FMP Review report and approve the states of Maine, New Hampshire, South Carolina, Georgia, and Florida for *de minimis* status for the 2015 fishing season.**

Motion made by Dr. Daniel and seconded by Mr. Adler. Motion passes.

### **Main Motion**

**Move that the Commission maintain the coastwide TAC at 170,800 metric tons for 2015 to promote conservation, and initiate Amendment 3 to the Atlantic Menhaden FMP to establish ecological reference points to provide for predators, set a new coastwide TAC based on these new ecological reference points for implementation in the 2016 fishing season, and review state allocations as required by Amendment 2.**

Motion by Dr. Daniel and seconded by Rep. Peake. Motion substituted.

### **Substitute Motion**

**Move to substitute the TAC at 187,880 mt for 2015 and initiate Amendment 3 to the Atlantic Menhaden FMP to establish ecological reference points and to review state allocation as required by Amendment 2. The TAC would increase by 10% in 2016 and 2017, or until a new coastwide TAC could be set based on ecological reference points developed by Amendment 3.**

Motion made by Mr. Nowalsky and seconded by Mr. Train. Motion amended.

### **Motion to Amend the Substitute Motion**

**Move to amend the substitute motion by removing "The TAC would increase by 10% in 2016 and 2017, or until a new coastwide TAC could be set based on ecological reference points developed by Amendment 3" and adding "and 2016" to set TAC at 187,880 mt.**

Motion made by Mr. Stockwell and seconded by Sen. Watters. Motion carries by roll call vote (In favor – ME, NH, CT, NY, NJ, DE, MD, PRFC, VA, NC, SC, GA, FL, NOAA Fisheries, USFWS; Opposed – MA, RI).

### **Substitute Motion as Amended**

**Move to substitute the TAC at 187,880 mt for 2015 and 2016, initiate Amendment 3 to the Atlantic Menhaden FMP to establish ecological reference points, and to review state allocation as required by Amendment 2.**

Motion divided.

### **Motion to Divide Substitute Motion**

**Move to divide the motion so TAC of 187,880 mt for 2015 and 2016 is one motion, and second motion initiates an amendment for development of ERPs and allocation.**

Motion made by Ms. Fegley and seconded by Mr. Gary. Motion carries.

### **Part 1 of Divided Substitute Motion**

**Move to substitute the TAC at 187,880 mt for 2015 and 2016.**

Motion carries (12 in favor, 4 opposed, 1 null).

## **Part 2 of Divided Substitute Motion**

**Move to initiate Amendment 3 to the Atlantic Menhaden FMP for development of ERPs and allocation.**

Motion carries unanimously.

## **Main Motion as Substituted**

**Move that the Commission establish the coastwide TAC at 187,880 metric tons for 2015 and 2016 to promote conservation, and to initiate Amendment 3 to the Atlantic Menhaden FMP for development of ERPs and allocation.**

Motion carries by roll call vote (In favor – ME, NH, MA, RI, CT, NY, NJ, DE, MD, PRFC, VA, NC, SC, GA, FL, NOAA Fisheries; Opposed – USFWS).

## **SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (MAY 5, 2015)**

### ***Meeting Summary***

The South Atlantic Board met to receive a presentation from the NOAA Southeast Regional Office on its Draft Strategic Plan for FY2016-2020. The report outlined five strategic goals which include improving organization effectiveness, promoting economically vibrant fisheries and communities, improving the scientific basis for managing resources, leveraging resources in support of organization priorities, and maximizing the benefit of consultation resources. Comments from the Board included the inclusion of South Atlantic seismic testing as a priority; greater consistency in the application of protected species measures between the Greater Atlantic Regional Office and the Southeast Regional Office for coastwide species (i.e., Northern right whale); and a need for greater flexibility for states to modify their Section 10 incidental take plans when changes in the fishery occur (i.e., sea turtles in North Carolina). Public comments on the Draft Strategic Plan will be accepted until July 11, 2015 and can be sent to [Heather.Blough@noaa.gov](mailto:Heather.Blough@noaa.gov). For more information, please contact Megan Ware, FMP Coordinator, at [mware@asmfc.org](mailto:mware@asmfc.org), or 703.842.0748.

### ***Motions***

No motions made.

## **BLANK ROME WORKSHOP (MAY 5, 2015)**

### ***Meeting Summary***

CJ Zane (Managing Principal) and Kate Anderson (Public Policy Advisor) of Blank-Rome Government Relations LLC updated Commissioners about a number of federal legislative topics including a status of the fiscal year 2016 budget and appropriations, the Magnuson-Stevens Act Reauthorization, Mid-Atlantic Horseshoe Crab Trawl Survey funding, and Congressional Committee membership changes. CJ and Kate also attended the Annual Awards of Excellence Reception and answered individual Commissioner questions there. For more information, please contact deke Tompkins, Legislative Executive Assistant at [dtompkins@asmfc.org](mailto:dtompkins@asmfc.org) or 703.842.0740.

## **LAW ENFORCEMENT COMMITTEE (MAY 5, 2015)**

### ***Meeting Summary***

The Law Enforcement Committee (LEC) met over two days during the Commission's 2015 Spring Meeting to discuss a number of issues. Following are the highlights of its meeting.

### ***Species Issues***

Striped Bass — Mark Robson briefed committee members on the latest conservation equivalency measures being adopted by the states. The committee noted the effort of states to adopt the same or similar size and bag limits, in partial response to LEC comments for consistency and simplicity.



Jonah Crab — The LEC received an update from staff on draft management options for this new fishery that is closely tied to the American lobster fishery. After reviewing possible permit options, minimum size limits, and possible harvest tolerances, the LEC appointed a sub-committee to review the fishery and the management plan. Written comments will be prepared and presented to the American lobster Management Board.

Atlantic Herring — Mike Eastman briefed the committee on draft measures for an empty-hold provision and his recommendation that the language in the draft document is sufficient to address any enforcement concerns about checking or certifying empty holds.

### **Action Plan Issues**

Committee members shared information on the most recent AFWA/NACLEC meetings, and the second enforcement Leadership Academy that is underway. A few members of the LEC participate in AFWA, and will likely be attending the annual meeting this September, in Arizona.

The LEC also discussed a possible joint meeting of the ASMFC and the Gulf States Marine Fisheries Commission (GSMFC) during the fall 2015 meeting in Florida. There is interest in a possible joint meeting with the GSMFC LEC, and some common agenda items will be developed for that meeting.

To better support ASMFC management boards, the LEC appointed alternate representatives to the various species boards. This will allow newer members to learn more about the ASMFC process, and be available to fill in for primary LEC representatives.

### **Other Issues**

Jason Snellbaker introduced a concern regarding possible abuse of safe-harbor requests in New Jersey. Other LEC members exchanged information about how their respective states handle safe harbor requests. There was not a general consensus for mechanisms to evaluate safe harbor requests, but members discussed a range of procedures ranging from no formal policies to a regulatory framework.

Based on discussions during development of revised Enforceability Guidelines, members reviewed recommendations for establishing boundaries of closed or protected areas. All agreed that the recommendations contained in the revised guidelines are adequate to address improvements in tracking and mapping technology and enforcement tools.

### **Special Recognition**

Members of the LEC thanked Elizabeth Buendia (USCG), Lloyd Ingerson (MD), and Doug Lewis (GA) for their contributions to the committee. All three are moving on to bigger and better things.

### **Election**

Because of the retirement Lloyd Ingerson, the current chairman, members elected Mike Eastman and Steve Anthony to serve as Chair and Vice Chair, respectively.

For more information, please contact Mark Robson, LEC Coordinator, at [markrobson2015@outlook.com](mailto:markrobson2015@outlook.com).

## **ATLANTIC STRIPED BASS MANAGEMENT BOARD (MAY 5, 2015)**

### ***Meeting Summary***

The Atlantic Striped Bass Management Board met to (1) review progress on the development of three area-specific fishing mortality reference points (i.e., Chesapeake Bay, Delaware Bay, and the Hudson River), (2) review proposed changes to the Virginia striped bass tagging and monitoring program, and a calibration proposal to the Virginia and Maryland seine survey, and (3) review the implementation status of Addendum IV.

The Technical Committee (TC) presented its report on area-specific fishing mortality (F) reference points. For the Chesapeake, the TC found the Statistical-Catch-at-Age model, which was used in the 2013 benchmark stock assessment, is an appropriate tool to develop Bay-specific reference points since the Chesapeake Bay already exists as a separate fleet within the model. The TC will develop those reference points for Board consideration in August, with the caveat that projections regarding how those reference points would impact management in the Bay and coast would not be available for Board consideration until the Commission's Annual Meeting in November. The TC recommended development of F reference points for the Delaware Bay, via the same methods identified for the Chesapeake Bay, as part of the next benchmark stock assessment. Lastly, the Board did not move forward with Hudson River F reference points because fish from that stock quickly join the coastal population and are therefore considered as part of the coastal fleet.

The Board approved the proposed changes to the Virginia tagging and monitoring program, specifically to the gillnet survey in the Rappahannock and James Rivers. The proposed changes are to replace the 24 hour soak time gillnet survey in the Rappahannock and James Rivers with a short set (0.5-2 hours) gillnet survey in the Rappahannock, James, and York Rivers. Expanding tagging efforts on the James and York Rivers will provide additional information on the multiple stocks that make up the Virginia striped bass population. The Board also approved the Virginia and Maryland seine calibration proposal since the material from which these nets are currently constructed is no longer available, and new material of unknown efficiency will need to be used starting 2015. The Virginia Institute of Marine Science is proposing to conduct side-by-side comparison sweeps using seine nets constructed with the new material and the material currently being used, as well as two block net studies to determine the relative catch efficiency of the new seine mesh material.

The Board also reviewed the status of the states' Addendum IV management measures and found that all states have either finalized or will finalize this week the required measures to Addendum IV's required reductions in removals. Go here [http://www.asmfc.org/uploads/file/554cd8202015StripedBassRegulations\\_May2015.pdf](http://www.asmfc.org/uploads/file/554cd8202015StripedBassRegulations_May2015.pdf) for a list of final 2015 state management measures. For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at [mappelman@asmfc.org](mailto:mappelman@asmfc.org) or 703.842.0740.

### ***Motions***

**Move to initiate development of an addendum to establish a Chesapeake Bay fishing mortality reference point consistent with the Technical Committee's Option 3, Statistical Catch-at-Age based reference point, and management options to achieve this reference point.**

Motion made by Mr. O'Connell and seconded by Mr. O'Reilly. Motion fails (5 in favor, 9 opposed, 2 abstentions)

### **ANNUAL AWARDS OF EXCELLENCE (MAY 5, 2015)**

#### **ASMFC Presents Annual Awards of Excellence**

Alexandria, VA - The Atlantic States Marine Fisheries Commission presented Steven Heins, Dr. Matthew Cieri, Jeffrey Brust, Michael Hendricks, Sergeant James Kane, and Janice Plante with its Annual Awards of Excellence for their outstanding contributions to fisheries management, science, law enforcement, and outreach along the Atlantic coast.

"Every year a great many people contribute to the success of fisheries management along the Atlantic coast. The Commission's Annual Awards of Excellence recognize outstanding efforts by professionals who have made a difference in the way we manage and conserve our fisheries," said ASMFC Chair Louis B. Daniel, III of the North Carolina Division of Marine Fisheries. "This evening, we honor several exceptional individuals for their contributions to the management and conservation of Atlantic coast fisheries."

## Management & Policy Contributions

### ***Steven Heins, New York State Department of Environmental Conservation (NYS DEC)***

Steven Heins has been dedicated to state, interstate and federal management issues for nearly three decades, providing of leadership, innovation and technical excellence that represents the core mission and values of the Commission. From 1988 – 2000, Mr. Heins oversaw New York’s species monitoring programs, playing an important role in helping to inform management decisions at the Commission and Mid-Atlantic Fishery Management Council (MAFMC) level. He developed and implemented New York’s Artificial Reef and Access Program, authoring the original Reef Management Plan and environmental impact statement that made the program a reality. He is also a longstanding member and past chair of the Commission’s Artificial Reef Committee, which has been providing guidance on and coordinating artificial reef development activities along the Atlantic coast since the mid-1980s.



Award Recipients (from left): Sergeant James Kane, Michael Hendricks, Steven Heins, Jeffrey Brust, Janice Plante, Dr. Matthew Cieri

Since 2006, with his promotion to Chief of Finfish and Crustaceans Section, Mr. Heins has represented NYS DEC on the MAFMC and a number of its committees including Atlantic mackerel, squid and butterfish; surf clam, ocean quahog and tilefish; and demersal and coastal migratory species. He is the lead for management and compliance information for all Commission-managed species in New York and has been a longstanding member and active participant on the Management & Science Committee. He is also a member and current chair of the Northeast Area Monitoring and Assessment Program (NEAMAP) Board, which oversees three fishery-independent data collection surveys for the coastal waters of Maine to North Carolina. When other funding was unavailable to support the program, Steven played a pivotal role in securing over \$500,000 to support NEAMAP. Recently, he helped craft the current summer flounder regional management approach and he continues to work to find solutions to current management challenges with striped bass, black sea bass, tautog and Atlantic sturgeon.

## Scientific & Technical Contributions

### ***Matthew Cieri, Ph.D., Maine Department of Marine Resources (ME DMR)***

Throughout his career, Dr. Matthew Cieri has provided critical assessment expertise to aid in the management of marine resources in Maine, New England and along the Atlantic coast. Since 2001 as a marine resource scientist, Dr. Cieri has led ME DMR Maine’s Atlantic herring monitoring and stock assessment activities, providing technical advice and data analysis for resource assessment and management purposes. The monitoring program, which Dr. Cieri oversees, encompasses the collection and verification of landings data and biological information, and management of the herring ageing program and portside bycatch sampling program. On the regional front, Dr. Cieri has helped formulate herring “days out” options for managers and industry decision making, and worked closely with the New England Fishery Management Council’s Atlantic Herring Plan Development Team to develop river herring and shad catch cap options for use in the Council’s Framework 3.

He is also a member and important contributor on numerous Commission and Council committees, including technical/stock assessment committees for Atlantic menhaden, spiny dogfish, American eel, and Atlantic herring, which he chaired for many years. He chaired the Commission's Multispecies VPA (MSVPA-X) Subcommittee and the American Eel Stock Assessment Committee. His efforts led to the successful review of the MSVPA-X, as well the timely and successful completion of the first coastwide benchmark stock assessment for American eel. The findings of the American eel benchmark assessment led to the current American eel management program.

***Jeffrey Brust, New Jersey Division of Fish and Wildlife (NJ DFW), Marine Fisheries Administration***

For the past 16 years, Jeffrey Brust's hard work, dedication and innovative approaches to assessment science has made significant improvements to the Commission's stock assessment process and modelling techniques. For the last decade, Mr. Brust has either chaired or been one of the lead scientists for a number of species assessments, including weakfish, American eel and tautog, developing innovative modelling approaches and successfully navigating them through peer review for their use in management. He is one of the lead scientists for assessing data poor species by employing methods traditionally used on the West Coast and applying those techniques to Commission species, such as American eel. Even when not serving on the stock assessment subcommittee, our recipient has a way making an impact on the success and utility of an assessment. As a member of the Atlantic Menhaden Technical Committee, which he also chaired through the development and implementation of Amendment 2, Mr. Brust conducted a review and analysis of the historical menhaden fecundity studies, finding an error in the interpretation of those results which led to new fecundity-at-age/size estimates and a significantly improved stock assessment.

Dedicated to increasing the stock assessment capabilities of state biologists, Mr. Brust has taught a number of beginner and intermediate stock assessment training courses. He also created, through the Assessment Science Committee, a stock assessment mentoring program to help technical committee members get exposed to the assessment process in an effort to develop future lead assessment scientists.

***Michael Hendricks (retired), Pennsylvania Fish & Boat Commission***

Michael Hendricks dedicated his 32-year career to restoring American shad to Pennsylvania's Susquehanna, Delaware, Lehigh and Schuylkill Rivers. As a past member and chair of the Commission's Shad and River Herring Technical Committee, he pioneered the use of oxytetracycline (OTC) for marking American shad. He chaired the OTC Tagging Task Force which coordinates otolith tagging of hatchery produced American shad among the Commission member states. He developed and implemented culture techniques for American and hickory shad, and led research activities at the Van Dyke hatchery, located on the Juniata River, for over 25 years. The Van Dyke hatchery was constructed in 1976 and was the first modern American shad hatchery in the nation. Under our recipient's direction, approximately 237 million American shad fry have been reared and stocked in Pennsylvania's rivers. Mr. Hendricks has also chaired the Technical Committee of the Susquehanna River Anadromous Fish Restoration Cooperative, playing a lead role in drafting the current comprehensive Susquehanna River Anadromous Fish Restoration Plan. He has served on the Delaware River Fish and Wildlife Cooperative Committee.

Dedicated to improving the passage of anadromous fish both up and down stream, Mr. Hendricks provided consultation on fishway development and implementation on the Schuylkill and Lehigh Rivers and served on various Chesapeake Bay Commission fish passage and fisheries management plan committees. He was an active participant on fish passage technical committees for four Susquehanna River hydroelectric dams and was a key player in the ongoing FERC relicensing of four hydroelectric facilities on the Susquehanna River from 2004 - 2013 to ensure that anadromous fish protection and restoration are in the forefront in the negotiations.

## **Law Enforcement Contributions**

### ***Sergeant Jim Kane of the Connecticut State Environmental Conservation Police***

Sergeant Jim Kane's dedication, knowledge of fishing practices and laws, and ability to work well with other law enforcement agencies throughout the region has earned him the respect and admiration of his law enforcement colleagues. For a decade, he has worked to ensure fishery management regulations within Rhode Island and neighboring states are being upheld, consistently performing a high level of at-sea and dockside inspections of commercial and recreational fishing vessels in his state, as well as numerous recreational shoreside fisherman inspections. Sergeant Kane has worked with New York, Rhode Island and Massachusetts Law Enforcement as well as NOAA Office of Law Enforcement (OLE) on a number of fisheries investigations and enforcement initiatives. Several of these multi-state investigations involved commercial and recreational lobster, scallop, striped bass, scup, American eels, winter and summer flounder. A couple of the investigations have been high level, such as one case which involved the illegal possession and sale of striped bass taken from Rhode Island and offloaded in Connecticut. Another case involved the successful prosecution of a Rhode Island commercial lobster fishing investigation, which involved New York and NOAA OLE; several hundred illegal lobster traps were seized as part of the investigation. During the past several years, Sergeant Kane has also been involved with numerous violations and federal referrals to NOAA OLE for commercial fishing vessels landing over the legal limits or possession of illegal species.

## **Outreach & Advocacy Contributions**

### ***Janice Plante, former writer and associate editor for Commercial Fisheries News (CFN) and Fish Farming News***

Through her diligent reporting on fisheries issues, Janice Plante has significantly advanced stakeholder understanding of fisheries management and scientific activities along the Atlantic coast. No writer or journalist has done more to bridge the gap between fisheries managers/scientists and commercial fishermen than Ms. Plante. For the past three decades, Ms. Plante has not only been committed to, but also excelled at, breaking down complex fisheries management and science issues in clear, understandable, and accessible language that both inform and engage New England fishermen in the fisheries management process at all levels of government (state, interstate, regional and federal). Not an easy task given that she has had to digest complicated fishery stock assessments, gear requirements, and regulatory issues, translating the bottom line into terminology easily grasped by commercial fishermen and the public. She has covered a multitude issues ranging from American lobster to Atlantic herring, northern shrimp, spiny dogfish, and groundfish. Even though the news that she reported on has not always been favorable from the perspective of the commercial fishing industry, she has always done it in an unbiased way, presenting both the facts of matter and the full range of viewpoints, allowing her readership to come to their own opinions about the issue at hand. Throughout her career with CFN, Ms. Plante has work closely with Commission staff to ensure that her stories correctly characterize the management issues at hand and the science behind the Commission's management decisions, always with the intent to demystify and make more accessible the Commission's activities to the stakeholders it impacts the greatest. Ms. Plante's body of work is a true testament to her deep and abiding commitment to both the fisheries management process and the industries it seeks to support.

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PR15-14

## **EXECUTIVE COMMITTEE (MAY 6, 2015)**

### ***Meeting Summary***

The Executive Committee met to discuss a number of issues including staff tenure and Commission finances. The Executive Committee approved the FY2016 budget. The Executive Committee also discussed revising ISFMP guidance documents to more accurately reflect current practices and procedures. For more information, please contact Laura Leach, Director of Finance and Administration, at [lleach@asmfc.org](mailto:lleach@asmfc.org) or 703.842.0740.

## **INTERSTATE FISHERIES MANAGEMENT PROGRAM (MAY 6, 2015)**

### ***Meeting Summary***

The Interstate Fisheries Management Program Policy Board (Board) met to consider a number of issues. The Board reviewed the results of the 2014 Commissioner survey, which measures the Commissioner opinions regarding the progress and actions of the Commission in 2014. There was an overall positive trend that the Commission was working towards its mission and vision. The Commission will continue its efforts to work effectively with state and federal partners, and stakeholders, as well as provide transparency and clear management documents for stakeholder use and consideration.

The Board approved stock status definitions used in many Commission documents including the annual performance of the stocks. Stocks are divided into 5 categories based on stock condition: rebuilt/sustainable, recovering/rebuilding, unknown, depleted, and concern. The document also provides general definitions of overfished, overfishing, and stable/unchanged.

The Board received a report from the Assessment Science Committee regarding updates to the Technical Support Group Guidance and Benchmark Stock Assessment Document as well as the ASMFC Stock Assessment Schedule. The Board approved a clarification on the submission timeline for benchmark assessment alternate analyses. Alternate analysis must be provided to the Stock Assessment Subcommittee a month before the first assessment workshop to allow sufficient time for review in subsequent assessment workshops. The Board also approved the addition of a Fisheries-Independent Data Policy to the Technical Support Group Guidance and Benchmark Stock Assessment Document. The Fisheries-Independent Data Policy formalizes how data will be used during and after assessments to inform fisheries management decisions, while protecting the rights of data providers. The Board reviewed the ASMFC Stock Assessment Schedule and approved the recommended additions from the Assessment Science Committee.

The Board received a report from the Committee on Economics and Social Sciences (CESS) as a follow-up to the previous February Board presentation regarding the updated role of the CESS within the Commission. The CESS will continue to provide socioeconomic data regarding commercial and recreational fisheries to the development of future management documents when applicable and data are both available and do not violate confidentiality standards.

The states discussed their concern over the poor status of the winter flounder resource, particularly the Southern New England/Mid-Atlantic (SNE/MA) stock. The Commission agreed to send a letter to the New England Fishery Management Council and NOAA Fisheries requesting the initiation of a broader dialogue on the co-management of SNE/MA winter flounder, with particular focus on the poor status of the stock and achieving more consistency in the application of management measures in state and federal waters. The Atlantic Coastal Fish Habitat Partnership (ACFHP) updated the Board on highlights from the ACFHP Steering Committee Spring Meeting. An update on the North Atlantic Landscape Conservation Cooperative-

funded decision support tool to assess aquatic habitats and threats in North Atlantic watersheds was provided including the winter flounder assessment and the river herring assessment. ACFHP will apply for funding from the Mid-Atlantic Fishery Management Council for offshore reef restoration and monitoring. National, Coastal, and Regional Fish Habitat Partnership updates were provided, which included details on the status of the 501(c)(3) fund, program rebranding and marketing, and 2015 and 2016 funding opportunities. ACFHP welcomed the North Carolina Coastal Federation into the Partnership, bringing the number of partners to 33. ACFHP discussed the National Marine Fisheries Service's National Recreational Fisheries Implementation Plan as well as the progress that states are making on creating task forces to address estuarine acidification. Its Steering Committee deliberated on updating funding criteria and edits to the draft ACFHP Business Plan. The Commission's Habitat Committee will be investigating energy development's impacts on Atlantic coastal fish habitat for the next issue of Habitat Hotline Atlantic. Jake Kritzer and January Murray are the new Chair and Vice-Chair of the committee, respectively.

The Board reviewed a progress report from Northeast Regional Ocean Council's ocean planning committee on best ways to address regional issues and coordinate ocean planning activities in New England. The Board reviewed and discussed maps of commercial fishing activity that have been developed with participation of the commercial fishing industry, scientists, and managers in order to characterize spatial patterns of commercial fishing for ocean planning discussions.

Based on a recommendation from the American Lobster Board, the Commission tasked the Gear Technology Working Group to work with industry to assess lobster ghost panel effectiveness. Also based on a recommendation from the American Lobster Board, the Commission will send a letter to the New England Fishery Management Council reiterating concern for American lobster. The letter will request the Council consider a prohibition on all bottom tending mobile gear in Closed Area II from June 15th to October 31st north of 41 degrees 30 minutes. The Commission previously sent comments to NEFMC identifying the importance of the large seasonal migration of American lobster into and out of Closed Area II and the contribution these migrating lobster have on the overall health of the Gulf of Maine and Georges Bank lobster stocks.

For more information, please contact Toni Kerns, ISFMP Director, at [tkerns@asmfc.org](mailto:tkerns@asmfc.org) or 703.842.0740.

### ***Motions***

#### **Move to approve the Stock Status Definitions.**

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

#### **Move to approve the changes to the TC Guidance document and assessment schedule as presented.**

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

#### **Winter Flounder Motion from October 2014**

**Move that the Commission send a letter to NEFMC and NOAA Fisheries urging a reduction in the SNE/MA winter flounder possession limit to bycatch limits only for federal vessels based on sea sampling data for trips targeting other species.**

**Move that the Commission send a letter to the NEFMC and NOAA Fisheries requesting the initiation of a broader dialogue on the co-management of SNE/MA winter flounder, with particular focus on the poor status of the stock and achieving more consistency in the application of management measures in state and federal waters.**

Motion made by Mr. Ballou and seconded by Mr. Gilmore. Motion carries unanimously.



**On behalf of the American Lobster Board, recommend the Commission task the Gear Technology Working Group to work with industry to assess lobster ghost panel effectiveness.**

Motion carries without objection.

**On behalf of the Lobster Board, recommend the Commission send a letter to the NEFMC reiterating our concerns for lobster and request a prohibition on all bottom tending mobile gear in closed area 2 from June 15<sup>th</sup> to October 31<sup>st</sup> north of 41 degrees 30 minutes.**

Motion carries with one abstention (NOAA Fisheries).

## **SHAD & RIVER HERRING MANAGEMENT BOARD (MAY 6, 2015)**

### ***Meeting Summary***

The Shad and River Herring Board met to review recommendations from the Technical Committee (TC) on the stock assessment schedule, the need for a meeting to discuss data collection, and provide comment on the River Herring Technical Expert Working Group's (TEWG) River Herring Conservation Plan. The TC recommended that American Shad be added to the assessment schedule for an assessment update in 2017 and for river herring to have an assessment update in 2018 (these dates may be changed after discussions with federal partners). The TC also recommended that a data collection and standardization meeting be held later this year, where the TC would develop recommendations to standardize data collection methods for future survey programs, as well as discuss how best to standardize current survey data collected across the species' range. The Board approved the TC conducting this meeting later this year. Lastly, the Board was presented the Conservation Plan, which has been released this week for public review and comment (see joint NOAA Fisheries/ASMFC Press Release below). For more information, please contact Kirby Rootes-Murdy, FMP Coordinator, at [krootes-murdy@asmfc.org](mailto:krootes-murdy@asmfc.org), or 703.842.0740.

### ***Press Release***

## **NOAA Fisheries and the Atlantic States Marine Fisheries Commission Release River Herring Conservation Plan to Aid in Restoration Efforts**

NOAA Fisheries and the Atlantic States Marine Fisheries Commission (Commission) announce the release of the River Herring Conservation Plan. The goals of the plan are to increase public awareness about river herring (alewife - *Alosa pseudoharengus*) and blueback herring - *A. aestivalis*), and to foster cooperative research and conservation efforts to restore river herring along the Atlantic coast. The plan, which is available online and will be refined over time with public input, builds upon past and current river herring conservation projects and coordinates ongoing activities. The Plan was developed with input and information provided by the River Herring Technical Expert Working Group (TEWG), a group of scientists, industry representatives, conservation groups, tribal leaders, and government officials with expertise related to river herring. The Plan seeks to achieve the following goals:

- Increase coordination of river herring data collection, research and conservation
- Identify and undertake key research projects related to assessment and conservation
- Identify any further conservation actions to address threats
- Cultivate and engage research groups to address key topics in protecting or restoring herring populations
- Identify funding sources and secure funds for river herring research and conservation



- Improve information to be used in conservation efforts and incorporated into the next assessment
- Increase public outreach about river herring and the need for addressing impacts to these resources

“By focusing on areas where there is the greatest need, the plan is an ideal tool for anyone interested in restoring river herring populations coastwide,” said Kimberly Damon-Randall, Assistant Regional Administrator for Protected Resources, Greater Atlantic Region, NOAA Fisheries. “It provides extensive background on each species’ life history, stock condition, and current management measures, and identifies areas where research and conservation efforts should be concentrated. Importantly, the plan and what it seeks to achieve represent the collective input and efforts of a broad constituency of individuals and agencies dedicated to the restoration of these important species. It is our hope that by following the roadmap we have laid out in the plan, restoration can be achieved.”

On August 12, 2013, NOAA Fisheries announced that listing river herring under the Endangered Species Act as either threatened or endangered was not warranted based on the analysis of available information. As part of that decision, NOAA Fisheries committed to working collaboratively with the Commission, which manages U.S. East Coast river herring stocks, and other partners to implement a coordinated coastwide effort to proactively conserve river herring and help to fill data gaps. The Conservation Plan and the TEWG are products of that commitment and collaborative effort. Since initiation of these efforts, important progress has been made towards each of the plan’s goals, including:

- Increased coordination among partners by establishing the TEWG and developing the Conservation Plan.
- Provided funding to:
  - A collaborative project involving the Massachusetts Division of Marine Fisheries, the University of California-Santa Cruz, the Connecticut Department of Energy and Environmental Protection, The Nature Conservancy, the University of Massachusetts-Amherst, and the U.S. Geological Survey’s Massachusetts Cooperative Fish and Wildlife Research Unit to advance our understanding of alewife and blueback herring bycatch in commercial Atlantic herring and mackerel fisheries and impacts of this fishing activity on river herring populations. The project will also gather information from six nursery systems between Maine and Connecticut to provide insights into what factors influence freshwater productivity of juvenile river herring. These efforts will then be combined to examine the importance of different life stages to river herring populations.
  - The Barnegat Bay Partnership and Rutgers University to conduct surveys and collect data to improve our understanding of historic and current distribution of alewife and blueback herring spawning habitats in Barnegat Bay and the Raritan River in New Jersey.
  - NMFS Northeast Fisheries Science Center to develop a river herring/ Atlantic herring oceanic habitat overlap forecast tool for use by the commercial Atlantic herring fishery to minimize incidental river herring catches.
  - The Atlantic Salmon Federation to continue river herring counts at the Milltown Dam fishway in the St. Croix watershed.
- Conducted a coastwide social science survey to document fishermen’s observations of river herring in commercial, recreational, and subsistence fisheries.
- Identified the Penobscot River in Maine and the Choptank River in Maryland as Habitat Focus Areas under NOAA’s Habitat Blueprint, targeting financial resources and technical assistance to support habitat conservation and restoration efforts in these high-priority watersheds.
- Incorporated information provided by the Passamaquoddy Tribe, Pleasant Point, on the cultural importance of river herring to the Tribe into this conservation plan.

NOAA Fisheries and the Commission are committed to strengthening river herring conservation. An important first step is to improve upon and ensure data collection consistency throughout the Atlantic coast, including the Canadian Provinces. The Commission's Shad and River Herring Technical Committee in conjunction with federal partners will convene later this year to develop recommendations to standardize data collection methods for future survey programs, as well as how best to standardize current survey data collected across the species range. NOAA Fisheries and the Commission will be providing support for this meeting.

While this conservation planning initiative is a committed long-term effort, your input is welcome on the River Herring Conservation Plan during its evolving early phase. Please send your comments on the structure and contents of the plan to [nmfs.gar.riverherringplan@noaa.gov](mailto:nmfs.gar.riverherringplan@noaa.gov) by June 1, 2015. The Conservation Plan is available at <http://www.greateratlantic.fisheries.noaa.gov/protected/riverherring/conserv/index.html>.

### ***Motions***

**Move the board task the TC with conducting a meeting on data collection and standardization.**

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

### **TAUTOG MANAGEMENT BOARD (MAY 7, 2015)**

#### ***Press Release***

## **ASMFC Tautog Board Initiates Amendment to Establish Regional Stock Areas & Associated Reference Points**

Alexandria, VA – The Commission's Tautog Management Board has approved the development of an amendment to the Interstate Fishery Management Plan for Tautog. The amendment will explore the establishment of new regional stock areas and associated reference points. The amendment will propose two options for regional stock boundaries, each with three regional stock units. The first option will include the following regions: Massachusetts to Rhode Island, Connecticut to New Jersey, and Delaware to North Carolina. The second option will include Massachusetts to Connecticut, New York to New Jersey, and Delaware to North Carolina.

The regional options are based on the findings and recommendations of the 2015 Tautog Benchmark Stock Assessment and Peer Review Report. Unlike previous assessments, which assessed the stock on a coastwide basis, the 2015 assessment evaluated stock status regionally to reflect differences in life history characteristics and harvest patterns. The three-region approach balances a smaller geographical scale and data integrity while also reducing the risk of overfishing.

As the first step in the amendment process, staff will begin to draft a Public Information Document for Board consideration at the Commission's Summer Meeting in August. The PID will gather information concerning the tautog fishery and resource and provide an opportunity for the public to identify and comment on major issues relative to the management of this species. The PID will also seek input on the public's preferred regional breakdown. For more information, please contact Toni Kerns, ISFMP Director, at [tkerns@asmfc.org](mailto:tkerns@asmfc.org) or 703.842.0740.

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PR15-16

### ***Motions***

**Tabled Motions from February 2015**

**Move to move forward with exploration of two regions, northern and southern, for tautog management.**

**Move to substitute to develop an addendum with 3 regions, northern, southern, and DelMarVa, with management measures in each region to end overfishing and rebuild overfished regions to target biomass levels.**

Motion made by Dr. Pierce and seconded by Mr. Simpson. Motions withdrawn without objection.

**Main Motion**

**Move to initiate an amendment to respond to the 2015 Benchmark Stock Assessment for three stock areas MA-RI, CT-NJ, and DE-NC.**

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

**Motion to Amend**

**Move to amend to include additional stock area boundaries MA-CT, NY-NJ, DE-NC.**

Motion made by Mr. Fote and seconded by Mr. Clark. Motion carries (7 in favor, 3 opposed).

**Main Motion as Amended**

**Move to initiate an amendment to respond to the 2015 Benchmark Stock Assessment for both sets of three stock areas the first being MA-RI, CT-NJ, and DE-NC, the second being MA-CT, NY-NJ, DE-NC.**

Motion carries (9 in favor, 1 opposed).

**Move to establish a joint subcommittee of the Tautog Management Board and the Law Enforcement Committee to study problems of unauthorized harvest and sale of tautog, especially the well-publicized live-fish market in local and interstate commerce that likely is contributing to current levels of overfishing. The joint committee is to: (1) determine the feasibility of ASMFC mandating a fish-tagging program for each state that would minimize the unlawful commerce of tautog and provide traceability of all fish in commerce back to the state of origin and harvester, and (2) if feasible, then offer details of such a program to accomplish the two aforementioned objectives.**

Motion made by Dr. Pierce and seconded by Mr. Augustine. Motion carries without objection.