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May 15, 2017

MEMORANDUM

ASMFC 5-17

TO: Marine Fisheries Commission
FROM: Chris Batsavage and Michelle Duval
SUBJECT: Atlantic States Marine Fisheries Commission Meeting (May 8 -11, 2017)

The Atlantic States Marine Fisheries Commission (Commission) met May 8 – 11, 2017 in Alexandria, Virginia. Attached is the meeting summary compiled by Commission staff which includes a summary of each of the species management board meetings and motions, as well as associated press releases.

Items that may be of particular interest include:

- **Atlantic Striped Bass:** The Atlantic Striped Bass Management Board voted against moving Draft Addendum V forward for public comment. The addendum would have allowed for a 10 percent liberalization in coastwide harvest, based on the 2016 stock assessment update indicating that fishing mortality at the end of 2015 was below the target. However, final 2016 harvest estimates (released on May 8) showed an increase in harvest under existing regulations. This harvest increase exceeded the 10 percent liberalization being considered in the addendum. Based on this information, as well as concerns that there was a very small difference between the target fishing mortality and the 2015 estimate, the Board elected to wait until the 2018 benchmark assessment is complete before considering further management action.
- **Atlantic Menhaden:** The Atlantic Menhaden Management Board reviewed progress to date on the development of Draft Amendment 3. Much of the discussion focused on the draft allocation options, which include multiple tiers such as fleet allocations (bait vs. reduction), jurisdictional allocations (state-by-state), seasonal allocations, etc., as well as the timeframe of landings that could be used for allocations. The Board will review and approve a draft for public comment at its August meeting. Additionally, the Board requested a review of a recently published paper by Dr. Ray Hilborn et al. regarding harvest management strategies for forage fish by the Biological Ecological Reference Points Workgroup. Given the potential relevance of the paper to Draft Amendment 3, the Board will receive feedback from the Workgroup in August.
- **Cobia:** The South Atlantic State Federal Management Board reviewed progress on the draft fishery management plan and provided input regarding the development of options, including state-specific seasons and how those could be managed, tracking of harvest, complementing the proposed federal changes to size and bag limits, etc. The Board also discussed the possibility of transitioning from a complementary fishery management plan to sole management by the Atlantic States Marine Fisheries Commission, and approved a motion to request the South Atlantic Fishery Management Council consider this option.

- Atlantic Croaker: The South Atlantic State Federal Management Board reviewed the 2017 Atlantic Croaker Benchmark Stock Assessment and Peer Review Report. The assessment indicated that the stock is not overfished and overfishing is not occurring, based on model results. However, the Review Panel could not recommend using the results for management because the stock assessment results were sensitive to some of the assumptions within the model, specifically data weighting methods and commercial fishery selectivity (the relative vulnerability of different sizes of fish to capture by the gears used in the commercial fishery). The Review Panel recognized several advances made by the Stock Assessment Subcommittee since the previous assessment in 2010, particularly estimation of shrimp trawl bycatch removals. The Board will consider potential management responses to the stock assessment and the Atlantic Croaker Technical Committee will present an updated Traffic Light Analysis and potential methods for incorporating the shrimp trawl removals at the August 2017 Board Meeting. Due to time constraints, Board review of the 2017 Spot Benchmark Stock Assessment and Peer Review Report was not addressed during this meeting and was postponed until the August 2017 Board Meeting.

Summer Flounder: The Summer Flounder, Scup, and Black Sea Bass Management Board and Mid-Atlantic Fishery Management Council (Council) received an update on the Summer Flounder Comprehensive Amendment and considered the priority issues to be addressed under commercial management strategies. The Board and Council met jointly for this issue because these species are jointly managed by the Commission and the Council. Staff presented initial analysis and management alternatives for the following issues: 1) permits and latent effort; 2) commercial allocation; 3) landings flexibility; 4) landing a state's summer quota in another state for safe harbor purposes; 5) commercial data collection and monitoring; and 6) commercial discards (dead discards of undersized summer flounder and summer flounder catch in excess of possession limits). The Board and Council decided to focus on the issues of permits and latent effort, commercial allocation, and landings flexibility and drop the issues of drop safe harbor landings, commercial data collection and monitoring, and commercial discards because they are already being addressed.

The Board accepted a request by the State of New Jersey to consider a proposal for conservation equivalency management measures for the 2017 recreational summer flounder fishery. The action responds to New Jersey's concern about the lack of availability of large fish (19 inches or greater) in state waters, particularly in the southern part of the state. The Technical Committee will review New Jersey's proposal and the Board will meet via conference call to receive the Technical Committee's review and consider action on the proposal. If approved by the Board, the alternate management measures must be implemented by May 21. If the alternate measures aren't approved, then New Jersey must implement the management measures from Addendum XXVIII that were approved in February to avoid non-compliance.

- Black Sea Bass: The Summer Flounder, Scup and Black Sea Bass Management Board implemented a 5-fish bag limit for the recreational black sea bass fishery in state waters from Massachusetts through New Jersey in wave 6 (November-December) of this year to address harvest overages in 2016. Black sea bass recreational management measures in federal waters and in state waters from Delaware to North Carolina (north of Cape Hatteras) remain the same.

The Board also initiated two draft addenda specific to black sea bass recreational management in 2018. The first will explore options for recreational management that include regional allocations, uniform regional regulations, and alternatives to the current north/south regional delineation. A draft addendum will be presented to the Board later this year. The second addendum, to be pursued with the Council, will consider allowing an experimental wave 1 (January-February) recreational fishery starting in 2018. This addendum was initiated in response to a tabled motion from the joint Board and Council meeting in February 2017 regarding an experimental black sea bass fishery that would be administered under an exempted fishing permit program through NOAA Fisheries. The Board and Council moved to change the option of an experimental fishery through an exempted fishing permit to one operating under a Letter of Authorization program that NOAA Fisheries' Greater Atlantic Regional Office would administer. The Draft Addendum will be presented to the Board for its consideration and approval for public comment in August.

- Scup: The Summer Flounder, Scup and Black Sea Bass Management Board approved Addendum XXIX to the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan. The Addendum shortens the length of the commercial scup summer period from May through October to May through September and extends the length of the winter II period by adding the month of October (October-December). The Mid-Atlantic Fishery Management Council met jointly with the Board and took the same action through Framework 10 of the Council's Summer Flounder Scup, and Black Sea Bass Fishery Management Plan since these species are jointly managed by the Commission and the Council.
- Coastal Sharks: The Coastal Sharks Management Board received a presentation on Amendment 5b to the NOAA Fisheries Highly Migratory Species Fishery Management Plan, which implements conservation measures for dusky sharks. Although harvest of dusky sharks has been prohibited since 1999, a 2016 stock assessment indicated the stock is overfished and overfishing is occurring. The amendment implements a number of educational and outreach requirements, safe handling requirements, and gear requirements for both recreational and commercial fishermen. NOAA Fisheries has requested the Commission consider complementary measures within its Coastal Sharks Fishery Management Plan, including requiring the use of circle hooks in various recreational and commercial fisheries, maximizing gear removal prior to release and collaborating on educational requirements. The Board requested Law Enforcement Committee review prior to considering any changes to the management program and will receive that information in August.