



Atlantic States Marine Fisheries Commission

2018 Spring Meeting Summary

Vision: Sustainably Managing Atlantic Coastal Fisheries

2018 Spring Meeting
Alexandria, VA
April 30 – May 3, 2018

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Meeting Summaries, Press Releases and Motions

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SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD JOINTLY WITH THE MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (APRIL 30, 2018)

Meeting Summary

The Summer Flounder, Scup, and Black Sea Bass Management Board (Board) and the Mid-Atlantic Fishery Management Council (Council) met jointly to consider a number of issues. These include (1) approving a joint Summer Flounder Commercial Issues Amendment Public Hearing Document (PHD) for public comment; (2) a draft discussion document regarding a strategic plan for reforming recreational black sea bass management; (3) draft alternatives for the recreational management framework and addendum for all three species; and (4) preliminary harvest estimates from the February 2018 recreational black sea bass fishery.

Summer Flounder Commercial Issues Amendment Public Hearing Document

The PHD serves as an abridged version of the Draft Summer Flounder Commercial Issues Amendment, which the Board also approved for public comment. This action proposes potential modifications to the commercial summer flounder fishery, as well as the existing fishery management plan objectives for summer flounder.

This amendment was initiated in 2014 in response to stakeholder feedback received during the Council's visioning project regarding concerns with the current summer flounder commercial management program. Specifically, the Draft Amendment seeks public input on four issues:

- 1. Requalifying criteria for federal commercial moratorium permits to address latent effort in the fishery** – Federal permit qualification criteria have not changed since establishment in 1993. Some stakeholders believe the original permit qualifications criteria resulted in the current number of federal permits being too high relative to recent stock size estimates and resulting quotas. Additionally, given restrictions and stock trends in other fisheries, there is concern that inactive permits may reenter the summer flounder fishery, putting further economic strain on participating vessels. The Amendment offers options to reduce the number of commercial federal moratorium permits based on qualifying criteria.
- 2. Modifying commercial quota allocation** – The current commercial allocation was last modified in 1993 and is perceived by many as outdated given its basis in 1980-1989 landings data. Summer flounder distribution, biomass, and fishing effort have changed since then, and some believe the initial allocations may not have been equitable or were based on flawed data; therefore, stakeholders requested evaluation of alternative allocation systems. The Amendment offer a range of options to modify and re-allocate the current annual commercial state by state quota allocations.
- 3. Adding commercial landings flexibility as a framework issue in the Council's FMP** – Landings flexibility policies would give commercial vessels greater freedom to land or possess summer flounder in the state(s) of their choice. Although such policies may be more effectively developed by state level agreements, the Board and Council are interested in having the option to pursue broader landings flexibility policies via framework action/addenda in the future if necessary. This action does not consider implementing landings flexibility policies at this time.

4. **Revise the FMP objectives for summer flounder** – Many managers and stakeholders believe that the current objectives have become outdated and could provide more meaningful guidance if updated. Although the revisions to FMP objectives are not proposed as an explicit set of options in the Amendment, they are provided for public comment.

The Board and Council will determine the public comment period as well as the schedule of public hearings following the June Council Meeting, and notify the public through a joint press release. The Board and Council will consider taking final action on this amendment in December 2018.

Draft Strategic Plan for Reforming Recreational Black Sea Bass Management

A draft discussion document on reforming recreational black sea bass management was developed by the Board Chair and Vice-Chair in response to wide-ranging concerns with the current management program. The draft is aimed at providing a starting point for discussion on the development of a comprehensive reform initiative. At the meeting, the draft was presented and briefly discussed. The Board and Council offered support for continued development of the strategy over the next few months, first, through direct input from members, then through a joint working group process. The draft document, as modified through the initial review process, will be brought back before the Board and Council.

Draft Alternatives for the Recreational Management Framework and Addendum

The Council and Board considered draft alternatives for the Summer Flounder, Scup and Black Sea Bass Recreational Management Framework and Addendum. This action was initiated at the December 2017 joint meeting. After considering the recommendations of the Fishery Management Action Team (FMAT), and the Council's Demersal Committee and a subset of the Board, the Board and Council approved alternatives to include in a draft public hearing document. The draft alternatives include options for conservation equivalency for recreational black sea bass, conservation equivalency rollover, slot limits in recreational fisheries for all three species, and Block Island Sound transit provisions. The transit provision alternatives include two alternative transit zone areas that could apply to recreational fisheries only, or both commercial and recreational fisheries for all three species, depending on the alternatives selected. The Board and Council considered but chose not to include alternatives for evaluating and modifying recreational management measures based on a comparison of catch to the Annual Catch Limit in this action. A draft document will be presented at the August joint meeting of the Board and Council with final action tentatively scheduled for December 2018.

Preliminary February 2018 Recreational Black Sea Bass Harvest Estimates

Finally, the Board and Council received a report on the preliminary harvest estimates for the February 2018 black sea bass recreational fishery. Virginia and North Carolina were the only states to participate in the fishery, and the total harvest between both states is estimated between 4,826 and 5,206 pounds of black sea bass.

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

Motions

Summer Flounder Draft Amendment

Move to include two additional options to the summer flounder draft amendment:

- to negotiate new state quota shares
- to include coastwide quota and management

MAFMC: Motion made by Mr. DiLernia and seconded by Ms. Nolan. Motion fails (6 in favor, 10 opposed).

ASMFC: Motion made by Mr. Hasbrouck and seconded by Mr. Gates.

Move to develop two additional options to the summer flounder draft amendment:

- to negotiate new state quota shares
- to include coastwide quota and management

MAFMC: Motion made by Mr. Heins and seconded by Ms. Nolan. Motion fails (Roll Call: In favor – Maniscalco, Heins, Nolan, DiLernia, Nowalsky, Warren, Pentony; Opposed – Baab, Michels, Gwin, DeFur, Mann, O'Reilly, Batsavage, Hemilright, Winslow).

ASMFC: Motion made by Mr. Hasbrouck and seconded by Mr. Gates. Motion passes (Roll Call: In Favor- MA, RI, CT, NY, DE, NMFS; Opposed- NJ, MD, PRFC, VA, NC).

Move to approve the draft summer flounder commercial issues amendment hearing document for public comment as modified today.

MAFMC: Motion made by Mr. Mann and seconded by Mr. Batsavage. Motion carries (12 in favor, 4 opposed).

ASMFC: Motion by Mr. O'Reilly, second by Mr. Clark. Motion passes (9 in favor, 2 opposed).

Move to approve the Commission's Summer Flounder Commercial Issues Draft Amendment document for public hearings.

Board: Motion made by Mr. O'Reilly and seconded by Mr. Clark. Motion carries (9 in favor, 2 opposed).

Draft Alternatives for Framework/Addendum on Recreational Issues

Move to include an additional option that defines a discrete transit zone from Rhode Island state waters around Block Island, Rhode Island to Rhode Island state waters to the north. Any legally Rhode Island permitted fisher fishing in Rhode Island waters for summer flounder, black sea bass, and scup will be allowed to transit the EEZ in this zone with legally harvested regulated species as long as gear stowage requirements are met and no fishing occurs in the zone while transiting.

ASMFC: Motion made by Mr. Reid and seconded by Ms. Meserve. Motion passes by consent.

MAFMC: Motion made by Mr. O'Reilly and seconded by Mr. Michels. Motion passes by consent.

Move to approve the draft alternatives, as presented by staff and as modified today, for the recreational framework and addendum.

MAFMC: Motion made by Mr. Heins and seconded by Mr. deFur. Motion carries unanimously.

ASMFC: Motion made by Mr. Hasbrouck and seconded by Rep. Peake. Motion carries unanimously.

**BLUEFISH MANAGEMENT BOARD JOINTLY WITH THE MID-ATLANTIC FISHERY MANAGEMENT COUNCIL
(APRIL 30, 2018)**

Meeting Summary

The Mid-Atlantic Fishery Management Council (Council) and the Commission met jointly to review and approve the scoping and public information document for an amendment to the Bluefish Fishery Management Plan (FMP) focused on allocation. The Board and Council approved the document for state public hearings, which will be conducted this summer.

The Draft Amendment will involve a comprehensive review of the Bluefish FMP's sector-based allocations, commercial allocations to the states, transfer processes, and goals and objectives. Specifically, the Council and Commission will consider whether modifications to the FMP's goals, objectives, and allocation strategies for bluefish are needed.

Scoping is the first and best opportunity for members of the public to raise concerns related to the scope of issues that will be considered. The public is encouraged to submit comments regarding the range of potential issues to be addressed in the amendment. In addition to comments on allocation and transfer processes, the Council and Commission are interested in comments on the following topics:

- Fishery productivity
- Ecosystem considerations
- Changes in the fishery
- Changes in distribution of bait fish
- Average fish size
- Changes in availability, effort, and marketability
- Impacts of changes observed over time

The scoping and public information document will be finalized and released in May 2018. State public hearings will occur this summer, with dates and locations to be determined. Additional information and updates will be posted at <http://www.mafmc.org/actions/bluefish-allocation-amendment>.

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

Motions

Move to approve the draft scoping document for public comment as modified today.

MAFMC: Motion made by Mr. Batsavage and seconded by Mr. deFur. Motion carries (12 in favor, 1 abstention).

ASMFC: Motion made by Mr. Batsavage and seconded by Mr. Borden. Motion carries (11 in favor, 1 opposed).

COASTAL SHARKS MANAGEMENT BOARD (MAY 1, 2018)

Meeting Summary

The Coastal Sharks Management Board met to consider a number of issues. These included recent stock assessment findings on Atlantic shortfin mako and sandbar sharks; NOAA Fisheries Atlantic Highly Migratory Species (HMS) Draft Amendment 11 and recently implemented emergency rule measures; an update on the oceanic whitetip shark status under the Endangered Species Act (ESA); and the 2015 and 2016 Fishery Management Plan Review.

Karyl Brewster-Geiz of NOAA Fisheries HMS presented the Atlantic shortfin mako stock assessment and recently implemented emergency rule measures. The Atlantic shortfin mako stock assessment indicates the resource is overfished and overfishing is occurring. The assessment included a new modelling approach, longer time series of catch data, sex-specific biological parameters, updated length composition information, and new satellite tagging data. To address the new stock status, the International Commission on the Conservation Atlantic Tunas (ICCAT), at its November 2017 meeting, determined that all member countries need to reduce landings by approximately 72-79% from current levels to prevent further declines in the population and a reduction to zero landings is needed to rebuild the resource by 2040. To address the needed landings reductions, NOAA Fisheries implemented the following measures for shortfin mako sharks: an increase in the minimum size limit (fork length) for the recreational fishery from 54" to 83" and a prohibition on landings in the commercial fishery for all gear types with the exception of the pelagic longline fleet. For pelagic longline vessels that have an HMS permit, electronic monitoring devices are required in order to retain sharks that are dead at haul back. These emergency measures have been implemented on an interim basis through August and may be extended for up to 6 months at that time. At ICCAT's next meeting in November, an evaluation of the reduction in landings will be conducted and different measures may be recommended to be implemented for member countries. To address management moving forward, NOAA Fisheries HMS has also initiated scoping on Draft Amendment 11 to rebuild the Atlantic shortfin mako stock. The Technical Committee (TC) presented its review of the assessment. The TC highlighted that most commercial and recreational landings occur in federal waters and that implementing the emergency rule measures would likely not have a significant impact in reducing landings. The TC did, however, recommend that states implement complementary measures on their own if possible. Staff highlighted that if the Board chose to implement the emergency rule measures through Board action, it have to be done through either an addendum or emergency action.

Taking into consideration the stock assessment information and TC report, the Board decided not to implement the emergency rule measures due to the likelihood of the measures changing within the next year. Instead, the Board initiated an addendum to allow the Board to change management measures, such as adjusting minimum size limits, through Board action moving forward. The Board will consider the draft addendum at 2018 Summer Meeting for public comment.

The Board was presented the sandbar assessment (SEDAR 21). A new modeling approach was used that included replication of the previous assessment (SEDAR 21) that matched the biomass trend over the last two decades. The stock status remains overfished but overfishing is not occurring. While the assessment passed peer-review, it has not yet been officially adopted by NOAA Fisheries HMS for management use. The TC reviewed the assessment. Given the fishery is a research take only and NOAA

Fisheries HMS has not yet proposed any changes to the management, recommended maintaining status quo measures.

The Board received an update on the ESA status change for oceanic whitetip sharks. The status review took into account life history parameters which include being long-lived species with late maturity, a lengthy gestation, and low fecundity. Additionally, the status review found within the global commercial fishery that fishing mortality is likely too high and there are inadequate regulations in other parts of the world. This, combined with the market demand for shark fins, has increased illegal, unreported, and unregulated (IUU) fishing and trafficking. While NOAA Fisheries has changed the status to threatened under the ESA, there are additional consultations for relevant fisheries that may interact with the species before changes in management will be considered. The TC reviewed the status change, and given NOAA Fisheries HMS has not proposed any changes to the management, recommended maintaining status quo measures for now, but consider adding oceanic whitetip to the prohibited shark species list.

The Board also approved the FMP Review of the 2015 and 2016 fishing seasons. Lastly, the Board elected Chris Batsavage with North Carolina Division of Marine Fisheries as Vice-Chair. For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at krootes-murdy@asmfc.org or 703.842.0740.

Motions

Main Motion

Move to initiate an addendum to give the Board the flexibility to implement measures for all species within the Coastal Sharks FMP through Board action.

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

Motion to Amend

Move to amend to add that in the interim the ASMFC implement an emergency action to implement regulations consistent with HMS for shortfin makos in state waters.

Motion made by Dr. McNamee and seconded by Mr. Hasbrouck. Motion fails (2 in favor, 11 opposed).

Main Motion

Move to initiate an addendum to give the Board the flexibility to implement measures for all species within the Coastal Sharks FMP through Board action.

Motion made by Mr. Nowalsky and seconded by Mr. Estes. Motion passes unanimously (14 in favor).

Move to approve the Fishery Management Plan Review for the 2015 and 2016 fishing season and approve *de minimis* request from Maine and Massachusetts.

Motion made by Mr. Hasbrouck and seconded by Dr. McNamee. Motion carries unanimously.

Move to nominate Chris Batsavage as Vice-Chair to the Coastal Sharks Board.

Motion made by Mr. Boyles and seconded by Mr. Brady. Motion carries unanimously.

LAW ENFORCEMENT COMMITTEE (MAY 1, 2018)

Meeting Summary

The Law Enforcement Committee (LEC) met during the 2018 spring meeting of the Atlantic States Marine Fisheries Commission (ASMFC) in Arlington, VA. The LEC welcomed alternate representatives Scott Simmons from Maryland and Jeff Ray from NOAA OLE. Scott Pearce was attending his first meeting as the representative from Florida, and the LEC welcomed back Rick Lauderman who will be representing Virginia.

Request to ISFMP Policy Board

The LEC discussed the strong possibility that the 2019 NOAA budget may include a significant or complete cut in funding for the Cooperative Enforcement Program. This program provides invaluable funding for enforcement resources to the states in aid of federal waters enforcement and has been in place for 18 years. The number of NOAA officers and agents is very small relative to the number of coastal state officers and the program has allowed state agencies to purchase and operate vessels and equipment essential to marine fisheries enforcement work. The uncertainty and inconsistency of funding will severely hinder state enforcement operations going forward. The LEC requests that the Policy Board consider an appropriate response to this issue in support of continued funding for the Cooperative Enforcement Program as a line item in the federal budget.

Species Issues

American lobster — Erin Summers from Maine’s Department of Marine Resources presented information to the LEC regarding developing interest and technologies for “ropeless” fishing gear that could be used to deploy and retrieve traps or other submerged gear without the need for buoy or vertical lines. Several different systems were reviewed, all involving technology that is either not available now, or is under limited development. The primary purpose of such gear would be to reduce large whale entanglements. After hearing the presentation and reviewing several videos demonstrating the gear, members of the LEC expressed the consensus view that in its present form such systems would remove the ability to enforce trap limits and would render law enforcement efforts to conserve the American lobster fishery moot. Application in other fisheries would likely have similar impacts. Among the concerns were the cost and time for enforcement agencies to re-fit for such systems, the extreme difficulty or even the impossibility of checking, hauling and re-setting traps or gear for enforcement purposes, the inability to access standardized, confidential signals or codes needed to locate and identify gear on the bottom, and the likely multiplicity of systems that would be developed among fisheries and/or jurisdictions. The LEC affirms that law enforcement agencies should always be receptive to possible new technologies in marine fisheries, but this concept in its present form is unworkable.

Winter Flounder — Megan Ware and Kurt Blanchard briefed the LEC on a Rhode Island proposal to develop an aggregate weekly limit for state waters that would be more in line with harvest allowances in adjacent federal waters. Options being considered include a 250lb aggregate limit year-round; a 350lb aggregate weekly limit during 2 seasonal periods; and an aggregate limit with the additional requirement for a special permit and possible vessel monitoring system. It was noted that RI has a weekly aggregate for the summer flounder fishery and this is enforceable, aided by a requirement for participants to have a background check. While the LEC has typically expressed

reservations about weekly aggregate limits as they are difficult to enforce at the dock, the possibility of background checks, special permits, and especially the requirement for VMS, would mitigate enforcement concerns. The LEC therefore supported the 3rd option for a permit and vessel monitoring requirement, with the addition of background checks of participants as safeguards for the fishery.

Coastal Sharks— Kirby Rootes-Murdy presented information regarding NOAA emergency rule for protection of shortfin Mako sharks, and possible ASMFC interest in developing complementary regulations for state waters. The LEC provided input on the difficulties of inconsistency in regulations between state and federal waters and supports whatever processes can be implemented to ensure complementary regulations.

Other Issues

The LEC reviewed proposed 2018 Action Plan items and confirmed that its work will address the tasks outlined in Goal 3 of the plan once it is approved by the ASMFC.

Commissioner Dennis Abbott updated the LEC on the memorial to honor Chris Schoppmeyer for his years of dedication to the Town of Newmarket, NH, and for his distinguished career in conservation enforcement.

Col. Kyle Overturf is retiring and announced that this would be his last meeting with the LEC. All expressed their gratitude for his service, and his contributions to the work of the LEC will be missed.

Members of the LEC discussed the graduation of the fifth class of the National Leadership Academy for conservation law enforcement officers, and the values of this program. Honnie Gordon of USFWS briefed the LEC on the latest international academies for African and Asian conservation enforcement leaders that follows a similar model. All agreed this is an outstanding program of mentoring and leadership development that will pay dividends long into the future.

TAUTOG MANAGEMENT BOARD (MAY 1, 2018)

Meeting Summary

The Tautog Management Board met to consider approval of the Connecticut (CT) proposal for 2018 management measures for the tautog commercial fishery. The 2016 regional stock assessment indicated that the Long Island Sound (LIS) stock is overfished and overfishing is occurring, and a 20.3% reduction in total tautog harvest in LIS is required under Amendment 1, approved in October 2017.

CT proposed to forgo the reduction in their commercial tautog fishery for 2018, and implement measures similar to 2017. The rationale provided is that the required 20.3% reduction would create a greater than expected hardship for CT's commercial fishermen and allowing CT to maintain the same level of commercial landings in 2018 would result in a 0.1% projected overage (equal to 295 fish or 1,238 pounds).

The Tautog Technical Committee reviewed CT’s proposed measures (Table 1) and agreed they are not likely to have a negative impact on the LIS stock, but noted that if 2018 harvest increases from 2017, the measures should be reevaluated. The Board approved CT’s proposed measures for the commercial tautog fishery, shown in Table 1.

Table 1. Approved Connecticut Commercial Tautog Measures

Minimum Length (inches)	Bag Limit	Season Dates	Total Season Days
16	10*	04/01-04/30 07/01-08/3 10/08-12/24	170
*Unless holder of a restricted license; then 3 fish			

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

Motions

Move to approve Connecticut’s proposal to implement commercial tautog measures of 16 inch minimum size, 10 fish possession limit for Moratorium License Holders and 3 fish for Restricted Commercial Licenses Holders and open seasons of April 1st through April 30th, July 1st through August 31st and October 8th through December 24th.

Motion made by Mr. Davis and seconded by Ms. Davidson. Motion passes without objection.

LEGISLATORS AND GOVERNORS’ APPOINTEES (MAY 1, 2018)

Meeting Summary

The Legislative and Governors’ Appointee Commissioners (LGA) held a lunch meeting to discuss the Commissioner collaboration and cooperation as well as the impacts of recent compliance actions. The LGAs agreed that fishery management is growing increasingly complex with more stakeholders relying on websites and blogs for their information about fisheries science and management. There is a large amount of misinformation on these sites, which detracts from the public’s ability to fully understand the issues. The Commission will need to continue to develop scientifically-based outreach materials to inform the fishing public on pending actions

The LGAs also noted the increased level of political pressure that is applied to interstate fisheries management. Many stakeholders are seeking to have their issues addressed through elected officials rather than working through established fisheries management processes. The LGAs agreed to continue this discussion at the Commission’s Summer Meeting in August.

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

ATLANTIC STRIPED BASS MANAGEMENT BOARD (MAY 1, 2018)

Meeting Summary

The Atlantic Striped Bass Management Board met to provide guidance to the Stock Assessment Subcommittee (SAS) regarding the types of biological reference points (BRPs) to pursue in the 2018 Benchmark Stock Assessment. A Board Guidance Work Group (comprised of Board, Advisory Panel (AP) and SAS members) was established in November 2017 to develop guidance recommendations for the Board to consider. To facilitate recommendation development, the Work Group developed a survey to solicit input from all Board and AP members. The survey asked questions regarding the most important values of a quality and viable fishery and overall satisfaction with the state of the stock and management under Amendment 6.

In general, the survey was unable to identify an overwhelming majority regarding overall satisfaction with the management of striped bass under Amendment 6, nor with the current management triggers or reference points. That being said, results did indicate that respondents that are not satisfied with the current reference points felt that the spawning stock biomass (SSB) target is too conservative and/or unachievable under current conditions (e.g., environmental conditions or the conditions of predator and prey populations), and that the development of stock-specific reference points were very important to a successful and equitable management program. Results also indicated an interest in revisiting pre-Addendum IV reference points (e.g., SSB and/or fishing mortality (F) levels based during a period when the stock was considered in “good condition”).

Accordingly, the Work Group recommended the SAS develop a range of fishing mortality (F) and SSB reference points, including revisiting the current and pre-Addendum IV reference point approaches, and to clarify the various implications of different reference point values to allow the Board to explore the tradeoffs of management objectives and characteristics of a quality fishery. The Work Group also recommended the SAS strive to develop stock-specific reference points where possible. The AP met via conference call to review the survey results and Work Group’s recommendations, and to develop alternative recommendations if warranted. However, there was similarly no overwhelming majority among the AP regarding overall satisfaction with the management program or reference points, and therefore the AP supported the Work Group’s recommendations.

Following review, the Board tasked the SAS to develop a range of reference points according to the Work Group’s recommendations and explicitly including a biologically-based threshold for F and SSB. Additionally, the SAS will clarify the various implications of different reference point values to allow the Board to explore the tradeoffs of different management objectives and associated risks levels with each set of reference points.

The Board also received a progress update on the 2018 benchmark stock assessment. The benchmark is scheduled for peer-review in November 2018 at the 66th SAW/SARC. The first modeling workshop is scheduled for May 15-17, in Providence, Rhode Island, and a second modeling workshop will likely be in late summer or early fall.

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

Motions

Main Motion

Move to task the Stock Assessment Subcommittee to develop a range of fishing mortality and spawning stock biomass reference points as part of the 2018 Benchmark Stock Assessment as recommended by the Board Guidance Work Group.

Motion made by Mr. Luisi and seconded by Mr. Clark.

Motion to Substitute

Move to substitute to task the Stock Assessment Subcommittee to develop biologically-based threshold reference points (F and biomass) that consider the objectives of the FMP. Furthermore, develop a range of target reference points (F and biomass) that would provide a range of risk that the Board would consider in achieving the objectives of the FMP.

Motion made by Mr. Grout and seconded by Mr. Keliher. Motion fails (6 in favor, 9 opposed).

Main Motion

Move to task the Stock Assessment Subcommittee to develop a range of fishing mortality and spawning stock biomass reference points as part of the 2018 Benchmark Stock Assessment as recommended by the Board Guidance Work Group.

Motion made by Mr. Luisi and seconded by Mr. Clark.

Motion to Amend

Move to amend to add “and develop biologically-based threshold reference points (F and biomass) that consider the objectives of the FMP. Furthermore, develop a range of target reference points (F and biomass) that would provide a range of risk that the Board would consider in achieving the objectives of the FMP.”

Motion made by Mr. Luisi and seconded by Mr. Grout. Motion passes (12 in favor, 3 opposed).

Main Motion as Amended

Move to task the Stock Assessment Subcommittee to develop a range of fishing mortality and spawning stock biomass reference points as part of the 2018 Benchmark Stock Assessment as recommended by the Board Guidance Work Group, and develop biologically-based threshold reference points (F and biomass) that consider the objectives of the FMP. Furthermore, develop a range of target reference points (F and biomass) that would provide a range of risk that the Board would consider in achieving the objectives of the FMP.

Motion passes unanimously.

ATLANTIC HERRING SECTION (MAY 1, 2018)

Meeting Summary

At its Spring Meeting, the Atlantic Herring Section reviewed accountability measures in the Atlantic mackerel fishery, considered a Technical Committee (TC) report regarding the spawning re-closure protocol, and approved the 2018 FMP Review.

First, the Section reviewed accountability measures in the mackerel fishery, specifically the trigger of a zero possession limit once 100% of the mackerel quota is projected to be caught. Given herring and mackerel can mix, even at minimal levels, a zero possession limit for mackerel could hinder the operation of the herring fishery. Staff reviewed actions which have been taken at the Mid-Atlantic Fishery Management Council (MAFMC), including a framework action to consider possession limits of mackerel greater than zero for the remainder of the 2018 year. In addition, through the 2019-2021 specification process, the MAFMC is considering the implementation of trip limits which are progressively implemented as the quota is caught. These actions should provide both short-term and longer-term solutions to the accountability measures in the mackerel fishery.

Next, staff presented results of the TC Report which considered sample sizes in the spawning re-closure protocol. In February, the Section had tasked the TC with analyzing methods to scale-up samples of herring below the required 100 fish sample size. This was prompted by concern that samples less than 100 fish, but greater than 90, could not be used in determining the need for a spawning re-closure. The TC recommended that priority be given to the composition of the sample (i.e. the requirement for 25% mature herring in the sample) rather than the size of the sample (i.e. 100 fish). Moreover, the TC expressed comfort with a baseline of 80 fish per sample, as long as the sample still meets the trigger of 25% mature fish. As a result, the Section modified the sampling re-closure protocol to read that a sample is defined as a minimum of 80 randomly selected adult sized fish, with a target of 100 fish, from a fishery dependent or independent source.

Finally, the Section approved the 2018 FMP Review, state compliance reports, and *de minimis* status for New York.

For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

Motions

Move to have the Atlantic herring spawning re-closure protocol to read that a sample is defined as a minimum of 80 randomly selected adult sized fish, with a target of 100 fish, from a fishery dependent or independent source.

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

Move to approve the 2018 Atlantic Herring FMP Review, state compliance reports, and *de minimis* status for New York.

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

NORTHERN SHRIMP SECTION (MAY 1, 2018)

Meeting Summary

The Northern Shrimp Section met to discuss the potential addition of a second issue to Draft Addendum I which would consider extending the fishing season range stipulated in Amendment 3 (December 1 – May 31). The intent of this second issue would be to allow for increased fishing potential on age 4 and 5 fish which have dropped their eggs. After considering egg hatch data which shows that 90% of hatch

typically occurs by mid-March, the Section decided not to add a second issue to Draft Addendum I given the current fishing season includes April and May. As a result, Draft Addendum I will include a single issue which considers providing states the authority to determine the distribution of quota between gear types.

For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

Motions

No motions made.

ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM COORDINATING COUNCIL (MAY 1, 2018)

Meeting Summary

The ACCSP Coordinating Council met to receive Program and Committee updates and to consider approval of the FY19 Request for Proposals (RFP) package. The draft FY19 RFP package incorporated several new recommendations approved by the Operations and Advisory Committees at their joint annual meeting in Providence last September.

These new recommendations included elevating the Biological module to equal standing with the Catch and Effort module so that the maximum primary module score for both of these two modules is 10 points. The Bycatch module continues to carry a maximum primary score of 6 points and the Socioeconomic module a maximum of 4. For secondary module scoring, the Catch & Effort, Biological, and Bycatch modules can earn a maximum of 3 points, while Socioeconomic can earn 1 point. The recommended changes also included: modifying the Other Factors scoring range to 0-3 points, combining the Innovation and New Technology scoring criteria into one, and adding a definition of in-kind to the Funding Decision Document. After reviewing these recommendations, the Coordinating Council approved the FY19 RFP package as recommended by the Operations Committee.

The Council also heard a presentation on the challenges associated with stock assessment data timelines and validation procedures. ACCSP will continue to work with other ASMFC staff and the Partners to increase coordination and communication regarding ACCSP provision of data to stock assessment processes.

The meeting concluded with a discussion of developing accountability standards to provide consistent guidance for incorporating verification methods into electronic reporting platforms. Council members expressed interest in exploring this topic further at its August meeting.

For more information, please contact Mike Cahall, ACCSP Director, at mike.cahall@accsp.org or 703.842.0740.

Motions

Move to accept the FY19 RFP Package as corrected.

Motion made by Mr. Brust and seconded by Mr. Boyles. Motion carries.

ANNUAL AWARDS OF EXCELLENCE (MAY 1, 2018)

Press Release

ASMFC Presents Annual Awards of Excellence

Arlington, VA - The Atlantic States Marine Fisheries Commission presented Mr. Dan McKiernan, Dr. Larry Jacobson and Colonel Kyle Overturf with its Annual Awards of Excellence for their outstanding contributions to science and law enforcement along the Atlantic coast.

“The Atlantic coast has no shortage of skilled and dedicated fisheries policy, science and law enforcement professionals. However, Dan, Larry and Kyle represent the cream of the crop” said ASMFC Chair Jim Gilmore of the New York State Department of Environmental Conservation. “The Commission’s 2018 Annual Awards of Excellence reflect a diversity of accomplishments from management to science to law enforcement. It is an honor to provide the 2018 AAE to three exceptional individuals for their contributions to the management and conservation of Atlantic coast fisheries.”



From left: ASMFC Chair Jim Gilmore, AAE Recipients Dan McKiernan and Colonel Kyle Overturf, and ASMFC Executive Director Bob Beal

Management & Policy Contributions

Mr. Dan McKiernan, Massachusetts Division of Marine Fisheries

Dan McKiernan has been a vital contributor to the Commission’s management and policy programs for over three decades. Throughout his career, he has worked tirelessly to meet the needs of Massachusetts’ fishermen while ensuring the health of the fisheries resources on which they depend. At the management board level, Mr. McKiernan approaches problem solving in a pragmatic, collaborative way. His recipe for success has been one part engagement and one part persuasion, bringing his colleagues together during board meetings or over a friendly meal to make his case for Massachusetts’ position while finding effective solutions to difficult interstate fisheries management problems.

Mr. McKiernan's efforts on the development and adoption of Amendment 1 to the Tautog Fishery Management Plan illustrate his dedication to the collaborative process. Working closely with neighboring Rhode Island officials, he helped to develop uniform rules throughout the region. He was also a staunch advocate of a harvester tagging program to improve tracking of fish in commerce, thereby addressing a longstanding poaching problem in the fishery.

Having spent much of his career working on science and management of the lobster fishery, there are few who are more passionate and dedicated to this species. As Chair of the American Lobster Management Board, Mr. McKiernan skillfully led the Board through difficult deliberations regarding the findings of the 2015 benchmark assessment and the future management of the species. In response to the decline of the Southern New England stock, Mr. McKiernan was integral to right-sizing the industry in Lobster Conservation Management Areas 2 (inshore Southern New England) and 3 (offshore waters) to the abundance of the resource. This was accomplished through trap reductions over a six-year period.

Mr. McKiernan understands that on-the-water experience and talking to fishermen is a critical component of any fisheries manager job. That is why he has spent considerable time on fishing vessels acquiring the hands-on knowledge and perspective necessary to understand and respect fishermen's views. Throughout his career, Mr. McKiernan has been a proponent of working with the fishing industry to understand their unique perspective, get advice about management issues, and engage them in cooperative fisheries research.

Science, Technical & Advisory Contributions

Dr. Larry Jacobson, formerly with NOAA Fisheries Northeast Fisheries Science Center

Dr. Larry Jacobson has greatly advanced the scientific understanding of American lobster biology through his contributions on the Commission's American Lobster Stock Assessment Subcommittee. In 2004, Dr. Jacobson was one of the lead model developers for the Lobster Model Technical Review. He played an important role in shifting away from the historical Delury stock assessment model to the current statistical length-based approach developed by Dr. Yong Chen. Dr. Jacobson's extensive knowledge in population dynamics and statistics, combined with his model programming skills, were invaluable during this transition and the continued development of Dr. Chen's assessment model.

During the 2015 lobster assessment, Dr. Jacobson took over the assessment responsibilities for the Gulf of Maine stock. Under his leadership, the assessment model was substantially improved to incorporate spatial dynamics within a stock and show changes in climate and stock productivity. These improvements allowed for accurate modeling of the Southern New England stock decline, as well as the rapid increase in the combined Gulf of Maine/Georges Bank stocks. The 2015 lobster assessment could not have been completed in a timely fashion without Larry's skill and commitment.

Dr. Jacobson's willingness to step into a leadership role when needed, his commitment to seeking out and using the best scientific methods available, and his dedication to sharing his knowledge of lobster biology and stock dynamics with his colleagues are several reasons why American lobster is one of our best understood marine species.

Law Enforcement Contributions

Colonel Kyle Overturf, Connecticut Environmental Police

Colonel Kyle Overturf exemplifies the lifelong commitment and spirit of public service that is common among his natural resource enforcement peers. Growing up hunting and fishing, Colonel Overturf learned the “game warden” lifestyle firsthand from his father, who served 25 years with Connecticut’s Environmental Police.

Colonel Overturf began his law enforcement career in 1986, serving as a Conservation Enforcement Officer in the Central Marine Sector for the State Environmental Police. Progressing through his career, Colonel Overturf was promoted to Sergeant, then to Eastern District Supervisor in Recreational Law Enforcement. He later went on to serve as Captain and Commander of the State’s Western and Marine Districts. In recognition of his leadership and professionalism, Colonel Overturf was promoted to Colonel in 2010 and continues to lead the Connecticut Environmental Conservation Police as Director.

That leadership and professionalism has been reflected in Colonel Overturf’s work throughout his career, where he has focused on the mentoring, instruction and professional development of fellow marine and conservation officers. Colonel Overturf has served as an instructor at the Connecticut Police Academy and currently serves as an Adjunct Instructor at the University of Connecticut, where he teaches Conservation Law Enforcement. He has been a leader in resource conservation at regional and national levels, serving in the National Association of Conservation Law Enforcement Chiefs, including as President of the Northeast Association of Chiefs. He supported the development of an enforcement group within the Association of Fish and Wildlife Agencies, and for many years has been a positive presence on the Commission’s Law Enforcement Committee. Colonel Overturf served as Law Enforcement Committee Chair from 2011-2013.

Reflecting his concern for professional development and training in the field of marine and conservation enforcement, Colonel Overturf has been a staunch advocate and supporter of a nationwide Conservation Law Enforcement Leadership Academy, administered through the National Association of Conservation Law Enforcement Chiefs and with support from the United States Fish and Wildlife Service. He serves on the Academy Steering Team and was a member of the first graduating class in 2014. He actively encourages and supports future leaders through this program, carrying on a tradition of care and passion for protecting all our natural resources that was bestowed on him by his father.

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PR18-13

EXECUTIVE COMMITTEE (MAY 2, 2018)

Meeting Summary

The Executive Committee met to discuss a number of issues. It approved the FY2019 budget. The Committee discussed recent concerns about potential conflicts of interest and the Commission’s financial disclosure policy. The Committee agreed that no changes are needed to the policy at this time and any concerns about conflicts of interest would be considered individually. The Committee revisited a previous decision to allow ongoing proxies to serve in Commission leadership roles. Based on further

review of the Commission Compact, the Executive Committee modified the guidance to allow only Commissioners and permanent proxies to serve in leadership roles. The Committee received a report on the future scope of state involvement in recreational data collection. The Committee requested additional information on the staffing and workload associated with additional MRIP data collection tasks for consideration at a future meeting.

At its February meeting, the Committee discussed potential updates to the Appeal Process. An update on potential updates was presented and this issue will be added to the agenda in August.

The Committee received a report on future annual meetings locations and dates. The Committee also conducted the annual performance review of its Executive Director. For more information, please contact Laura Leach, Director of Finance & Administration, at lleach@asmfc.org or 703.842.0740.

Motions

On behalf of the AOC, I move approval of the FY19 Budget as presented.

Motion made by Mr. Abbott on behalf of the Administrative Oversight Committee. Motion passes unanimously.

Move that we rescind our prior decision about ongoing proxies serving as officers.

Motion made by Mr. Boyles and seconded by Dr. McNamee. Motion passes unanimously.

ATLANTIC MENHADEN MANAGEMENT BOARD (MAY 2, 2018)

Press Release

ASMFC to Notify the Commonwealth of Virginia of Potential Noncompliance Action

Arlington, VA – The Atlantic States Marine Fisheries Commission’s Atlantic Menhaden Management Board initiated a noncompliance finding in response to the Commonwealth of Virginia’s failure to fully implement the mandatory provisions of Amendment 3 to the Interstate Fishery Management Plan. Specifically, the Commonwealth has not established the Chesapeake Bay reduction fishery cap of 51,000 mt. Rather than forwarding that finding to the Commission’s Interstate Fisheries Management Program Policy Board, the Board postponed action on the noncompliance finding until the Commission’s Summer Meeting in August 2018. In the interim, the Board has requested the Commission send a letter to the Commonwealth of Virginia stating its intent to consider the noncompliance finding in August if the Commonwealth has not implemented Amendment 3’s Chesapeake Bay reduction fishery cap. Staff will monitor the fishery and inform the Board if harvest is approaching 51,000 mt in the Bay.

There are several reasons why the Board postponed action. The Commonwealth’s General Assembly, which oversees Atlantic menhaden management in Virginia, is still in session and has an opportunity to implement the 51,000 mt Bay cap. The reduction fishery is just beginning for the year and is highly unlikely to exceed the Bay cap prior to August given the performance of the fishery for the past five years (i.e., reduction fishery in the Chesapeake Bay has been significantly below 51,000 mt over that time period).

Upon notification by the Commission of a noncompliance finding, the Secretary of Commerce has 30 days to review the recommendation and determine appropriate action, which may include a federal moratorium on fishing for Atlantic menhaden in Virginia's state waters.

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

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PR18-14

Meeting Summary

The Atlantic Menhaden Management approved the Terms of Reference for the 2019 Atlantic menhaden single-species and ecosystem-based benchmark stock assessments and peer-reviews, and approved Stock Assessment Subcommittee membership which will conduct the single-species benchmark.

The Board also approved the 2018 Fishery Management Plan (FMP) Review for the 2017 fishing season, and *de minimis* status for New Hampshire, Pennsylvania, South Carolina, Georgia and Florida. The FMP Review included a review of state implementation plans for Amendment 3. The Plan Review Team determined that each state implemented the requirements of Amendment 3, with one exception: Virginia's 2018 harvest reduction cap for the Chesapeake Bay is higher than that permitted under Amendment 3. Following review, the Board initiated a motion to find Virginia out of compliance for failing to fully implement the provisions of Amendment 3. However, the motion was ultimately postponed to the August Meeting, and in the interim, the Board requested the Commission send a letter to the Commonwealth of Virginia stating its intent to consider the noncompliance finding in August (see above press release for more details).

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

Motions

Move to approve the Terms of Reference for the 2019 Atlantic Menhaden Single Species Benchmark Stock Assessment and Peer Review.

Motion made by Mr. Boyles and seconded by Ms. Patterson. Motion carries unanimously.

Move to approve the Atlantic Menhaden Stock Assessment Subcommittee Membership.

Motion made by Ms. Patterson and seconded by Mr. Miller. Motion carries unanimously.

Move to approve the Terms of Reference for the 2019 Atlantic Menhaden Ecosystem-based Benchmark Stock Assessment and Peer Review.

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

Move to accept the 2018 Fishery Management Plan Review for Atlantic Menhaden and approve *de minimis* status for New Hampshire, Pennsylvania, South Carolina, Georgia, and Florida.

Motion made by Ms. Patterson and seconded by Mr. Kane. Motion carries unanimously.

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. Motion made postponed until August Meeting.

Move to postpone to the August Commission Meeting Week and in the interim send a letter to the Commonwealth of Virginia detailing the contents of the postponed motion.

Motion made by Mr. Keliher and seconded by Mr. Borden. Motion carries (16 in favor, 2 abstentions).

AMERICAN LOBSTER MANAGEMENT BOARD (MAY 2, 2018)

Meeting Summary

The American Lobster Management Board met to analyze Lobster Conservation Management Team (LCMT) proposals to reduce latent effort, reviewed a report from the Law Enforcement Committee (LEC) regarding the enforceability of ropeless fishing in the lobster fishery, and heard a staff update on Draft Addendum XXVII.

First, the Board reviewed proposals submitted by LCMTs 4, 5, and 6 intended to reduce latent effort in the fishery. This discussion was in response to a Southern New England (SNE) workgroup memo which considered future management of the SNE stock following the Board's decision not to move forward with Addendum 25. The proposals submitted by LCMTs 4, 5, and 6 considered a variety of response levels (no action, reductions from current levels, reductions after a trigger) and included varying definitions of latent vs. active effort. Given the on-going 2020 Stock Assessment, continuing work on Draft Addendum 27, and on-going discussions regarding the status of the Atlantic right whale, the Board decided to not take action on the LCMT proposals at this time.

Next, a representative of the LEC reviewed the Committee's discussion regarding the enforceability of ropeless fishing in the lobster fishery. Overall, the LEC expressed significant concerns about the enforceability of the technology, as presented. Specific concerns included the inability to enforce current lobster regulations (i.e. vent sizes, trap allocations), additional costs and time associated with inspecting gear, the secure storage of location information, limitations on the ability to conduct covert operations, and the fact that all vessels, including mobile gear, would need to acquire an acoustic modem to determine where fixed gear is located.

Finally, staff provided an update regarding the development of Draft Addendum XXVII, which was initiated to increase the resiliency of the Gulf of Maine/Georges Bank (GOM/GBK) stock.

For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

Motions

No motions made.

WINTER FLOUNDER MANAGEMENT BOARD (MAY 2, 2018)

Meeting Summary

At its Spring Meeting, the Winter Flounder Management Board reviewed a proposal by Rhode Island to implement aggregate weekly limits in the Southern New England/Mid-Atlantic (SNE/MA) commercial winter flounder fishery. The proposal was intended to provide greater equity between state and federally permitted fishermen given directed fishing is permitted in federal waters but there is a 50 lb daily possession limit in state waters. Analysis by the Technical Committee (TC) indicated that there are currently low levels of targeted fishing effort in the SNE/MA commercial fishery by state permitted fishermen. In addition, projections suggested that an aggregate weekly limit could alter fishermen behavior and increase landings in the fishery. Given the SNE/MA stock is depleted and the 50 lb possession limit was intended to achieve the lowest possible fishing mortality, the Board did not approve the proposal for aggregate weekly limits. As a result, a 50 lb daily possession limit remains in state waters for the SNE/MA commercial winter flounder fishery.

For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

Motions

Move to accept the RI proposal allowing any SNE/MA state to enact, as a 2 year state-enacted pilot program, a permit program allowing for a 250 lb weekly aggregate limit subject to daily reporting requirements, VMS and background checks.

Motion made by Mr. Ballou seconded by Mr. White. Motion fails (Roll Call: In Favor – ME, RI; Opposed – NH, MA, CT, NJ, NMFS, USFWS; Null – NY).

INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (MAY 3, 2018)

Meeting Summary

The Interstate Fisheries Management Program Policy Board (Policy Board) considered the Northern Region's black sea bass appeal and received reports from the Executive, Artificial Reef and Law Enforcement Committees.

The Policy Board was provided an overview of the Appeal Process and the specifics of the appeal brought forward by the states of Massachusetts, Rhode Island, Connecticut and New York regarding the 2018 recreational measures approved as a result of Addendum XXX. During the Board's deliberations, the states, collectively referred to as the Northern Region, presented a potential management program for the 2018 black sea bass recreational fishery to replace the allocations specified in Addendum XXX. In support of the proposed management program, the Policy Board directed the Summer Flounder, Scup, and Black Sea Bass Management Board to approve the 2018 recreational black sea bass regulations 2018 as presented, as well as initiate new management action for the 2019 black sea bass recreational fishery and tasked the Plan Development Team to develop a white paper to consider the

impacts of changes in black sea bass abundance and distribution to the management of commercial and recreational fisheries (see press release under Summer Flounder, Scup and Black Sea bass Board below for more details).

ASMFC Chair Jim Gilmore provided an overview of the Executive Committee meeting earlier in the week (see Executive Committee meeting summary for more details).

Dr. Lisa Havel provided an update on the Artificial Reef Committee, which met jointly with the Gulf States Marine Fisheries Commission's Artificial Reefs Subcommittee in February. Both groups discussed the success of the 2017 Artificial Reef Symposium at the American Fisheries Society Meeting in Tampa, Florida. Dr. Havel represented the Commission on the steering committee for the symposium. The groups also discussed the state of historical resource reviews for artificial reef permits, progress on BP-funded reef projects in the Gulf of Mexico, compared state SCUBA diving programs, and were provided a presentation on collecting reef use data using aerial surveys. There was a guest presentation on sea turtle considerations in reef module designs. Each state also provided updates. ASMFC will host the next meeting, which will take place in early 2019. The Committee plans to create a document containing each state's artificial reef monitoring protocols, which can be used to aid in monitoring standardization along the coast. Per the request of the Policy Board, Dr. Havel will work with the Committee to look into artificial reef and recreational fishing potential in the planned wind farms off the Atlantic coast.

Law Enforcement (LEC) Committee Coordinator Mark Robson updated the Board on the activities of the LEC (see LEC meeting summary). Based on a LEC recommendation, the Commission will send a letter of support to NOAA Fisheries to continue funding Joint Enforcement Agreements, which was zeroed out in the 2019 Presidents Budget Request. The Board will also send a letter to NOAA Fisheries asking for continued development on ropeless fishing technologies to address concerns raised by both the LEC and the American Lobster Management Board, and to pursue other actions to protect right whales.

Kelly Denit (NOAA Fisheries) presented an update on the Marine Recreational Information Program's (MRIP) transition to the Fishing Effort Survey (FES). The FES replaces the coastal household telephone survey and provides a more accurate estimates of fishing effort. As part of the transition to FES side-by-side benchmarking occurred where it was found: (1) estimates from the FES are several times higher than those from the CHTS; and (2) on average, the private boat estimates were almost three times higher, and in the shore mode, they were about five times higher. This varied by mode, state, and wave, so in some cases they were higher, and in others they were lower. The Transition Plan was developed by NOAA Fisheries, the states, Councils, and the Interstate Commissions. The Plan outlined a series of steps necessary to make a smooth transition from the CHTS to the FES: (1) side-by-side benchmarking to compare results from the two surveys, which has been completed; (2) develop and peer review a calibration model to go between the Fishing Effort Survey and the CHTS, which has been completed; (3) adjust the angler intercept survey and develop and peer review a calibration model to go between the Fishing Effort Survey and the CHTS, which has been completed; and (4) re-estimate total catch, which will be incorporated into stock assessments and management decisions. Members of the Board commend MRIP staff for their work on these very important changes to MRIP.

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

Motions

I move, based on the discussion today and the Northern Region Appeal, that the ISFMP Policy Board direct the Summer Flounder, Scup, and Black Sea Bass Management Board to:

(1) address the northward shift in black sea bass abundance and distribution by initiating management actions to manage the recreational and commercial fisheries based on the distribution of the resource along with any other options recommended by the Management Board. The Policy Board requests a new action to address the 2019 recreational fishery, but recognizes that it may take more time to consider options for the commercial fishery; and

(2) approve the recreational black sea bass regulations for 2018 as presented today.

Motion made by Dr. Pierce and seconded by Mr. Hasbrouck. Motion didvided.

Move to divide items 1 and 2.

Motion made by Mr. Nowalsky and seconded by Mr. Abbott. Motion carries (8 in favor, 6 opposed, 2 abstentions).

Divided Main Motion Part 1

I move, based on the discussion today and the Northern Region Appeal, that the ISFMP Policy Board direct the Summer Flounder, Scup, and Black Sea Bass Management Board to:

- **address the northward shift in black sea bass abundance and distribution by initiating management actions to manage the recreational and commercial fisheries based on the distribution of the resource along with any other options recommended by the Management Board. The Policy Board requests a new action to address the 2019 recreational fishery, but recognizes that it may take more time to consider options for the commercial fishery.**

Motion substituted.

Motion to Substitute

Move to substitute, based on the discussion today and the Northern Region Appeal, that the ISFMP Policy Board direct the Summer Flounder, Scup, and Black Sea Bass Management Board to:

- **address the changes in black sea bass abundance and distribution by initiating management actions to consider management based on the distribution of the resource along with any other options recommended by the Management Board. The Policy Board requests a new action to address the 2019 recreational fishery.**
- **task the plan development team to develop a white paper that would identify the actions of considering the changes in the black sea bass abundance for future commercial and recreational management actions.**

Motion made by Mr. Gilmore and seconded by Mr. Reid. Motion passes (16 in favor, 1 null).

Divided Main Motion Part 1 as Substituted

Move, based on the discussion today and the Northern Region Appeal, that the ISFMP Policy Board direct the Summer Flounder, Scup, and Black Sea Bass Management Board to:

- **address the changes in black sea bass abundance and distribution by initiating management actions to consider management based on the distribution of the resource along with any**

other options recommended by the Management Board. The Policy Board requests a new action to address the 2019 recreational fishery.

- task the plan development team to develop a white paper that would identify the actions of considering the changes in the black sea bass abundance for future commercial and recreational management actions.

Motion passes without objection (null vote by NC).

Divided Main Motion Part 2

I move, based on the discussion today and the Northern Region Appeal, that the ISFMP Policy Board direct the Summer Flounder, Scup, and Black Sea Bass Management Board to:

- approve the recreational black sea bass regulations for 2018 as presented today.

Motion passes without objection.

Table 1. State by State Black Sea Bass Recreational Measures for 2018

State	Minimum Size	Possession Limit	Open Season
ME	13"	10 fish	May 19–Sep 21; Oct 18–Dec 31
NH	13"	10 fish	Jan 1–Dec 31
MA	15"	5 fish	May 19–Sep 12
RI	15"	3 fish	Jun 24–Aug 31
		7 fish	Sep 1–Dec 31
CT, Private/Shore	15"	5 fish	May 19–Dec 31
CT, Authorized Party/Charter	15"	5 fish	May 19–Aug 31
		7 fish	Sep 1–Dec 31
NY	15"	3 fish	Jun 23–Aug 31
		7 fish	Sep 1–Dec 31
NJ	12.5"	10 fish	May 15–Jun 22
	12.5"	2 fish	Jul 1–Aug 31
	12.5"	10 fish	Oct 8–Oct 31
	13"	15 fish	Nov 1–Dec 31
DE, MD, VA, & NC (North of Cape Hatteras)	12.5"	15 fish	May 15–Dec 31

Note: cells are shaded to help with table readability and do not indicate regional alignment.

SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (MAY 3, 2018)

Press Release

Summer Flounder, Scup and Black Sea Bass Management Board Revises Northern Region Recreational Management Measures

Arlington, VA – Upon the direction of the Commission’s Interstate Fisheries Management Program (ISFMP) Policy Board, the Summer Flounder, Scup and Black Sea Bass Management Board approved revised 2018 recreational measures for the Northern Region states of Massachusetts, Rhode Island, Connecticut and New York (see Table 1). Further, the Board initiated new management action for the 2019 black sea bass recreational fishery and tasked the Plan Development Team to develop a white paper to consider the impacts of changes in black sea bass abundance and distribution to the management of commercial and recreational fisheries.

Table 1. State by State Black Sea Bass Recreational Measures for 2018

State	Minimum Size	Possession Limit	Open Season
ME	13"	10 fish	May 19–Sep 21; Oct 18–Dec 31
NH	13"	10 fish	Jan 1–Dec 31
MA	15"	5 fish	May 19–Sep 12
RI	15"	3 fish	Jun 24–Aug 31
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CT, Authorized Party/Charter	15"	5 fish	May 19–Aug 31
		7 fish	Sep 1–Dec 31
NY	15"	3 fish	Jun 23–Aug 31
		7 fish	Sep 1–Dec 31
NJ	12.5"	10 fish	May 15–Jun 22
	12.5"	2 fish	Jul 1–Aug 31
	12.5"	10 fish	Oct 8–Oct 31
	13"	15 fish	Nov 1–Dec 31
DE, MD, VA, & NC (North of Cape Hatteras)	12.5"	15 fish	May 15–Dec 31

This action is taken in response to a Northern Region state appeal of the approved 2018 recreational measures under Addendum XXX. The appeal argued the Board’s action under Addendum XXX incorrectly applied technical data and was inconsistent with the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan. After reviewing the appeal, Commission Leadership agreed there was adequate justification to bring portions of the appeal forward to the ISFMP Policy Board.

During the ISFMP Policy Board’s deliberations regarding consideration of the appeal, a potential management program for the 2018 black sea bass recreational fishery was presented to replace the allocations specified in Addendum XXX. The revised management program was developed to meet the needs of the Northern Region without impacting the remaining states, while still constraining harvest to the 2018 recreational harvest limit of 3.66 million pounds.

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

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PR18-15

Motions

On behalf of the Policy Board, stemming from the resolution of the appeal to Addendum XXX submitted by the states of MA, RI, CT, and NY, move to: 1) approve the 2018 recreational black sea bass regulations and make the necessary changes to Addendum XXX consistent with these regulations; 2) develop a new action for the 2019 recreational fishery to address the changes in black sea bass abundance and distribution that consider management based on the distribution of the resource along with any other options recommended by the Management Board; 3) task the plan development team to develop a white paper that would identify the actions of considering the changes in the black sea bass abundance for future commercial and recreational management actions. Motion made by Mr. Keliher on behalf of the ISFMP Policy Board. Motion carries without objection (2 abstentions – NOAA and USFWS; one null – NC)

SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (MAY 3, 2018)

Press Release

ASMFC South Atlantic State/Federal Fisheries Management Board Approves Addendum I to the Black Drum Fishery Management Plan

Arlington, VA – The Commission’s South Atlantic State/Federal Fisheries Management Board approved Addendum I to the Black Drum Interstate Fishery Management Plan (FMP). The Addendum allows Maryland to reopen its black drum commercial fishery in the Chesapeake Bay with a daily vessel limit of up to 10 fish and a 28-inch minimum size.

In the late 1990s, Maryland closed its Bay commercial black drum fishery in order to conduct a tagging and migration study. The fishery was not reopened after the study. In 2013, the Black Drum FMP extended this closure by requiring states to maintain management measures in place at the time of the FMP’s approval.

In approving Addendum I, the Board considered the status of the resource, which is not overfished nor experiencing overfishing, and the estimated relatively small size of the reopened commercial fishery. When the fishery was open in the 1970s under more liberal management than that in Addendum I, it

was a small scale fishery with an average annual harvest of 11,475 pounds. Over the next year, Maryland will develop a management program for the commercial fishery with implementation by April 1, 2019.

The Addendum will be available on the Commission's website, www.asmfmc.org (under Black Drum). For more information, please contact Dr. Mike Schmidtke, FMP Coordinator, at mschmidtke@asmfc.org or 703.842.0740.

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PR18-16

Meeting Summary

The South Atlantic State/Federal Fisheries Management Board met to consider approval of Draft Addendum I to the Black Drum Fishery Management Plan (see above press release), review recommendations regarding changes to the traffic light analyses for spot and Atlantic croaker, and discuss next steps in the transfer of management authority for Atlantic migratory group cobia from federal management under the South Atlantic Fishery Management Council (SAFMC) and Gulf of Mexico Fishery Management Council to the Commission.

The Board revisited its discussion from the Winter 2018 Meeting concerning the Atlantic Croaker Technical Committee's (TC) and Spot Plan Review Team's (PRT) review of the annual 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.

Recent years of data have shown conflicting trends in the harvest and abundance metrics for Atlantic croaker and spot, with harvest on the decline and abundance increasing. Typically, harvest and abundance would be expected to show similar trends in the absence of changes in harvest effort or efficiency, neither of which seem to be responsible for the recent trends. Therefore, the TC and PRT were tasked to review the TLAs for Atlantic croaker and spot to determine any adjustments that could improve these analyses. The TC recommended several adjustments, including use of additional abundance survey indices, region-specific analyses, age-proportioning of abundance indices, updated reference periods, and a new management-triggering mechanism. The Board postponed a motion to initiate an addendum that would incorporate these adjustments until the Summer 2018 Meeting, when the TLAs for the 2017 fishing year will be reviewed.

The Board also received updates on the SEDAR 58 Stock Identification and Benchmark Stock Assessment processes for Atlantic migratory group cobia. A Stock Identification Workshop was held in April 2018. Results from this workshop will be reviewed at the Peer Review Workshop in June 2018. The Board reviewed draft Terms of Reference (ToR) and a preliminary schedule for the benchmark stock assessment process, which is scheduled to begin in fall of 2018. The SAFMC will approve the ToRs and schedule at its June 2018 meeting.

The Board also initiated an amendment to the Atlantic Cobia FMP that will reflect the removal of Atlantic cobia from the joint SAFMC and Gulf of Mexico Fishery Management Council Coastal Migratory Pelagics (CMP) FMP and establish recommendations for measures in federal waters. At its June meeting, the SAFMC will take final action on Amendment 31, which would remove Atlantic cobia from their CMP FMP and allow the Commission to assume sole management authority. If Amendment 31 is approved, the Commission would request management measures to be implemented by NOAA Fisheries in federal waters. The first step of the Commission's amendment process is development of a draft Public Information Document (PID), which describes management options that should be considered in the draft amendment. The Board will review the draft PID at its Summer 2018 Meeting to determine whether the document is ready to be released for public comment.

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

Motions

Move to approve Management Option 2: reopen Maryland's commercial fishery for black drum in the Chesapeake Bay with a daily vessel limit of up to 10 fish and a 28 inch minimum total length size limit.
Motion made by Ms. Fegley and seconded by Mr. Haymans. Motion carries without objection.

Move to approve Addendum I to the Black Drum Interstate Fishery Management Plan as modified with an implementation date of April 1, 2019.
Motion made by Ms. Fegley and seconded by Mr. Estes. Motion carries without objection.

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 made by Mr. Batsavage and seconded by Mr. Gary. Motion postponed until August meeting.

Move to postpone the motion until the August meeting.
Motion made by Ms. Fegley and seconded by Mr. Nowalsky. Motion carries without opposition.

Move to initiate an amendment to reflect the removal of Atlantic cobia from the joint South Atlantic Fishery Management Council and Gulf of Mexico Fishery Management Council Coastal Migratory Pelagics Fishery Management Plan and establish recommendations for measures in federal waters.
Motion made by Mr. Haymans and seconded by Dr. Rhodes. Motion passes without objection.