



Revision to Conservation Equivalency: Policy and Technical Guidance

Policy Board
October 2016

Purpose



- Conservation Equivalency
 - State flexibility to develop management to address state or regional difference while achieving the goals of the FMP
 - Tailor regulations when one-size management does not work

Policy Guidance



When is Conservation Equivalency Used?

- Alternative management outside of the FMP process
- Development of FMPs
 - When management plans are developed the PDT should make CE recommendations
- CE is not required if a state is making a change that is more restrictive UNLESS it is combined with a change that is less restrictive it requires a review

Proposals



- PRT is the clearing house for review and recommendations of proposals
- States will submit all proposals to the PRT Chair

Proposal Standards



- Rational
- Description of how measures will meet relevant FMP objectives and measures
- State is required to supply adequate detail and analysis of how measures will meet relevant goals and objectives
- Description of
 - Datasets
 - Limitations of data and data aggregation or pooling
 - TC will determine levels of precision for landings data and standards for other data used
 - States can ask for this info prior to submission of proposals
 - Length of time and review schedule.
 - Clearly state if there is no expiration date

Proposal Standards



- Justify deviations from CE standards in the FMP
- Describe the monitoring schedule, reporting requirements and evaluation of the program

Review Process



- Submission Timing
 - Submit 2 months prior to next board meeting to be reviewed at that board meeting
 - Between 2 months and 2 weeks prior it is the chairs discretion if the proposal is reviewed at the board meeting
 - Less than 2 weeks will not be reviewed at the board meeting
- The PRT will notify the state the proposal is complete

Review Process



- PRT will determine the necessary committees for review (TC, LEC, CESS) and distribute
- The review will include a description of impact on or from adjoining entities, enforcement, economics, and others
- All reviews will be compiled and sent to the AP for their review of the proposals
 - Except when there is not sufficient time
- The Board will make the final decision to approve CE programs

Review Process



- Annually state should describe and evaluate the program as a part of the state compliance report
- Annually, the PRT will evaluate the program in the FMP Review unless a different timeline was established

Coordination Guidance



- With joint plans, the coordination with NOAA Fisheries, USFWS, and Councils is needed
 - Complementary EEZ regulations
 - Consider protocols of federal agencies
 - Changes to federal regulations



ASMFC Risk and Uncertainty Policy

Introduction



- At its August 2016 meeting, the Policy Board approved continuing on with the development of a Commission Risk and Uncertainty Policy
- Tentatively approved the “Purpose Statement”, but wanted more information and more time to review language
- The Workgroup (Commissioners, ASC, and MSC members) met in mid September to develop an example

Risk Policy – Goals



- Comprehensive risk and uncertainty policy would provide guidance on a range of issues
 - choosing biological reference points, setting quotas for data poor species etc.
- Long-term goal, would require significant time and resources
- WG recommends that policy development and deployment be implemented in phases
 - Decision-tree approach to set acceptable risk levels when determining quotas for data-rich species

Risk Policy – Goals



- Adequately account for uncertainty at all levels of the Commission's management process to maximize informed decision-making
- Consistently manage Commission species
- Provide transparency in Commission's risk-management process
- Incorporate flexibility in the Commission's risk-management process

How to Meet Goals – Decision Tree



- The goals of the policy will be achieved through a structured decision making process
- The process could be implemented through a TOR for ASMFC assessments
- The TOR will be for each species to step through a decision tree with a predefined set of questions

Decision Tree Questions



- Is stock status known?
- Is the stock overfished/depleted?
- Is overfishing occurring?
- Is SSB at or above the target?
- Is F at or below the target?

Decision Tree Questions



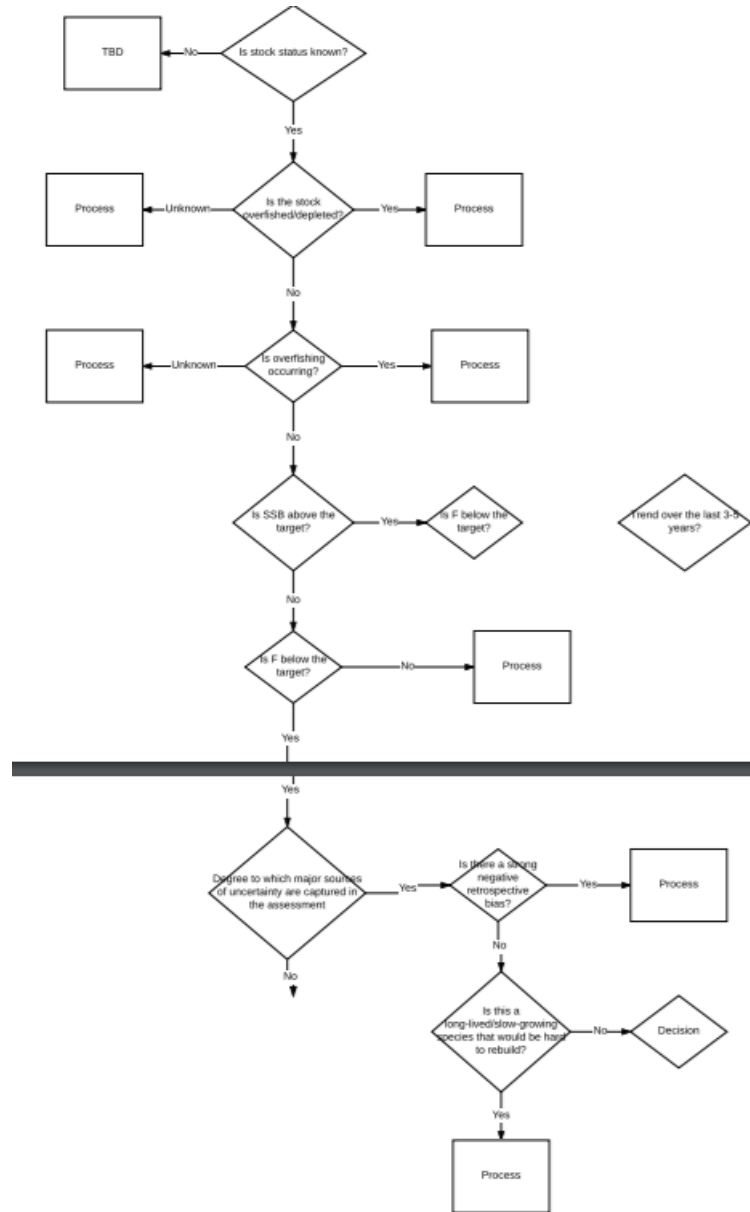
- Degree to which major sources of uncertainty are captured in the assessment?
- Diagnostics of the assessment (i.e. retrospective issues)?
- Biological characteristics (how susceptible to overfishing, how resilient)?

Decision Tree Results

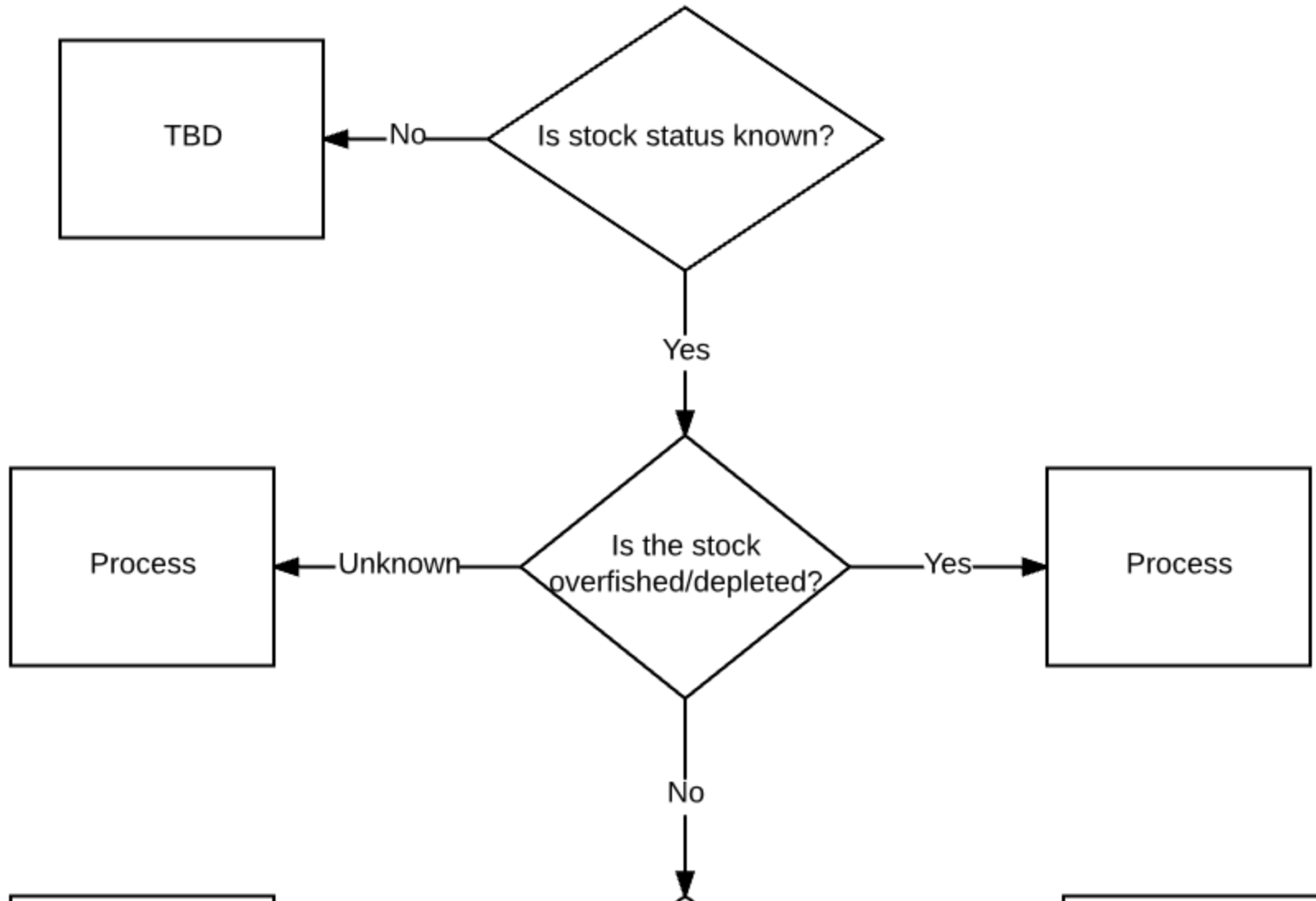


- Once we step through the questions we end up with a series of probabilities with regard to being at or below F target:
 - ranging from 30 – 75%
- Next slide is a look at the example we worked through
 - Conceptually, more or less risk based on answers to the questions in the tree

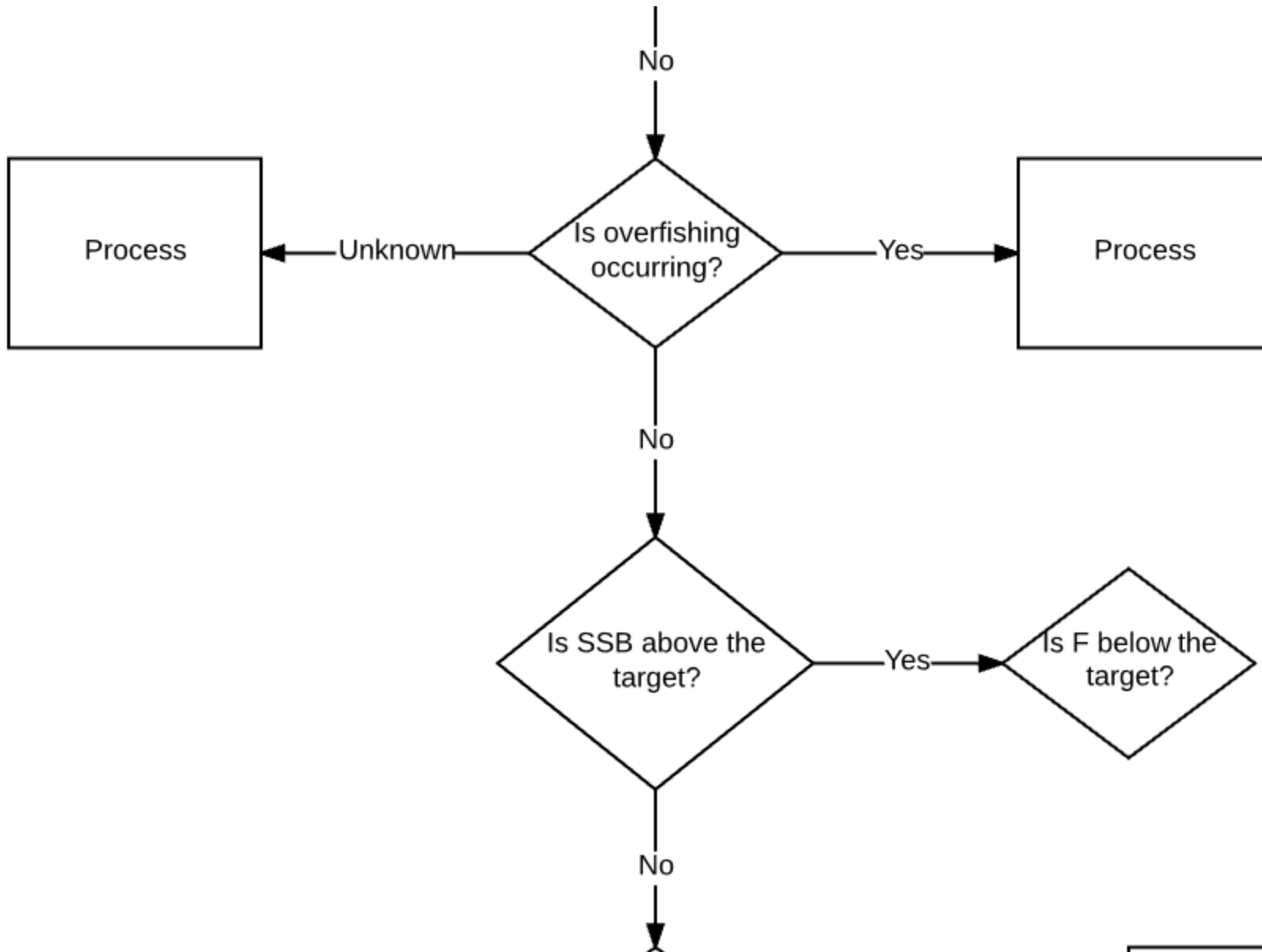
Decision Tree - Example



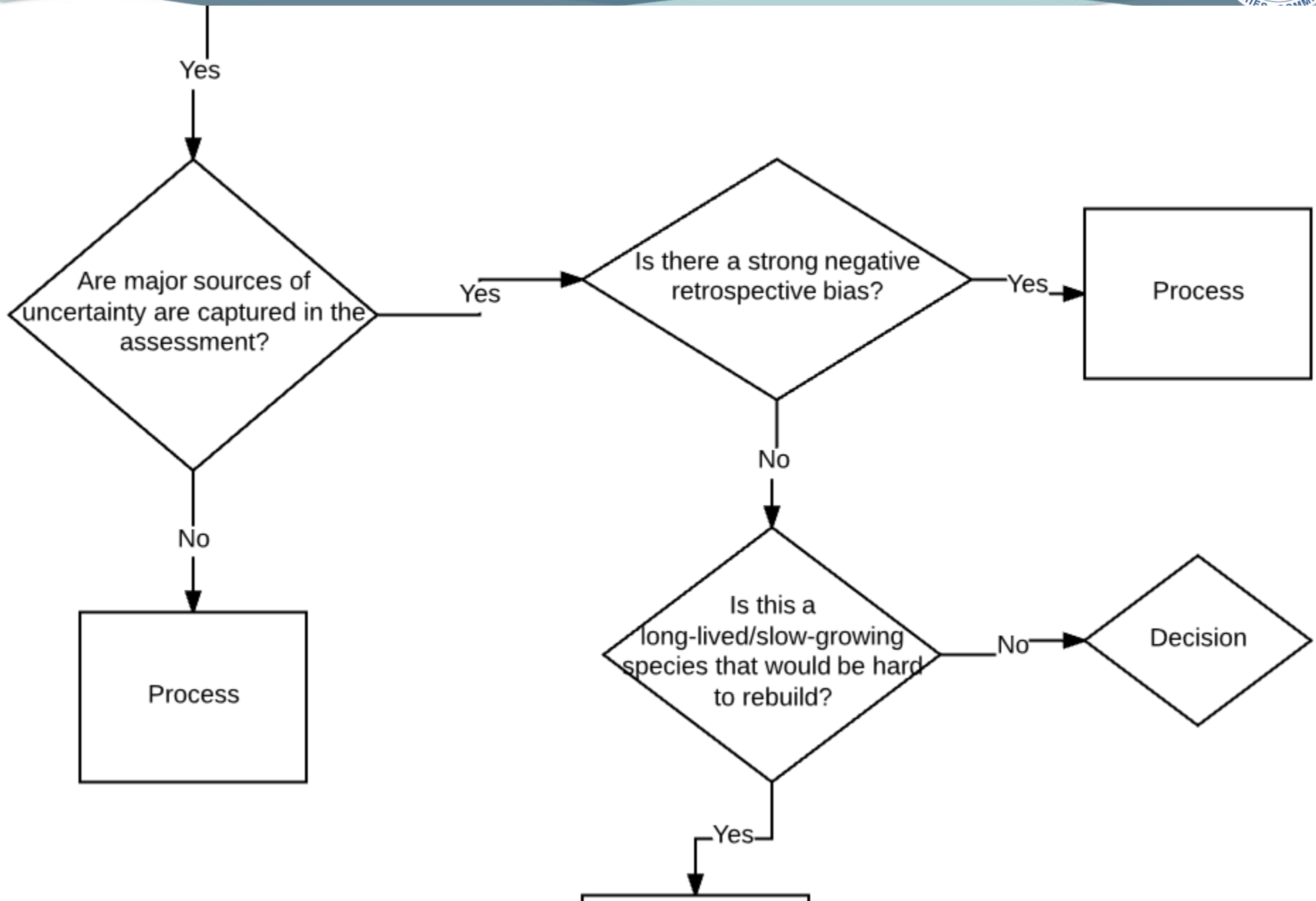
Decision Tree - Example



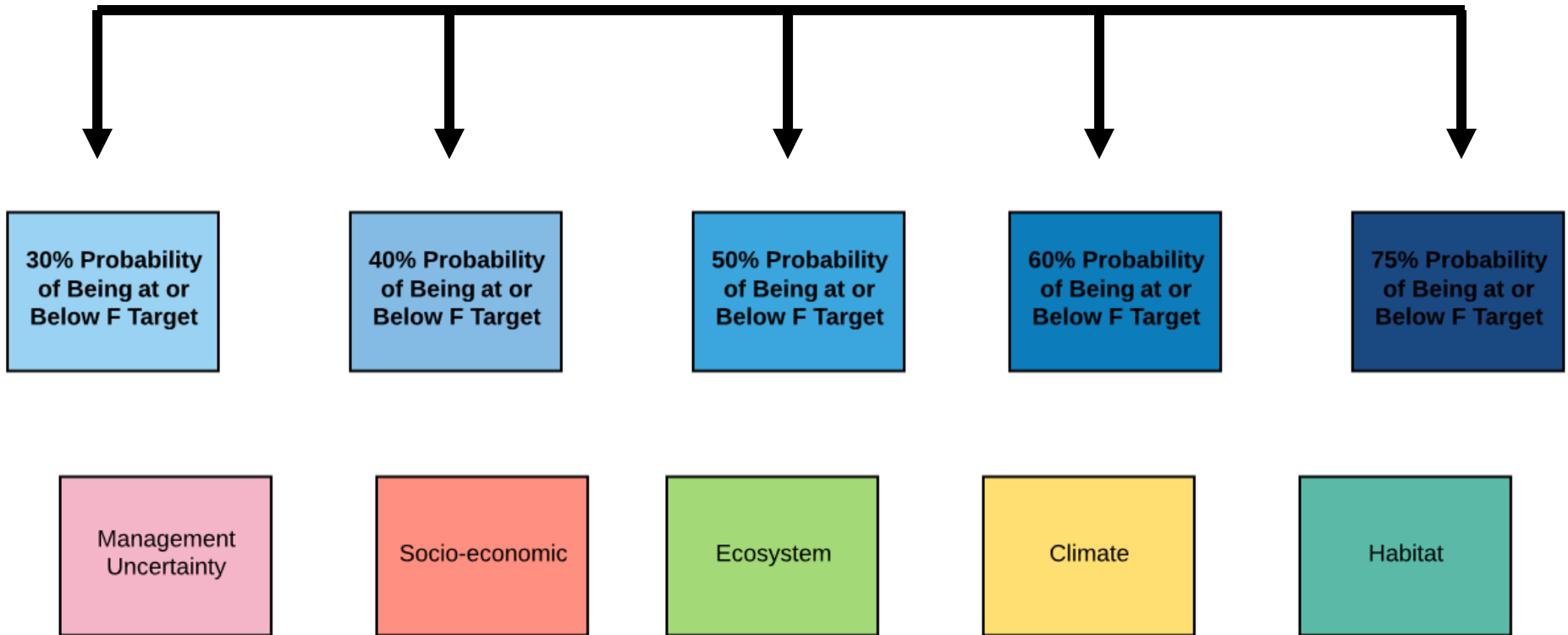
Decision Tree - Example



Decision Tree - Example



Decision Tree - Example



Decision Tree - Flexibility



- Flexibility was a key element for the Risk Policy
- There were a set of metrics that were difficult for the working group to quantify
 - Management uncertainty, Social effects, Economic effects, Ecosystem, Climate, Habitat

Decision Tree - Flexibility



- Some of these will/can be assigned numbers as metrics are developed, but at this time are mainly qualitative
 - These are the areas for the Board to be flexible and can be used to justify moves to higher or lower risk decisions
 - Need guidance as to ones to keep as qualitative and ones you want to quantify and build in to the tree

Next Steps



- ~~• Establish multi-disciplinary working group~~
- ~~• Develop policy statement~~
 - ~~— Policy Board approval~~
- ~~• Meet in September to decide on an approach and develop some examples~~
- Present examples to the Board during Annual Meeting
- Approve a standalone workshop for the Policy Board to spend more time on the Risk Policy for striped bass

Questions



- Is the decision-tree approach a functional framework for the policy?
- Are there any qualitative metrics for flexibility that should shift to quantitative?
- Does the range of risk levels seem appropriate?
- Would the Board be interested in a workshop focused on striped bass to fully develop decision-tree example?



Habitat Committee Report

Presented to ASMFC Policy Board
October 27th, 2016

Fall In-Person Meeting



- Habitat Committee met Oct. 20-21 at Gulf of Maine Research Institute in Portland, ME
- Presentations from Oliver Cox (ME DNR), Riley Young Morse (GMRI)
- Discussion with Dr. Katie Drew on feasibility of incorporating habitat into stock assessments
- ACFHP update from Dr. Lisa Havel

Fall In-Person Meeting



- Reviewed Goal 4 in 2016 Action Plan progress
- Finalized Goal 4 in 2017 Action Plan

2016 Action Plan: Goal 4



Seismic Testing Letter to BOEM

- Incorporated feedback from Policy Board into draft letter for approval
- As recommended, similar in scope to Council letters already sent
- Highlights:
 - fish & other marine resources depend on sound for vital life functions
 - Insufficient information on how seismic surveys and G&G activities affect fisheries and ecosystem structure and function

2016 Action Plan: Goal 4



Seismic Testing Letter to BOEM

- Highlights continued:
 - Commission believes it is important to fund research that will enable better understanding of consequences of these activities
 - MAFMC and SAFMC have also sent letters with similar concerns
 - Offers a seat for BOEM staff on Habitat Committee similar to USFWS, NOAA Fisheries, and the Councils to support sustained communication

2016 Action Plan: Goal 4



Climate Change Document

- Habitat Committee identified ongoing practices in each states' coastal regulatory planning that address climate change impacts
- These practices compiled into a report
- Next steps (in 2017 Action Plan): identify gaps in regulatory planning and make recommendations

2016 Action Plan: Goal 4



Sciaenid Habitat Source Document

- Dr. Alison Deary finalized edits and contributed to research recommendations and key threats chapters
- These contributions finalized the document and were approved by Habitat Committee
- If approved by Policy Board will be formatted and made available to stakeholders

2016 Action Plan: Goal 4



Sciaenid Habitat Source Document

- Covers the biology, habitat needs, habitat research needs and habitat stresses for:
 - ASMFC-managed species: Atlantic croaker, black drum, red drum, spot, spotted seatrout, weakfish
 - Other sciaenids: Northern kingfish, Southern kingfish, Gulf kingfish

2016 Action Plan: Goal 4



Sciaenid Habitat Source Document

- Major threats to sciaenid habitats
 - Beach renourishment
 - Degradation of water quality
 - Coastal development
 - Navigation and dredging
 - Fishing
 - Climate change

2016 Action Plan: Goal 4



Sciaenid Habitat Source Document

- Recommendations to mitigate threats
 - HAPCs should be accompanied by requirements that limit habitat degradation
 - States should enhance and coordinate water quality monitoring
 - States should minimize wetland loss
 - Windows of compatibility should be established, especially in regard to avoiding adverse activities during spawning season

2016 Action Plan: Goal 4



Sciaenid Habitat Source Document

- Recommendations to mitigate threats
 - Fishing gear known to negatively impact HAPCs should be prohibited in those areas
 - Research on role of SAV in sciaenid productivity should be conducted
 - Restoration efforts should be enacted to restore critical habitat
 - Bioaccumulating compounds should be limited to maintain sciaenid health

2016 Action Plan: Goal 4



Sciaenid Habitat Source Document

- Recommendations to mitigate threats
 - Dams that threaten freshwater flows to nursery and spawning areas should be identified and targeted for recommendations during FERC re-licensing
 - Education and outreach activities that explain management measures should be expanded

2017 Action Plan: Goal 4



- 2017 is 20th anniversary of Habitat Committee's Submerged Aquatic Vegetation Policy
 - 2017 Habitat Hotline theme will be Submerged Aquatic Vegetation
 - Review and update 1997 SAV Policy document
- Identify gaps and make recommendations to climate change document (already discussed)

2017 Action Plan: Goal 4



- Added tasks:
 - Co-sponsor Artificial Reef Symposium at AFS Meeting in August. Dr. Havel will serve on steering committee.
 - Communicate with ASC and other relevant entities to better link habitat and stock productivity for managed species.

Welcome New Members



- Habitat Committee
 - Oliver Cox (ME DNR)
 - Denise Sanger (SC DNR)
- Artificial Reef Committee
 - Michael Malpezzi (MD DNR)



Questions?



Report to the ISFMP Policy Board

October 27th, 2016

Fall Meeting

- Steering Committee met last week in Portland at Gulf of Maine Research Institute
- New 2017-2021 Conservation Strategic Plan
 - Reviewed drafts of Plan sections
 - Habitat Conservation Priorities, Science & Data, Communications, Finance
 - Section Objectives and Strategies finalized
 - Plan tasks to be completed by December
 - New plan will guide on-the-ground habitat restoration priorities (oyster reef, salt marsh, SAV, fish passage)



Fall Meeting



- Gulf of Maine Research Institute coastal ecosystem monitoring projects
 - Inshore herring survey
 - Fish monitoring around dam removals
- Great Bay Estuary projects
 - Exeter dam removal project, ACFHP endorsed
- Finalized FY2017 proposal funding recommendations to USFWS
- Field site visits to Kennebec River Edwards Dam removal and Coopers Mill Dam



Fall Meeting



Field site visit to Kennebec River Edwards Dam removal



Field site visit to Coopers Mill Dam



FY17 NFHP-USFWS Funding

- Received 9 habitat restoration proposals
- Proposals received from all 4 ACFHP subregions (NE, MidAtl, SAtl, S. Florida)
- Maximum request up to \$50,000
- Proposal Criteria: meet ACFHP priorities, leverage separate funding, project readiness, time to completion
- Top 3 projects: 1 oyster reef and salt marsh restoration, 2 dam removals



FY17 NFHP-USFWS Funding

Sheepscot River Barrier Removal, Maine

- Coopers Mill Dam removal and Head Tide Dam partial removal
- Opens 71 miles for alewife, Atlantic salmon, and other species
- Southernmost river designated as critical Atlantic salmon habitat
- Requested \$50,000; \$700,000 in match



FY17 NFHP-USFWS Funding

Oyster Reef and Estuarine Shoreline Restoration, Bogue Sound, NC

- Recycled oyster shells placed along shoreline to promote saltmarsh accretion
- Nursery habitat for black sea bass, red drum; feeding grounds for summer flounder
- Requested \$38,110; \$39,126 in match



FY17 NFHP-USFWS Funding

Sawyer Mill Dam Removal Bellamy River, NH

- Upper and lower Sawyer Mill Dam removal
- Intended to delist Sawyer Mill Pond from 303(d) list
- Opens >5 miles for alewife, eel, sea lamprey
- Requested \$50,000; \$1,322,900 in match





LAW ENFORCEMENT COMMITTEE

OCTOBER 24-25, 2016

Bar Harbor, MAINE



Species Issues

- American Lobster
 - Upcoming Addendum for SNE stock
 - Enforcement Subcommittee Work
 - Move forward with letter to NOAA Law Enforcement
 - Endorse development of VMS for the fishery



Species Issues

- Jonah Crab
 - Continue support for whole-crab-only harvest
 - Support 5-gallon volume allowance for personal consumption limits
 - Oppose bycatch definition based on percent catch composition



NC Aquaculture Permit

- Re-affirm support for the revised proposal
 - Warrantless Search Prohibition
 - Tight permit conditions, reporting and limited application overcome search issue
- Concern about states moving in direction of prohibiting warrantless searches
 - Important component of permit and license programs



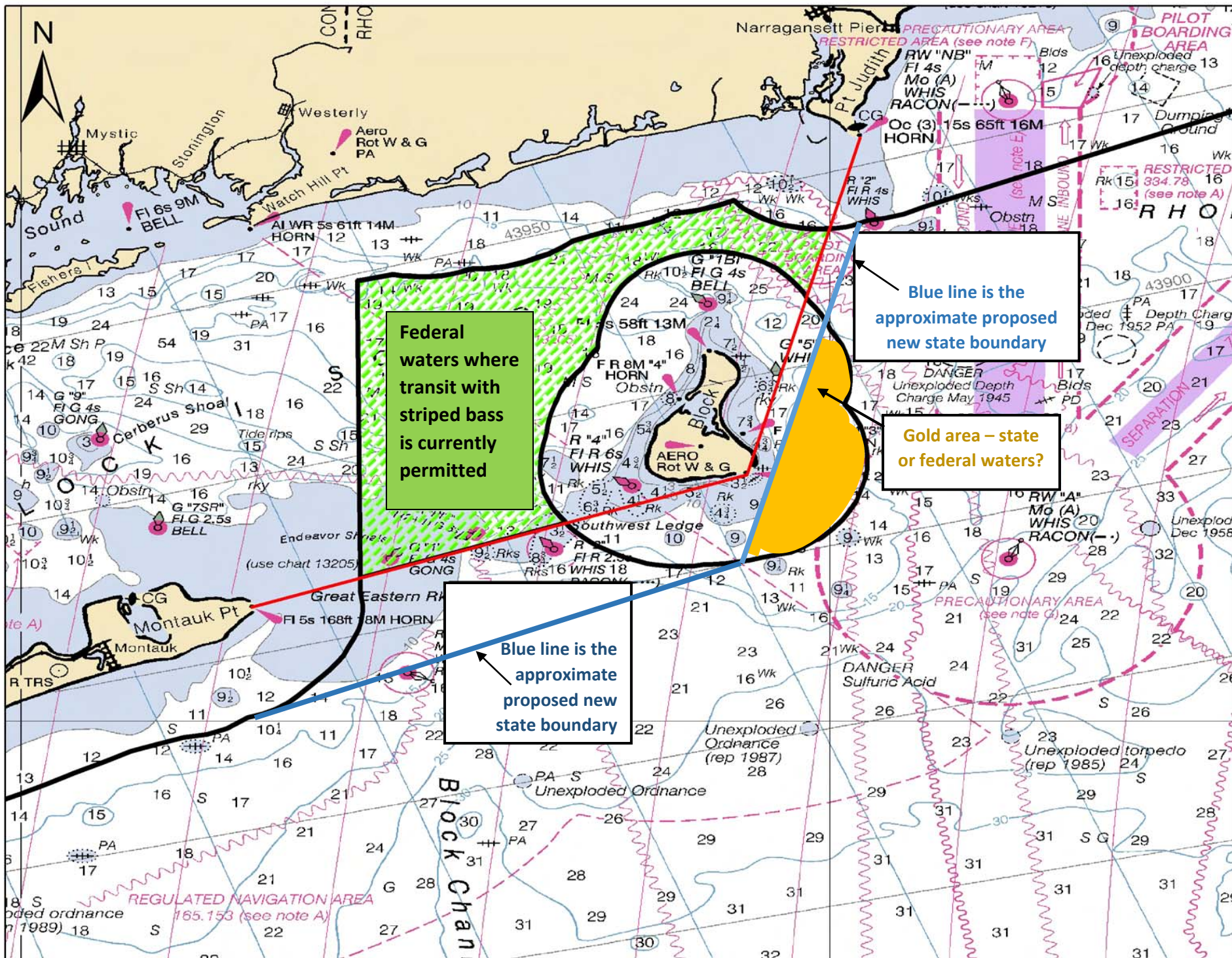
Species Issues

- Summer Flounder
 - Support Standardized Safe Harbor Policies
 - Separate issue of dual landings/quota transfers
 - LEC observes increase in safe harbor requests in summer flounder fleet
 - Concern that safe harbor can be abused for business or convenience purposes
 - Landings Flexibility has an enforcement cost



Other Issues

- 2017 Action Plan Goal 3 Review
- Interstate Wildlife Violators Compact
- Combining Recreational and Commercial landings in one trip
- Aerial Enforcement Subcommittee



Federal waters where transit with striped bass is currently permitted

Blue line is the approximate proposed new state boundary

Gold area – state or federal waters?

Blue line is the approximate proposed new state boundary