



Atlantic States Marine Fisheries Commission

76th Annual Meeting Summary

Vision: Sustainably Managing Atlantic Coastal Fisheries

76th Annual Meeting
Norfolk, VA
October 16-19, 2017

Toni Kerns, ISFMP, or
Tina Berger, Communications
For more information, please contact
the identified individual at
703.842.0740

Meeting Summaries, Press Releases and Motions

TABLE OF CONTENTS:

AMERICAN LOBSTER MANAGEMENT BOARD (OCTOBER 16, 2017)	3
<i>Press Release</i>	3
<i>Meeting Summary</i>	4
<i>Motions</i>	4
ATLANTIC COASTAL FISH HABITAT PARTNERSHIP STEERING COMMITTEE (OCTOBER 16 & 17, 2017)	5
<i>Meeting Summary</i>	5
TAUOG MANAGEMENT BOARD (OCTOBER 16, 2017)	6
<i>Meeting Summary</i>	6
<i>Motions</i>	6
SPINY DOGFISH MANAGEMENT BOARD (OCTOBER 16, 2017)	8
<i>Press Release</i>	8
<i>Motions</i>	8
ATLANTIC HERRING SECTION (OCTOBER 16, 2017)	9
<i>Meeting Summary</i>	9
<i>Motions</i>	10
SHAD AND RIVER HERRING MANAGEMENT BOARD (OCTOBER 17, 2017)	10
<i>Meeting Summary</i>	10
<i>Motions</i>	11
HORSESHOE CRAB MANAGEMENT BOARD (OCTOBER 17, 2017)	11
<i>Press Release</i>	11
<i>Meeting Summary</i>	12
<i>Motions</i>	13
LAW ENFORCEMENT COMMITTEE (OCTOBER 17 & 18, 2017)	13
<i>Meeting Summary</i>	13
COASTAL SHARKS MANAGEMENT BOARD (OCTOBER 17, 2017)	15
<i>Meeting Summary</i>	15
<i>Motions</i>	16

AMERICAN EEL MANAGEMENT BOARD (OCTOBER 17, 2017)	16
<i>Press Release</i>	16
<i>Motions</i>	18
ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM COORDINATING COUNCIL (OCTOBER 17, 2017)	18
<i>Meeting Summary</i>	18
<i>Motions</i>	18
EXECUTIVE COMMITTEE (OCTOBER 18, 2017)	19
<i>Meeting Summary</i>	19
HABITAT COMMITTEE (OCTOBER 18, 2017)	19
<i>Meeting Summary</i>	19
ATLANTIC STURGEON MANAGEMENT BOARD (OCTOBER 18, 2017)	20
<i>Press Release</i>	20
<i>Motions</i>	22
CAPTAIN DAVID H. HART AWARD LUNCHEON (OCTOBER 18, 2017)	22
<i>Press Release</i>	22
BUSINESS SESSION (OCTOBER 18 & 19, 2017)	23
<i>Press Releases</i>	23
<i>Meeting Summary</i>	26
<i>Motions</i>	27
SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (OCTOBER 18, 2017)	27
<i>Meeting Summary</i>	27
<i>Motions</i>	28
ATLANTIC STRIPED BASS MANAGEMENT BOARD (OCTOBER 19, 2017)	29
<i>Meeting Summary</i>	29
<i>Motions</i>	30
INTERSTATE FISHERIES MANAGEMENT BOARD (OCTOBER 19, 2017)	30
<i>Meeting Summary</i>	30
<i>Motions</i>	31
SOUTH ATLANTIC STATE/FEDERAL MANAGEMENT BOARD (OCTOBER 19, 2017)	32
<i>Press Release</i>	32
<i>Meeting Summary</i>	33
<i>Motions</i>	33

AMERICAN LOBSTER MANAGEMENT BOARD (OCTOBER 16, 2017)

Press Release

ASMFC American Lobster Board Approves Draft Addenda XXVI & III to the American Lobster and Jonah Crab FMPs for Public Comment

Norfolk, VA – The Commission’s American Lobster Management Board approved American Lobster Draft Addendum XXVI/Jonah Crab Draft Addendum III for public comment. Given the same data collection needs apply to both American lobster and Jonah crab fisheries, Draft Addendum XXVI and Draft Addendum III are combined into one document that would modify management programs for both species upon its adoption. The Draft Addenda seek to improve harvest reporting and biological data collection in the American lobster and Jonah crab fisheries. The Draft Addenda propose using the latest reporting technology, expanding the collection of effort data, increasing the spatial resolution of harvester reporting, and advancing the collection of biological data, particularly offshore.

Recent management action in the Northwest Atlantic, including the protection of deep sea corals, the declaration of a national monument, and the expansion of offshore wind projects, have highlighted deficiencies in current American lobster and Jonah crab reporting requirements. These include a lack of spatial resolution in harvester data and a significant number of fishermen who are not required to report. As a result, efforts to estimate the economic impacts of these various management actions on American lobster and Jonah crab fisheries have been hindered. States have been forced to piece together information from harvester reports, industry surveys, and fishermen interviews to gather the information needed. In addition, as American lobster and Jonah crab fisheries continue to expand offshore, there is a greater disconnect between where the fishery is being prosecuted and where biological sampling is occurring. More specifically, while most of the sampling occurs in state waters, an increasing volume of American lobster and Jonah crab are being harvested in federal waters. The lack of biological information on the offshore portions of these fisheries can impede effective management.

The Draft Addenda present three questions for public comment: (1) what percentage of harvesters should be required to report in the American lobster and Jonah crab fisheries; (2) should current data elements be expanded to collect a greater amount of information in both fisheries; and (3) at what scale should spatial information be collected. In addition, the Draft Addenda provide several recommendations to NOAA Fisheries for data collection of offshore American lobster and Jonah crab fisheries. These include implementation of a harvester reporting requirement for federal lobster permit holders, creation of a fixed-gear VTR form, and expansion of a biological sampling program offshore.

It is anticipated the majority of states from Maine through New Jersey will be conducting public hearings on the Draft Addenda. The details of those hearings will be released in a subsequent press release. The Draft Addenda will be available on the Commission website, www.asmfc.org (under Public Input) by October 27th. Fishermen and other interested groups are encouraged to provide input on the Draft Addenda either by attending state public hearings or providing written comment. Public comment will be accepted until **5:00 PM (EST) on January 22, 2017** and should be forwarded

to Megan Ware, FMP Coordinator, 1050 N. Highland St, Suite A-N, Arlington, VA 22201; 703.842.0741 (FAX) or at comments@asmfc.org (Subject line: Draft Addenda XXVI & III).

###

PR17-45

Meeting Summary

In addition to approving Lobster Draft Addendum XXVI/Jonah Crab Draft Addendum III for public comment (see press release), the American Lobster Management Board reviewed recommendations from a working group regarding future management of the Southern New England (SNE) stock. Based on these recommendations, the Board agreed to review the goals and objectives by which the SNE stock is managed, engage with the Commission's Climate Change Working Group, and develop terms of reference for the 2020 Stock Assessment which investigate reference points and environmental drivers of the stock. In addition, the Board tasked each Lobster Conservation Management Team with developing proposals to reduce latent effort in the respective management areas.

The Board also addressed inconsistencies between the state and federal regulations for the Lobster Conservation Area (LCMA) 4 season closure. The Board agreed that dual-permit holders in LCMA 4 do not need to remove their gear from other management areas during the LCMA 4 season closure, which occurs from April 30 – May 31. The Board also approved state compliance reports and FMP Reviews for lobster and Jonah crab, granting *de minimis* status for Delaware, Maryland, and Virginia in the lobster and Jonah crab fisheries, and *de minimis* status for Connecticut in the Jonah crab fishery. Finally, the Board began discussions on whale interactions in the lobster fishery given a decline in the North Atlantic right whale population.

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

Motions

Move to add sub option under issue 1, option c, to allow commercial harvesters with less than a 1,000 pounds of lobster landings in the previous year to report monthly summarized data instead of trip level data.

Motion by Mr. Grout, seconded by Mr. Keliher. Motion approved by unanimous consent.

Move to approve Lobster Draft Addendum XXVI/Jonah Crab Draft Addendum III for public comment as amended today.

Motion made by Mr. Keliher and seconded by Rep. Abbott. Motion approved unanimously.

Tabled Motion August 2017:

Move to (1), allow LCMA 4 fishermen the ability to continue fishing fixed lobster gear for other legal species, such as Jonah crab, during the closed period and (2), exempt closed seasons from the most restrictive rule; as currently defined by the feds.

Motion to Substitute

Move to substitute to: (1) LCMA 4 states (New Jersey and New York) will work with representatives from NOAA Fisheries to develop conservation equivalent alternatives for the current LCMA 4 season

closure. We request that the Technical Committee review the alternative management measures to assure that the conservation goals of Addendum XVII are met; and (2) The LCMA 4 seasonal closure relates only to LCMA 4. Permit holders with an LCMA 4 designation and another Lobster Management Area designation on their lobster permit would not have to similarly remove their lobster gear from the other designated management areas during the LCMA 4 closed season. This also applies to seasonal closures in other LCMAs.

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

Main Motion as Substituted:

1 – LCMA 4 States (New Jersey and New York) will work with representatives from NOAA Fisheries to develop conservation equivalent alternatives for the current LCMA 4 season closure. We request that the Technical Committee review the alternative management measures to assure that the conservation goals of Addendum XVII are met.

2 - The LCMA 4 seasonal closure relates only to LCMA 4. Permit holders with an LCMA 4 designation and another Lobster Management Area designation on their lobster permit would not have to similarly remove their lobster gear from the other designated management areas during the LCMA 4 closed season. This also applies to seasonal closures in other LCMAs.

Motion by Mr. Gilmore, seconded by Mr. Baum. Motion approved unanimously.

Move to approve the 2017 Lobster FMP Review, state compliance reports, and *de minimis* status for DE, MD, and VA.

Motion made by Mr. Grout and seconded by Mr. Miller. Motion approved unanimously

Move to approve the 2017 Jonah Crab FMP Review, state compliance reports, and *de minimis* status for CT, DE, MD, and VA.

Motion made by Mr. Alexander and seconded by Mr. Gilmore. Motion passes unanimously.

ATLANTIC COASTAL FISH HABITAT PARTNERSHIP STEERING COMMITTEE (OCTOBER 16 & 17, 2017)

Meeting Summary

The Atlantic Coastal Fish Habitat Partnership (ACFHP) Steering Committee met at the ASMFC Annual Meeting October 16 – 17 in Norfolk, Virginia. Jeff Beal of the Florida Fish and Wildlife Conservation Commission (FL FWC) provided two presentations. The first was on Lake Okeechobee water releases and the stress responses of St. Lucie reef corals. FL FWC is using assessments of these northernmost Florida reefs to inform estuarine restoration performance measures in the Everglades and along the coast. Mr. Beal also presented on FWC's comparison studies of oyster health between restored and natural reefs in the Indian River Lagoon. Mr. Beal was ACFHP's 2017 Melissa Laser Habitat Conservation Award recipient, which was presented at the welcome reception on Monday evening.

Chris Powell (RI DEM, retired) provided the final report on ACFHP's NOAA-funded project to retrofit traditional boat moorings with conservation moorings in select Jamestown, Rhode Island boatyards. Conservation moorings use a buoyant bungee-like cord to minimize contact with the seafloor and promote SAV conservation. Dr. Lisa Havel (ACFHP Coordinator) gave an update on the Mid-Atlantic Fishery Management Council-funded project to assess the use of natural and artificial habitats by black sea bass, a study being conducted by Dr. Brad Stevens at the University of Maryland Eastern Shore. Dr.

Stevens has led 1.5 field seasons for the project so far, and will continue to collect and analyze data through 2018. Kent Smith (FL FWC) summarized the success of a workshop hosted by The Nature Conservancy and NOAA to develop a web-based tool that calculates the productivity of seagrass and salt marshes.

The ACFHP Steering Committee also received updates on the progress of the NOAA-funded mapping project to spatially analyze fish habitat conservation areas in the Southeastern United States. The ACFHP Science and Data Committee met via webinar on June 12th and in-person September 27-28th to finalize the recommended variables for diadromous, estuarine, and coastal analyses. The Steering Committee provided feedback for the Science and Data Committee, and the project is expected to be completed in the spring of 2018. The Steering Committee also brainstormed ideas for ACFHP's website update, and checked in on the progress of their two-year Conservation Action Plan.

Finally, the Steering Committee finalized their ranking of recommended conservation projects for FY2018 National Fish Habitat Action Plan (NFHAP) funding. From 2010 to 2017 ACFHP has facilitated NFHAP in awarding >\$530,000 to partners to complete 17 on-the-ground projects from Florida to Maine. Funding supported 3 tidal vegetation projects, 2 SAV projects, 3 oyster reef restoration projects, 8 fish passage projects, and 1 sturgeon spawning habitat restoration project.

For more information, please contact Dr. Lisa Havel, ACFHP Coordinator, at lhavel@asmfc.org or 703.842.0740.

TAUTOG MANAGEMENT BOARD (OCTOBER 16, 2017)

Meeting Summary

The Tautog Management Board selected final management measures to be included in Amendment 1 to the Interstate Fishery Management Plan and recommended final approval of the Amendment by the Commission's Business Session. For more information on the Amendment, please see the press release found under the Business Session later in this document. The Board reviewed and approved 2017 Fishery Management Plan Review for the 2015 and 2016 Fishing Years. For more information about tautog management, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org or 703.842.0740.

Motions

Move to approve option B: 50% probability of achieving the F target.

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

Move to approve option A: status quo-no reduction schedule to achieve the F target.

Motion made by Mr. Alexander and seconded by Mr. Gilmore. Motion carries (7 in favor, 1 opposed, 1 abstention).

Move to approve Sub-Option B2: LIS Boundaries, Orient, NY to Watch Hill, RI.

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

Move to approve the following tautog recreational measures for the MARI region in Amendment 1 section 4.2.2: 16" minimum size, and bag limits that change seasonally as follows: During January through March: 0 fish; During April and May: 3 fish; During June and July: 1 fish in Massachusetts and 0 fish in Rhode Island; During August through October 14: 3 fish; and from October 15-December 31: 5 fish. MA will adopt the private/rental boat vessel limit as is implemented in RI (10 fish per vessel max) and will adopt mandatory electronic reporting for the Party and Charter sector as soon as is practicable.

Motion made by Mr. McKiernan and seconded by Mr. Ballou. Motion carries without objection.

Move to approve the following measures for the LIS recreational tautog fishery and reduce the commercial fishery harvest by 20.3%.

Option 1 20.3% Reduction	Minimum Length	Creel Limit	CT Days Open	NY Days Open
Spring Season	16"	3 (-1)	30	30 (+30)
Summer Season		2	62	0
Fall Season		3 (-1)	50 (-8)	60 (-11)

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

Move to approve Option A1: Status quo (state specific 2% reduction) for the recreational and commercial measures for the NJ-NY Bight.

Motion made by Mr. Allen and seconded by Mr. Hasbrouck. Motion carries without objection.

Move to approve Option D for recreational measures for the DelMarVa region: 16" minimum size limit, up to a four fish bag limit, and a closure of May 16-June 30.

Motion made by Mr. Luisi and seconded by Mr. Cimino. Motion carries without objection.

Move to approve for MD and DE to have commercial measures consistent with recreational measures and for VA, status quo for commercial measures with the option for VA to open May 1-15.

Motion made by Mr. Cimino and seconded by Mr. Luisi. Motion carries without objection.

Move to approve the following implementation plan:

- States submit proposals by December 1, 2017
- Implement all measures other than the Commercial tagging program by April 1, 2018
- Implement the Commercial tagging program by January 1, 2019

Motion made by Mr. McKiernan and seconded by Mr. Ballou. Motion carries without objection.

Move to recommend to the Commission the adoption of Amendment 1 to the Tautog Interstate Fishery Management Plan as modified today and at the August 2017 meeting.

Motion made by Mr. McKiernan and seconded by Mr. Alexander. Motion approved without objection (1 abstention).

Move to accept the FMP Review and compliance reports for tautog for the 2015 and 2016 fishing years, and approve *de minimis* status for Delaware and Maryland.

Motion made by Mr. Clark and seconded by Mr. Luisi. Motion carries without objection.

SPINY DOGFISH MANAGEMENT BOARD (OCTOBER 16, 2017)

Press Release

ASMFC Spiny Dogfish Board Approves 2018 Fishery Specifications

Norfolk, VA – The Commission’s Spiny Dogfish Management Board approved a spiny dogfish commercial quota of 38,195,822 pounds for the 2018 fishing season (May 1, 2018 – April 30, 2019). The Board maintained a 6,000 pound commercial trip limit in state waters (0-3 miles from shore) in the northern region (Maine through Connecticut). The quota and northern region trip limit are consistent with the measures recommended to NOAA Fisheries by the Mid-Atlantic Fishery Management Council. States in the southern region (New York to North Carolina) have the ability to set state-specific trip limits based on the needs of their fisheries.

2018 marks the third year of the current federal 3-year specifications cycle. It is anticipated the stock assessment will be updated in 2018 to inform development of fishery specification recommendations, including the commercial quota, for 2019 and beyond. Additionally, the Board intends to discuss issues raised by the Advisory Panel (and other fishery participants) in more detail prior to setting 2019 specifications. The timing of the next benchmark stock assessment for spiny dogfish is less certain, however, the Board supported the Council’s recommendations to conduct a benchmark stock assessment in 2019, or soon after.

The 2018 spiny dogfish commercial quota allocations (in pounds) for the northern region and the states of New York through North Carolina are described below. Any overages from the 2017 season will be deducted from that region’s or state’s 2018 quota allocation. Similarly, any eligible roll overs from the 2017 season will be applied to that region’s or state’s 2018 quota allocation.

	Northern Region (ME-CT)	NY	NJ	DE	MD	VA	NC
Possession Limit	6,000	To be specified by the individual southern region states					
Allocation	58%	2.707%	7.644%	0.896%	5.92%	10.795%	14.036%
2018 Quota	22,153,577	1,033,961	2,919,689	342,235	2,261,193	4,123,239	5,361,166

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

###

PR17-46

Motions

Move to adopt the 2018 commercial quota of 38,195,822 pounds, which is consistent with the commercial quota recommended by the Mid-Atlantic Fishery Management Council to NOAA Fisheries, and a 6,000 pound trip limit for the northern region.

Motion made by Mr. Reid and seconded Mr. Hasbrouck. Motion passes without objection.

The Board recommends Commission support a spiny dogfish update and benchmark stock assessment at the NRCC.

Motion made by Dr. Pierce and seconded Mr. O'Reilly. Motion passes.

Move to approve the 2017 FMP Review, state compliance and *de minimis* status requests from New York and Delaware.

Motion made by Mr. Grout and seconded by Mr. Clark. Motion approved without objection.

ATLANTIC HERRING SECTION (OCTOBER 16, 2017)

Meeting Summary

The Atlantic Herring Section met to set specifications for the Area 1A fishery, discuss possible involvement in the research set-aside (RSA) program, and discuss the New England Fishery Management Council (NEFMC) participation in Commission Atlantic herring management. The Section approved a seasonal allocation of the Area 1A total allowable catch (TAC) at 30,300 metric tons, with 72.8 percent available from June through September and 27.2 percent allocated from October through December. The TAC was set previously as a part of a three year specification, this is the last year of that specification.

The Section reviewed the Research Set Aside (RSA) process and the roles and responsibilities of the NEFMC and NOAA Fisheries. At the request of the Section, the Commission had previously requested the NEFMC provide the Section input into the RSA process. Concerns had been raised over gear conflicts with boats fishing outside of the typical season using RSA quota and fixed gear fishermen, mainly lobster and Jonah crab. After discussion, the Section encouraged continued communication between NOAA Fisheries, boats with RSA quota, industry and states on when and where RSA fishing will be occurring to avoid gear conflicts.

The NEFMC requested the Commission provide the Council a voting seat on the Atlantic Herring Section. The Policy Board asked the Section to provide a recommendation to the Policy Board on how to include the Council in Commission management of Atlantic herring. The Section had a long discussion on the importance of communication between the two bodies. Some Section members expressed concern about whether the Council should have a voting or non-voting seat, in particular the ability of a state to have more influence on the outcome of a vote depending on the location of the Council member's home state. The Section recommended to the Policy Board a letter be sent to the Council to establish a working group that would focus on improving communication between the two bodies.

Lastly, the Section briefly discussed the current spawning closure forecasting and protocols. The Section tasked the Technical Committee to: 1) revisit the 2017 fishing season relative to the goals and objectives of Amendment 3 and comment on the effectiveness of the current spawning management measures; 2) make suggestions on technical or management changes to better meet those goals and objectives; and 3) if time allows, make research recommendations to maximize effectiveness and better inform management.

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

Motions

Move to allocate the 2018 Area 1A TAC seasonally with 72.8 percent available from June through September and 27.2 percent allocated from October through December. The fishery will close when 92 percent of the seasonal period's quota has been harvested and underages from June through September may be rolled into the October through December period.

Motion made by Mr. Grout and seconded by Mr. Keliher. Motion approved by unanimous consent.

Move that the Section recommend to the Policy Board to send a letter to the New England Fishery Management Council to establish a Working Group with the goal of improving communication between the two bodies.

Motion made by Mr. Keliher and seconded by Mr. Fote. Motion passes unanimously by consent.

Move to task the Technical Committee to:

- **Revisit the 2017 fishing season relative to the goals and objectives of Amendment 3 and comment on the effectiveness of the current spawning management measures;**
- **Make suggestions on technical or management changes to better meet those goals and objectives;**
- **If time would allow make research recommendations to maximize effectiveness and better inform management; and**
- **TC would report back to the Board at the Winter Meeting.**

Motion made by Mr. Keliher and second by Rep. Abbott. Motion passes unanimously by consent.

SHAD AND RIVER HERRING MANAGEMENT BOARD (OCTOBER 17, 2017)

Meeting Summary

The Shad and River Herring Management Board met to consider recommendations for completing the upcoming American shad stock assessment, review updated sustainable fishery management plans (SFMPs), receive a report from the Technical Committee (TC) regarding inconsistencies between the SFMPs and Amendment 3, and approve the 2017 Fishery Management Plan (FMP) Review.

The Board was presented recommendations from the Assessment Science Committee (ASC) for the American shad stock assessment process. Considering the potential challenges of updating the 2007 Benchmark Assessment based on recent experiences with the recent River Herring Stock Assessment Update and Stock Assessment Subcommittee, the ASC recommended switching from an assessment update to a benchmark stock assessment. A benchmark stock assessment will allow incorporation of new data sets and assessment techniques not used in the 2007 assessment. The recommendation will go to the ISFMP Policy Board for acceptance. If accepted, the assessment process will be initiated immediately following the Annual Meeting. The Benchmark Stock Assessment is expected to be completed in 2019.

The Board was presented updated SFMPs for American shad from Connecticut, the Potomac River Fisheries Commission, North Carolina, South Carolina, and Georgia, and a Bycatch Plan from Virginia.

The TC reviewed these plans and found inconsistencies between several SFMPs and the language in Amendment 2 and 3, which mandates that all river systems with open fisheries must be sustainable. After considering the TC's report and updated SFMPs, the Board approved all of the updated SFMPs as presented, and tasked the TC with developing recommendations to address the issue of inconsistencies prior to SFMPs being updated in the future. The approved SFMPs will be available on the Commission website, www.asmfc.org, on the Shad and River Herring webpage.

Lastly, the Board approved the 2017 FMP Review for Shad and River Herring and *de minimis* status for the following states: Maine, New Hampshire, and Massachusetts and Florida for American shad; and New Hampshire and Florida for river herring.

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

Motions

Move to accept the Sustainable Fishery Management Plan (SFMP) updates for shad for Connecticut, Potomac River Fisheries Commission, North Carolina, South Carolina, and Georgia, Virginia's bycatch plan, and task the Technical Committee with developing proposed improvements to Amendments 2 and 3 to address SFMP inconsistencies with the management documents.

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

Move to accept the 2017 FMP Review of the 2016 fishing year and State Compliance Reports, and approve *de minimis* requests for Maine (both commercial and recreational), New Hampshire, Massachusetts, and Florida for shad; and *de minimis* requests for New Hampshire and Florida for river herring.

Motion made by Mr. Miller and seconded by Mr. Davis. Motion is approved unanimously.

HORSESHOE CRAB MANAGEMENT BOARD (OCTOBER 17, 2017)

Press Release

ASMFC Horseshoe Crab Board Sets 2018 Specifications for Horseshoe Crabs of Delaware Bay Origin

Norfolk, VA – The Commission's Horseshoe Crab Management Board approved the harvest specifications for horseshoe crabs of Delaware Bay origin. Under the Adaptive Resource Management (ARM) Framework, the Board set a harvest limit of 500,000 Delaware Bay male horseshoe crabs and zero female horseshoe crabs for the 2018 season. Based on the allocation mechanism established in Addendum VII, the following quotas were set for the states of New Jersey, Delaware, Maryland and Virginia, which harvest horseshoe crabs of Delaware Bay origin:

	Delaware Bay Origin Horseshoe Crab Quota (no. of crabs)	Total Quota**
State	Male Only	Male Only
Delaware	162,136	162,136
New Jersey	162,136	162,136
Maryland	141,112	255,980
Virginia*	34,615	81,331

*Virginia harvest refers to harvest east of the COLREGS line only

** Total male harvest includes crabs which are not of Delaware Bay origin.

The Board chose a harvest package based on the Technical Committee and ARM Subcommittee recommendation. The ARM Framework, established through Addendum VII, incorporates both shorebird and horseshoe crab abundance levels to set optimized harvest levels for horseshoe crabs of Delaware Bay origin. The horseshoe crab abundance estimate was based on data from the Benthic Trawl Survey conducted by Virginia Polytechnic Institute (Virginia Tech). This survey has not been funded consistently in recent years, but was funded and conducted in 2016. A composite index of the Delaware Trawl Survey, New Jersey Delaware Bay Trawl Survey, and New Jersey Ocean Trawl Survey has been developed and used in years the Virginia Tech Survey was not conducted. While continued, long-term funding of the Virginia Tech Survey is preferred, the recent revival of this survey also allows the composite index to be improved through “tuning” relative to additional Virginia Tech Survey data points. The Virginia Tech Survey has been funded for 2017 and is currently underway. Funding for future years continues to be explored.

Terms of reference for the 2018 stock assessment were presented to and approved by the Board. Within these terms of reference were tasks specific to the horseshoe crab stock assessment, including assessments of regional populations of horseshoe crabs, incorporation and evaluation of estimated mortality attributed to the biomedical use of horseshoe crabs for *Limulus Amebocyte Lysate* production, and comparisons of assessment results with results from the ARM Framework used to annually set bait harvest levels for horseshoe crabs from the Delaware Bay region. The completed assessment is expected to be presented to the Board in October at the 2018 Annual Meeting.

For more information, please contact Michael Schmidtke, Fishery Management Plan Coordinator, at 703.842.0740 or mschmidtke@asmfc.org.

###

PR17-49

Meeting Summary

In addition to setting 2018 specifications for horseshoe crabs of Delaware Bay origin, the Board reviewed results of alternative runs of the Adaptive Resource Management (ARM) Framework ARM model conducted by the ARM Subcommittee, which incorporated estimates of mortality attributed to the biomedical use of horseshoe crabs for *Limulus Amebocyte Lysate* production. These runs resulted in small changes to the number of population scenarios corresponding to harvest package recommendations, but would have had no impact on recommended harvest levels since use of the

ARM Framework began in 2013. The Board decided that action to incorporate these changes could be considered after completion of the 2018 benchmark stock assessment.

The Board also reviewed results of the Horseshoe Crab Technical Committee's report on baiting practices of the American eel and channeled whelk fisheries. This report includes information on current practices in these fisheries that may be relevant to the development and consideration of alternative baits with reduced amounts of horseshoe crab. The report will be available on the Commission's website, www.asmfc.org, on the Horseshoe Crab webpage.

Finally, the Board reviewed state compliance with the Fishery Management Plan. All states were found to be in compliance. For more information, please contact Michael Schmidtke, Fishery Management Plan Coordinator, at 703.842.0740 or mschmidtke@asmfc.org.

Motions

Move to accept the Terms of Reference for the 2018 Horseshoe Crab Benchmark Stock Assessment and add a Term of Reference evaluating the sub-lethal effects of biomedical bleeding.

Motion made by Mr. Michels and seconded by Ms. Giannini. Motion approved by consent.

Move to select Harvest Package 3 for 2018 Horseshoe crab harvest in Delaware Bay.

Motion made by Mr. Michels and seconded by Mr. Millard. Motion is approved by consent.

Move to accept the Horseshoe Crab 2017 FMP Review and State Compliance Reports and approve *de minimis* requests for the Potomac River Fisheries Commission, South Carolina, Georgia and Florida.

Motion made by Mr. Boyles and seconded by O'Reilly. Motion passes by consent.

Move to initiate an addendum that the ARM model incorporate the biomedical harvest using the Preferred Option.

Motion made by Mr. Millard and seconded by Mr. Wright. Motion fails (2 in favor, 13 opposed).

Move to nominate Mr. John Maniscalco as Vice-Chair.

Motion made by Mr. McKiernan and seconded by Dr. Duval. Motion passes by consent.

LAW ENFORCEMENT COMMITTEE (OCTOBER 17 & 18, 2017)

Meeting Summary

The Law Enforcement Committee (LEC) met during the 76th Annual Meeting of the Atlantic States Marine Fisheries Commission in Norfolk, VA. The LEC welcomed alternate representatives Wynn Carney from NOAA Office of Law Enforcement, and Jay Pilgrim from US Fish and Wildlife Service.

New Chair and Vice Chair

The LEC has selected a new chair and vice chair for the upcoming two-year term. The new Chair is **Steve Anthony (NC)** and our Vice-chair is **Doug Messeck (DE)**. The LEC thanked Mike Eastman for his service as Chairman.

Species Issues

American lobster — Megan Ware and David Borden briefed the LEC on recent discussions of the American lobster Management Board and efforts to address electronic tracking and standardization of management measures. David Borden introduced Nick Salvi from Faria Beede Instrument Co., who provided the LEC information on their latest tracking equipment for fishing applications. Tests of products are underway in Maine in the sea urchin fishery. Of interest in the lobster fishery is the possible use of this technology to identify when trap haulers are activated. The need for rapid ping rates and trap-haul signaling are both important for future use in monitoring offshore lobster trap fisheries. Current technology being tested in Maine has an active range of 12-15 miles, but can store up to 20,000 positions when out of active range. LEC members discussed the use of these units for enforcement investigations and also for routine LE fleet monitoring and maintenance. Additional types of technology will be explored by the LEC for possible applications in the offshore lobster fishery.

Atlantic menhaden — Megan Ware briefed the LEC on the development of draft amendment 3 of the fishery management plan and sought any LEC feedback on possible management options under development. Of particular interest to the LEC members was the possible handling of incidental catch and the small-scale fishery. Members noted that there were not any unusual enforcement challenges in enforcing a 6000-lb bycatch limit in this case. While a simple closure of the directed fishery when quotas are met was seen as less of a strain on enforcement resources, it was also noted that a closure is more effective if possession of the species in question is prohibited, and that this would not likely be possible for menhaden given its widespread use for bait. The LEC did not comment on various allocation options.

Cobia — Mike Schmidtke briefed the LEC on development of a new fishery management plan for cobia. After reviewing the need for a state plan that would be complementary to federal regulations in the EEZ, the LEC focused on possible options for setting regulations for *de minimis* states (states north of Virginia). The LEC strongly encourages development of a plan that would provide the greatest amount of regulatory consistency, particularly for the region encompassing NJ, DE, MD and VA. To the extent those state-waters regulations could mirror federal waters while also being consistent among the states, it would enhance enforcement efforts in that region.

Black Sea Bass — Toni Kerns briefed the LEC on the request of the Policy Board to look at existing state or federal regulations providing for the **charging of charter captains or operators**. LEC members had previously shared language from their respective states, if such provisions were in place. ME, MA, DE and SC all reported some success in making cases against for-hire captains or operators with regulations or statutes they have implemented. The LEC discussed this issue relative to the black sea bass fishery and several members observed that repeated abuse of size and bag limits on certain for-hire vessels has been an ongoing problem. If all states could implement the needed measures to charge and prosecute captains or operators (along with customers), it would help in putting a stop to these illegal practices.

Tautog — Jason Snellbaker, LEC representative to the Tautog Management Board, asked the LEC for input on any problems associated with the lack of a federal fishery management plan and regulations for tautog in the EEZ. After lengthy discussion it was apparent that states differ in their ability to cite and prosecute violations in federal waters off of their respective coasts. While language in the Magnuson-Stevens Fishery Conservation and Management Act may allow states to enforce regulations

in federal waters in the absence of a federal plan, some states or their respective court systems are unwilling or unable to do so for jurisdictional reasons. LEC members discussed possible mechanisms for states to implement regulations or statutory language specifically extending state rules into federal waters, thus aiding enforcement efforts. As the ASMFC and states move forward on commercial tagging of tautog, especially if point-of-harvest tagging is implemented, the LEC recommends addressing this issue among the affected states.

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.

Mark Robson reviewed a draft procedure for **orientation of new members** on the LEC. The procedure will include first contacts, follow-up materials, detailed procedural reviews and short-term mentoring or overlap. LEC members agreed an established procedure would be a great help to new members. Mark will coordinate this process with ASMFC staff for implementation.

The LEC reviewed draft changes to its **Enforceability Matrix** table that better reflected the role of aerial enforcement in assessing the enforceability of various management measures. Mark Robson will work with ASMFC staff to revise and update the Enforceability Guidelines.

Three members of the LEC, Bob Lynn of Georgia, Jason Snellbaker of New Jersey, and Mike Eastman of New Hampshire are recent graduates of the highly-regarded **National Leadership Training Program** sponsored by the National Association of Conservation Law Enforcement Chiefs and the United States Fish and Wildlife Service. Training takes place at the National Conservation Training Center in Shepherdstown, WV. Five LEC representatives have completed the program and three additional members of the LEC are on the program's Steering Committee. This high level of participation exemplifies the professionalism of the ASMFC's Law Enforcement Committee.

For more information, please contact Mark Robson, LEC Coordinator, at markrobson2015@outlook.com.

COASTAL SHARKS MANAGEMENT BOARD (OCTOBER 17, 2017)

Meeting Summary

The Coastal Sharks Management Board met to consider adopting complementary measures to Amendment 5b to the Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP); set 2018 specifications for Atlantic coastal sharks, and elect a new Vice-Chair.

Amendment 5b implements a range of federal management measures to prevent overfishing and rebuild overfished dusky sharks. These measures are based on the 2016 dusky shark stock assessment update that determined the stock is overfished and experiencing overfishing. HMS requested the Board (and state agencies) consider complementary management for state waters. The LEC and TC reports on the measures were presented to the Board. In addition, states provided feedback on whether they have measures in place similar to Amendment 5b and how receptive the state was to complementary measures. Feedback from the states and the TC indicated challenges to implementing

some of the Amendment’s provisions, specifically regarding the educational outreach, gear specifications for recreational shark fishing, cooperative research, and best practices for handling sharks for all state permit holder. Some states have measures in place consistent with parts of Amendment 5b measures and the Board indicated moving forward states could voluntarily adopt other Amendment 5b measures. After considering these reports and Board discussion, the Board did not adopt complementary management measures.

The federal proposed 2018 Atlantic shark specifications were presented. Similar to the 2017, NOAA Fisheries is proposing a January 1 open date for all shark management groups, with an initial 25 shark possession limit for large coastal and hammerhead management groups with the possibility of in season adjustments. The Board will set the 2018 coastal shark specifications via an email vote after the final rule is published.

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

Motions

Move to approve the 2018 coastal sharks specifications via an email vote after NOAA Fisheries publishes the final rule for the 2018 Atlantic Shark Commercial Fishing season.

Motion made by Mr. O’Reilly and seconded by Mr. Baum. Motion carries without objection.

Move to elect Mr. Pat Geer as Vice-chair to the Coastal Sharks Board.

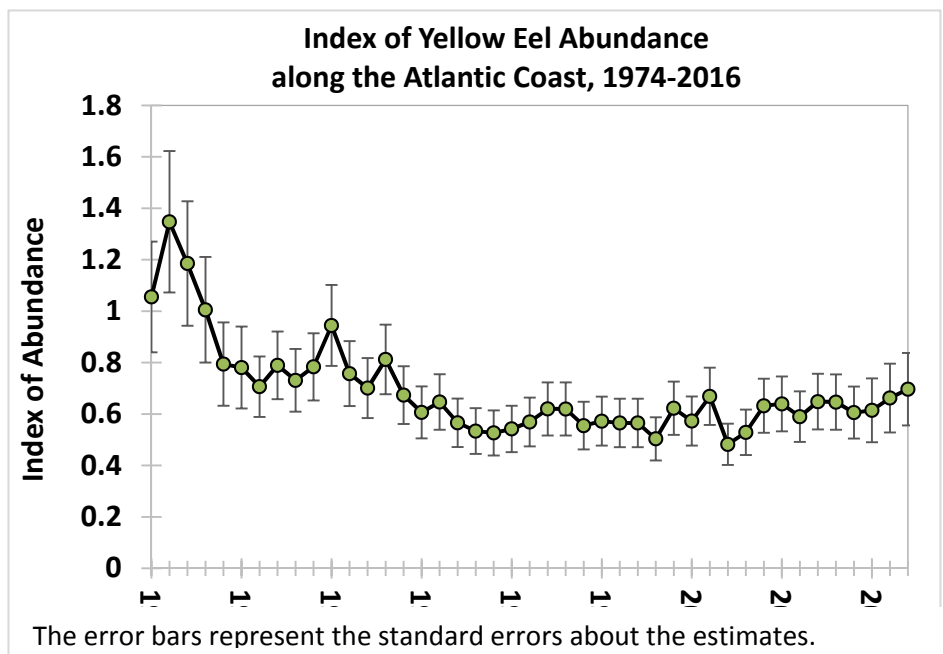
Motion made by Mr. Woodward and second by Mr. Boyles. Motion passes unanimously.

AMERICAN EEL MANAGEMENT BOARD (OCTOBER 17, 2017)

Press Release

American Eel Stock Assessment Update Finds Resource Remains Depleted

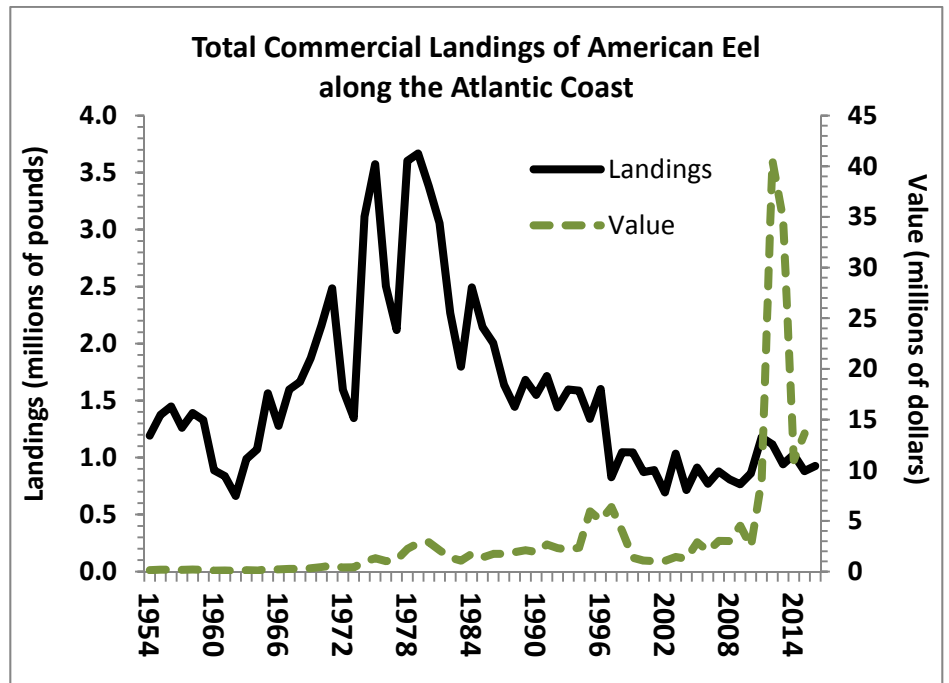
Norfolk, VA – The Commission’s American Eel Management Board reviewed the results of the 2017 American Eel Stock Assessment Update, which indicates the resource remains depleted. The assessment updates the 2012 American Eel Benchmark Stock Assessment with data from 2010-2016. Trend analyses of abundance indices indicated large declines in abundance of yellow eels during the 1980s through the early 1990s, with primarily neutral or stable abundance from



the mid-1990s through 2016. Total landings remain low but stable. Based on these findings, the stock is still considered depleted. No overfishing determination can be made based on the analyses performed.

The American eel fishery primarily targets yellow eel. Glass eel fisheries along the Atlantic coast are prohibited in all states except Maine and South Carolina. In recent years, Maine is the only state reporting significant glass eel harvest. The highest total

landings of all life stages occurred from the mid-1970s to the early 1980s after which they declined. Since the 1990s, landings have been lower than historical landings and have been stable in recent decades. The value of U.S. commercial American eel landings has varied from a few hundred thousand dollars (prior to the 1980s) to a peak of \$40.6 million in 2012 (largely driven by the price of glass eels).



The 2012 benchmark stock assessment found the resource depleted and Addenda III (2013) and IV (2014) were approved with the goal of reducing mortality across all life stages. These addenda established a 9-inch minimum size limit for commercial and recreational fisheries, a yellow eel commercial coastwide cap of 907,671 pounds, and glass eel quota of 9,688 pounds for Maine beginning for the 2015 fishing year. The yellow eel cap has two management triggers: (1) the coastwide cap is exceeded by more than 10% in a given year and (2) the coastwide cap is exceeded for two consecutive years, regardless of the percent over. If either trigger is met, there is an automatic implementation of state-by-state quotas. The 2015 yellow eel landings were below the cap. However, 2016 landings were 925,798 pounds, which exceeded the cap by less than 10%.

A more detailed overview of the American eel stock assessment is available on the Commission website at http://www.asmfc.org/uploads/file/59e8c077AmericanEelStockAssessmentOverview_Oct2017.pdf. It was developed to aid media and interested stakeholders in better understanding the results. The assessment update will be available on the Commission website on the American Eel webpage the week of October 23rd.

In other business, the Board maintained Maine's glass eel quota of 9,688 pounds for the 2018 fishing season. The Board also initiated an addendum to consider alternative allocations, management triggers, and coastwide caps relative to the current management program for both the yellow and glass eel commercial fisheries starting for the 2019 fishing season.

For more information on the stock assessment update, please contact Dr. Kristen Anstead at kanstead@asmfc.org and for information on American eel management, please contact Kirby Rootes-Murdy, Senior Fishery Management Coordinator, at krootes-murdy@asmfc.org.

###

PR17-48

Motions

Move to maintain Maine's glass eel quota for 2018 at status quo level from 2015-2017 (9,688 pounds).

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

Move to initiate an addendum to consider alternative allocations, management triggers, and coastwide caps relative to the current management program for both the yellow and glass eel commercial fisheries starting in the 2019 fishing season.

Motion made by Ms. Fegley and seconded by Mr. Gary. Motion passes unanimously.

ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM COORDINATING COUNCIL (OCTOBER 17, 2017)

Meeting Summary

The ACCSP Coordinating Council met to receive Program and Committee Updates and take final action on the FY18 funding allocation. The Council took final action and approved the preferred Option 1 as recommended by the Advisory and Operations Committees. Option 1 fully funds all Maintenance proposals, necessitating a deviation from the 75%/25% funding split between Maintenance and New proposals recommended in the Funding Decision Document. The Council also approved the Advisory and Operations Committees' recommendation not to fund the new proposal from the MAFMC, and to expend the remaining funds on the remaining new proposals. If a funding shortage is encountered in FY18, then the ACCSP Management and Policy Committee will be the deciding body for any remaining allocation decisions. To conclude the meeting, the Council elected Lynn Fegley of MD DNR as the new ACCSP Coordinating Council Chair and John Carmichael of the SAFMC as the new Vice-chair.

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

Motions

Motion to fund all Maintenance proposals, deviating from the 75%/25% split, do not fund the new proposal from the MAFMC and use the remaining funds on new proposals as recommended by the Operations and Advisory Committees. If there is a funding shortage the deciding body would be the ACCSP Management and Policy Committee.

Motion made by Ms. Patterson and seconded by Ms. Fegley. Motion carries unanimously

Motion to elect Ms. Fegley as Coordinating Council Chair.

Motion carries.

Motion to elect Mr. Carmichael as Vice-chair.

Motion carries.

EXECUTIVE COMMITTEE (OCTOBER 18, 2017)

Meeting Summary

The Executive Committee reviewed the FY 2017 Commission Audit. The Committee noted that all of the findings from the FY 2016 Audit have been addressed and the FY 2017 Audit contained no findings that need to be addressed. The FY 2017 was approved by the Committee.

The Committee reviewed feedback from participants in the ASMFC technical process to seek ways to improve the Commission's technical meeting weeks. It was agreed the technical weeks will be continued with improved planning to provide as much advance notice as possible.

The Committee discussed the overall pace and workload of Commissioners. The Committee agreed to 1) consider extending the length of the Winter and Summer Meetings if finances allow, 2) increase the use of working groups and subcommittees to make management board meetings more efficient, 3) use the available meeting management tools to increase meeting efficiency, and 4) provide meeting facilitation training every 2-3 years.

In order to develop the Commission's next strategic plan, a Commissioner workshop will be held in February to determine if the current plan needs a major re-write or if there are only minor modifications needed. Based on the outcome of this workshop, a plan will be developed to complete the Action Plan by the 2018 Annual Meeting.

The Committee discussed the process used to develop nominations for Commission leadership. It was agreed this process would be reviewed to consider the process for seeking Commissioner input and the eligibility of Commissioner proxies to serve in leadership roles.

The Committee also agreed to review the Commission's Appeals and Conservation Equivalency Processes to determine whether modifications are needed to reduce future noncompliance findings. For more information, please contact Bob Beal, Executive Director, at rbeal@asmfc.org or 703.842.0740.

HABITAT COMMITTEE (OCTOBER 18, 2017)

Meeting Summary

The Habitat Committee (HC) met to review and discuss a number of issues, including an ASMFC term for Habitat Areas of Particular Concern; progress on the current Habitat Management Series document as well as the next installment; content for the next issue of *Habitat Hotline Atlantic*; and ways to extend its outreach.

Michelle Bachman (NEFMC) discussed the New England Fishery Management Council's work modelling fishing impacts on habitat in the North and Mid-Atlantic, and Tina Berger (ASMFC) led a discussion on the Habitat Committee's communications strategy and website presence.

The HC was charged with creating a new term for ‘Habitat Areas of Particular Concern’ by the Policy Board at the 2017 Summer Meeting, and the Board recommended ‘Fish Habitats of Concern’ as a replacement. In 2018, the HC will develop a document that compiles all of ASMFC’s Habitat Areas of Particular Concern/Fish Habitats of Concern and identifies inconsistencies with federal designations, as well as recommends new targeted areas for designation in state waters.

The HC made progress on the Aquaculture Habitat Management Series publication, which summarizes the impacts of aquaculture on fish habitat in U.S. Atlantic waters. The HC is also working on a document that identifies gaps in state initiatives to address climate change, particularly in regards to fish habitat, and provides recommendations for the future. The ASMFC SAV Policy Update is also moving forward, which adds new information to the 20-year old document, as well as updates the recommendations and roles that ASMFC and state and federal agencies can take in conservation SAV. All three documents are projected to be presented to the Policy Board at the winter 2018 meeting.

The HC also finalized the tasks for 2018. In 2018, the *Habitat Hotline Atlantic* will focus on environmental monitoring, highlighting examples of long-term monitoring projects and different ways in which monitoring data is being incorporated into strategic planning and modelling efforts. The next Habitat Management Series publication will focus on the effects of underwater acoustics on fish physiology, behavior, and habitat. Finally, the HC will develop a document that compiles the habitat recommendations found in Fishery Management Plans, Habitat Management Series publications, and other HC publications. The goal of this document is to provide Commissioners and habitat managers with all habitat-related ASMFC recommendations in one location for easier reference.

For more information, please contact Dr. Lisa Havel, Habitat Coordinator, at lhavel@asmfc.org or 703.842.0740.

ATLANTIC STURGEON MANAGEMENT BOARD (OCTOBER 18, 2017)

Press Release

Atlantic Sturgeon Benchmark Stock Assessment Indicates Slow Recovery Since Moratorium; Resource Remains Depleted

Norfolk, VA – The Commission’s Atlantic Sturgeon Management Board reviewed the results of the 2017 Atlantic Sturgeon Benchmark Stock Assessment, which indicate the population remains depleted coastwide and at the distinct population segment (DPS) level relative to historic abundance. However, on a coastwide basis, the population appears to be recovering slowly since implementation of a complete moratorium in 1998. Despite the fishing moratorium, the population still experiences mortality from several sources but the assessment indicates that total mortality is sustainable. The “depleted” determination was used instead of “overfished” because of the many factors that contribute to the low abundance of Atlantic sturgeon, including directed and incidental fishing, habitat loss, ship strikes, and climate changes.

Atlantic sturgeon are a long lived, slow to mature, anadromous species that spend the majority of their life at sea and return to natal streams to spawn. While at sea, extensive mixing is known to occur in both ocean and inland regions. The Commission manages Atlantic sturgeon as a single stock, however,

NOAA Fisheries identified five DPSs of Atlantic sturgeon based on genetic analysis as part of a 2012 Endangered Species Act listing: Gulf of Maine, New York Bight, Chesapeake Bay, Carolina, and South Atlantic. Accordingly, this benchmark assessment evaluated Atlantic sturgeon on a coastwide level as well as a DPS-level when possible.

Atlantic sturgeon are not well monitored by existing fishery-independent data collection and bycatch observer programs, and landings information does not exist after 1998 due to implementation of a coastwide moratorium. Because of this, Atlantic sturgeon are considered a “data-poor” species which hindered the Stock Assessment Subcommittee’s ability to use complex statistical stock assessment models, particularly at the DPS-level. Based on the models used, the stock assessment indicated the Atlantic sturgeon population remains depleted relative to historic levels at the coastwide and DPS levels. Since the moratorium, the probability that Atlantic sturgeon abundance has increased coastwide is high and total mortality experienced by the population is low. The results are more mixed at the DPS-level due to sample size and limited data, but the Gulf of Maine and Carolina DPS appear to be experiencing the highest mortality and abundance in the Gulf of Maine and Chesapeake Bay DPS is not as likely to be at a higher level since the moratorium.

The Board approved the 2017 Atlantic Sturgeon Benchmark Stock Assessment and Peer Review Reports for management use and discussed the need to support management actions that have contributed to recovery seen to date (e.g., the moratorium, habitat restoration/protection, better bycatch monitoring) and continue to work on improving them (e.g., identifying bycatch and ship strike hotspots and ways to reduce those interactions). It is important to note there has been a tremendous amount of new information about Atlantic sturgeon collected in recent years. Although this does not resolve the issue of the lack of historical data, it certainly puts stock assessment scientists and fisheries managers on a better path going forward to continue to monitor stocks of Atlantic sturgeon and work towards its restoration.

Atlantic sturgeon are managed through Amendment 1 and Addenda I-IV to the Interstate Fishery Management Plan (FMP) for Atlantic Sturgeon. The primary goal of the amendment is to achieve stock recovery via implementation of a coastwide moratorium on Atlantic sturgeon harvest and by prohibiting the possession of Atlantic sturgeon and any parts thereof. The moratorium is to remain in effect until 20-year classes of spawning females is realized and the FMP is modified to reopen Atlantic sturgeon fisheries.

The Atlantic Sturgeon Benchmark Stock Assessment, as well as the Stock Assessment Overview (which is intended to aid media and interested stakeholders in better understanding the Commission’s stock assessment results and process), will be available the week of October 23rd on the Commission website, www.asmfc.org, on the Atlantic Sturgeon webpage under stock assessment reports. For more information on the stock assessment, please contact Dr. Katie Drew, Senior Stock Assessment Scientist, at kdrew@asmfc.org and for more information on management, please contact Max Appelman, Fishery Management Coordinator, at mappelman@asmfc.org or 703.842.0740.

###

PR17-51

Motions

Move to approve the 2017 benchmark assessment for Atlantic sturgeon and peer review for management use.

Motion made by Mr. Batsavage and seconded by Mr. Grout. Motion approved unanimously.

CAPTAIN DAVID H. HART AWARD LUNCHEON (OCTOBER 18, 2017)

Press Release

ASMFC Presents Paul J. Diodati Prestigious Captain David H. Hart Award

Norfolk, VA – The Atlantic States Marine Fisheries Commission presented Paul J. Diodati, former Director of the Massachusetts Division of Marine Fisheries (MA DMF), the Captain David H. Hart Award, its highest annual award, at the Commission's 76th Annual Meeting in Norfolk, Virginia. For over four decades, Mr. Diodati has been a prominent figure in the marine fisheries management community throughout New England and along the Atlantic coast. While now retired, the impact of his accomplishments to Atlantic coast fisheries conservation and management will be felt for much longer.



Mr. Diodati's career in marine fisheries began at MA DMF in 1975 as a contracted sea sampler for northern shrimp. Over the years, he worked his way up through the ranks to Division Director, a position he served in for his final 15 years at DMF. In between, Mr. Diodati served as technical and policy advisor for striped bass and northern shrimp, Sportfish Program Director, and co-creator and co-Chair of the Massachusetts Marine Fisheries Institute. Understanding the need to address user conflicts before they begin, he was heavily involved in the development of the Massachusetts Ocean Management Plan and the Federal Ocean Management Plan. Mr. Diodati closed major data gaps by requiring comprehensive reporting from dealers in 2005 and all commercial harvesters in 2010. In 2009, he was instrumental in establishing the state's saltwater fishing license.

As Massachusetts' Administrative Commissioner since 2000, Mr. Diodati chaired numerous management boards, overseeing the development and implementation of interstate management plans for species such as striped bass, shad and river herring. From 2010 – 2013, he provided leadership to the Commission serving as Vice-chair and Chair and worked tirelessly to raise the Commission's profile both on Capitol Hill and within the Administration – ensuring the 15 Atlantic states were well equipped to tackle both current and emerging issues.

Mr. Diodati's outsized role at the Commission is not limited to his term as Chair. He also helped to improve coordination and the sharing of information between the states and their federal partners. He had impeccable foresight, as evidenced by his role as a principal supporter of the Atlantic Coastal Cooperative Statistics Program; a Program he would later Chair.

Mr. Diodati's lifetime has been marked by a commitment to science and sound management and his efforts have been instrumental in improving fisheries programs both in Massachusetts and along the

coast. But his legacy is more than scientific papers, surveys conducted, and recovered species; Mr. Diodati will be remembered for his extraordinary way with people. From recreational and commercial fishermen to his peers at the Commission and New England Fishery Management Council, he was well known and trusted as a coalition builder and deal maker.

In honor of Mr. Diodati's lifelong dedication to the conservation of Atlantic striped bass, his innate ability to sense and adapt to changing winds, and the unerring guidance and direction he provided throughout his long career, Mr. Diodati will receive a striped bass weathervane. Due to unforeseen circumstances, Mr. Diodati was not able to attend the award ceremony. Dr. David Pierce, current MA DMF Director and lifelong friend and colleague of Mr. Diodati accepted the award on his behalf.

The Commission instituted the Award in 1991 to recognize individuals who have made outstanding efforts to improve Atlantic coast marine fisheries. The Hart Award is named for one of the Commission's longest serving members, who dedicated himself to the advancement and protection of marine fishery resources.

###

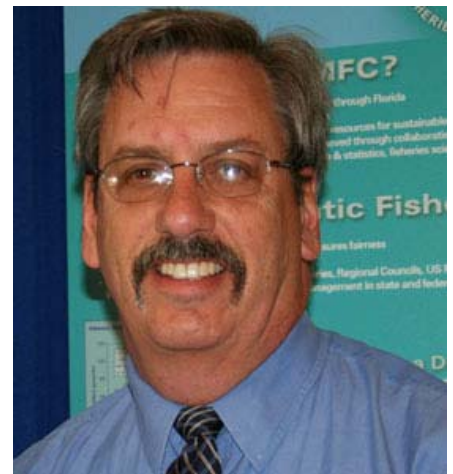
PR17-50

BUSINESS SESSION (OCTOBER 18 & 19, 2017)

Press Releases

James J. Gilmore, Jr. Elected ASMFC Chair

Norfolk, VA – Today, member states of the Atlantic States Marine Fisheries Commission (Commission) thanked Douglas Grout of New Hampshire for an effective two-year term as Chair and elected James J. Gilmore, Jr. of New York to succeed him.



"I am honored by the support of my colleagues from the 15 Atlantic coast states, and grateful to Doug for shepherding the Commission through two challenging years," said Mr. Gilmore. "I embrace the challenges that lie ahead and pledge to rise up to the lofty expectations set by my predecessors – especially Doug. Environmental and political threats to fisheries and management for the 15 sovereign coast states have never been greater. As the Commission has always done, we must use these obstacles as stepping stones. I will ensure the voices of our many stakeholders – recreational, commercial, and conservation alike – are heard. The Commission must seek ways to ensure the integrity of our management process is protected, strengthen our collaboration with NOAA Fisheries, and continue forging alliances on Capitol Hill. With all the challenges facing the Commission, it's all too easy to lose sight of our Vision: *Sustainably Managing Atlantic Coastal Fisheries*. Our Vision must guide the Commission through all its decisions."

Under Mr. Grout's chairmanship, the Commission made important strides in furthering its strategic goals. The Commission approved new plan amendments for northern shrimp and tautog and, by the end of the year, will likely adopt an important amendment for Atlantic menhaden and a new Cobia

FMP. Commission science staff along with state and federal scientists completed benchmark stock assessments for Atlantic sturgeon, Atlantic croaker, spot, red drum; stock assessment updates for American eel, menhaden and river herring; and regional stock assessments and an assessment update for tautog. All of these have provided much needed insight into the health of these species, as well as identified the continued challenges of assessing fish stocks given limited data and increasingly complex stock assessment models.

The Atlantic Coastal Cooperative Statistics Program (ACCSP) is now fully integrated under the Commission's umbrella. State conduct of the Marine Recreational Information Program's Access Point Angler Intercept Survey is well into its second year and is estimated to have increased the number of angler intercepts by nearly 10%. ACCSP has been collaborating with NOAA Fisheries Greater Atlantic Regional Office on an integrated reporting system, which will allow all related fisheries-dependent data collected from various sources, including vessel, observer, and dealer reports, to be linked. ACCSP has also been working closely with the Mid-Atlantic Council on launching its mandatory for-hire electronic reporting system and have begun discussions with the South Atlantic Council on its efforts to move to for-hire electronic reporting.

The Commission's Habitat Committee and the Atlantic Coastal Fish Habitat Partnership continue to advance our understanding of the importance of the fisheries-habitat connection and provide us and habitat managers with tools to further habitat conservation. The Habitat Committee released the Sciaenid Fish Habitat Source Document, the most comprehensive compilation of habitat information to date on Commission-managed and other common sciaenid species found throughout the Western Atlantic. ACFHP completed its 5-year Conservation Strategic Plan and 2-year Conservation Action Plan which include goals, objectives, strategies, and actions to restore and enhance Atlantic coastal, estuarine, and diadromous fish habitat through conservation, science and data, outreach and communication, and financial initiatives. The Commission's Law Enforcement Committee continued to coordinate enforcement activities directed at illegal glass eel harvest and to respond to lobster industry concerns about illegal activity in federal waters by working with our federal partners to place lobster as a high priority for federal enforcement and joint enforcement agreement activities.

Mr. Gilmore has served as Director of the Division of Marine Resources for New York State Department of Environmental Conservation for the past ten years. As a respected marine scientist and fisheries manager with more than 40 years of experience in both the public and private sector, Mr. Gilmore has built a reputation as a coalition builder and skilled negotiator. Mr. Gilmore is also an Executive Committee member of the New York Sea Grant Board of Directors and holds an adjunct faculty position at SUNY Stony Brook, where he teaches a graduate level fisheries management course. Most importantly, he is an avid marine angler, dividing his efforts between Long Island Sound's south shore and southern New Jersey. Mr. Gilmore received a Bachelor of Arts in Biology from SUNY Plattsburgh and a Master's in Marine Science from SUNY Stony Brook.

The Commission also elected Patrick Keliher, Commissioner of the Maine Department of Marine Resources, as its Vice-Chair.

###

PR17-47

ASMFC Approves Amendment 3 to the Interstate Fishery Management Plan for Northern Shrimp

Norfolk, VA – The Atlantic States Marine Fisheries Commission approved Amendment 3 to the Interstate Fishery Management Plan (FMP) for Northern Shrimp. The Amendment is designed to improve management of the northern shrimp resource in the event the fishery reopens (the fishery has been under moratorium since 2014). Specifically, the Amendment refines the FMP objectives and provides the flexibility to use the best available information to define the status of the stock and set the total allowable catch (TAC). Furthermore, the Amendment implements a state-specific allocation program to better manage effort in the fishery; 80% of the annual TAC will be allocated to Maine, 10% to New Hampshire, and 10% to Massachusetts. Fishermen with a trap landings history will continue to operate under gear-specific allocations (i.e., 87% of the state-specific quota will be allocated to the trawl fishery, and 13% to the trap fishery), however, the Section anticipates exploring alternative measures through the adaptive management process that would allow states to modify allocation between gear types on an annual basis. The Section also has the discretion to roll over unused quota from the states of New Hampshire and Massachusetts to Maine by a date determined during annual specifications.

Additionally, the Amendment strengthens catch and landings reporting requirements to ensure all harvested shrimp are being reported, and requires shrimp-directed trawl vessels to use either a double-Nordmore or compound grate system (both designed to minimize the catch of small, presumably male, shrimp). Other changes include the implementation of accountability measures (i.e., penalties if states exceed their quota), specification of a maximum fishing season length, and formalizing fishery-dependent monitoring requirements.

The Section will meet November 29 at the Westin Portland Harborview, Hotel 157 High Street, Portland, ME, to review the 2017 stock status report and set specifications for the 2018 fishing season. For more information, please contact, Max Appelman, FMP Coordinator, at mappelman@asmfc.org or 703.842.0740.

###

PR17-53

ASMFC Approves Amendment 1 to the Interstate Fishery Management Plan for Tautog

Norfolk, VA – The Atlantic States Marine Fisheries Commission has approved Amendment 1 to the Interstate Fishery Management Plan (FMP) for Tautog, which includes new management goals and objectives, biological reference points, fishing mortality targets, and stock rebuilding schedules. The Amendment institutes a fundamental change in tautog management, moving away from coastwide management towards regional management. Specifically, the Amendment delineates the stock into four regions due to differences in biology and fishery characteristics: Massachusetts – Rhode Island (MARI); Long Island Sound (LIS); New Jersey – New York Bight (NJ-NYB); and Delaware – Maryland – Virginia (DelMarVa).

The 2016 stock assessment update indicated that all regions except MARI were overfished, and overfishing was occurring in the LIS and NJ-NYB regions in 2015. As such, LIS and NJ-NYB would be required to take harvest reductions, while MARI and DelMarVa would not have to take harvest reductions, but are proposing regional measures.

Amendment 1 replaces the goal of the FMP to sustainably manage tautog over the long-term using regional differences in biology and fishery characteristics as the basis for management. Additionally, the Amendment seeks to promote the conservation and enhancement of structured habitat to meet the needs of all stages of tautog's life cycle. The plan objectives were modified to achieve this new goal.

Under Amendment 1 the four regions will implement measures to achieve the regional fishing mortality target with at least a 50% probability. No consistent schedule is required to achieve targets, but if the current fishing mortality exceeds the regional threshold, the Board must initiate corrective action within one year. A stock rebuilding schedule can be established via an addendum.

In addition, Amendment 1 establishes a commercial harvest tagging program to address an illegal, unreported and undocumented fishery. The tagging program will be implemented in 2019. Reports of illegally harvested fish have been documented in cases against fishermen, fish houses, and at retail markets and restaurants. The tagging program, which will accommodate both the live and dead commercial markets, was recommended by the Commission's Law Enforcement Committee to increase accountability in the fishery and curb illegal harvest. Tags will be applied by the commercially-permitted harvester at harvest or prior to offloading. Tautog must be landed in the state that is identified on the tag.

The states will submit implementation proposals by December 1, 2017 and all measures in the Amendment except for the commercial tagging program will be implemented by April 1, 2018. The commercial tagging program must be implemented by January 1, 2019.

The final Amendment will be posted to the Commission's website on the Tautog webpage the week of October 31st. For more information, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org or 703.842.0740.

###

PR17-52

Meeting Summary

The Business Session met to address a number of issues, including the election of a new Commission Chair and Vice-Chair; review and consider approval of the Draft 2018 Action Plan; consider approval of new Amendments to Interstate Fishery Management Plans (FMPs) for Northern Shrimp and Tautog.

By unanimous consent, the Business Session elected James J. Gilmore of New York and Patrick Keliher of Maine as its new Chair and Vice-chair, respectively. It approved the 2018 Action Plan, which guides the activities of Commission programs for fisheries management, fisheries science, law enforcement, habitat conservation, outreach and education, finance and administration and data collection and data management. It approved Amendments to the Interstate FMPs for Northern Shrimp and Tautog (more

detailed information on those amendments can be found in the above press releases). It also directed Commission staff to send a letter to NOAA Fisheries and the New England Fishery Management Council regarding the requirements for size-sorting grates in Amendment 3 to the Northern Shrimp Fishery Management Plan.

For more information, please contact Bob Beal, Executive Director, at rbeal@asmfc.org or 703.842.0740.

Motions

Move to approve the 2018 Action Plan on behalf of the Administrative Oversight Committee.

Motion made by Mr. Gilmore. Motion approved by consent.

Move the Commission approve Amendment 3 to the Northern Shrimp Interstate Fishery Management Plan.

Motion made by Mr. Grout and seconded by Mr. Reid. Motion is approved by unanimous consent.

Move the Commission send a letter to NOAA Fisheries and the New England Fishery Management Council regarding the requirements for size-sorting grates in Amendment 3 to the Northern Shrimp Fishery Management Plan.

Motion made by Mr. Grout and seconded by Mr. Clark. Motion carries by unanimous consent.

On behalf of the Tautog Management Board, move the Commission approve Amendment 1 to the Tautog Interstate Fishery Management Plan.

Motion made by Mr. Nowalsky. Motion carries by unanimous consent.

SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (OCTOBER 18, 2017)

Meeting Summary

The Summer Flounder, Scup, and Black Sea Bass Management Board met to consider Draft Addendum XXX; receive an update on preliminary recreational harvest estimates through wave 4 (July-August 2017); consider a wave 1 recreational black sea bass fishery for 2018; and consider state compliance and FMP Reviews.

The Board was presented the updated Draft Addendum XXX, which proposes options for management of the recreational black sea bass fishery based on the recommendations of the Black Sea Bass Recreational Working Group. The Draft Addendum offers alternatives for recreational black sea bass regional management and allocations. The main recommendation was to delay considering approval of the Draft Addendum for public comment to allow more time for developing an additional management option focused on improving data collection, compliance with the management measures, and an evaluation of the recreational fishery performance. The Board agreed and will consider the Draft Addendum at the joint meeting with the Mid-Atlantic Fishery Management Council (Council) in December.

The Board received preliminary recreational harvest estimates through wave 4. Coastwide harvest estimates for summer flounder, scup, and black sea bass were below the 2017 recreational harvest

limits for all three species based on the preliminary information, as well as lower than harvest through this wave a year ago. Projections of recreational harvest for all three species will be presented to the Board and Council at their meeting in December as part of the 2018 recreational specification process.

The Board received a presentation on a possible wave 1 recreational black sea bass fishery for 2018. At their meeting last week, the Council approved a recommendation to NOAA Fisheries to open the black sea bass recreational fishery in federal waters for February 2018. As part of the recommendation, the 2018 RHL will be reduced by 100,000 pounds to account for expected harvest during the February season. After discussing the Council's motion and considering the process by which this fishery would be monitored and accounted for, the Board approved the same motion. Adjustments to the 2018 recreational measures to account for this estimated February harvest will be required only of states that participate in the February fishery. State participation will be discussed at the Board and Council joint meeting. As part of the Board and Council's approved motion, management measures for the recreational black sea bass February season (February 1-28) will be a 12.5 inch minimum size limit and 15 fish possession limit per person.

The Board was informed of inconsistencies between the FMP requirements for the scup incidental possession limit and mesh size requirements and Massachusetts' state regulations for participants in the small mesh squid fishery. The Board moved to postpone consideration of the Scup FMP Review and state compliance until the 2018 ASMFC Winter Meeting in order for the state to address the issue. The Summer Flounder and Black Sea Bass FMP Reviews and state compliance will be considered for approval by email vote following the ASMFC Annual meeting.

Last, the Board discussed recent reports of noncompliance in the recreational for-hire fisheries for summer flounder, scup, and black sea bass. The Board moved to task the existing Black Sea Bass Recreational Working Group with developing options aimed at reducing non-compliance in the summer flounder, scup, black sea bass for-hire fisheries.

For more information on summer and scup, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at krootes-murdy@asmfc.org and for information on black sea bass, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org or 703.842.0740.

Motions

Main Motion

Move to include a second management issue in Draft Addendum XXX with options aimed to reduce non-compliance in the for-hire fisheries for summer flounder, scup, and black sea bass, including a possible requirement for for-hire permit holders/operators to be held liable for violations of recreational fishing rules occurring during a for-hire trip.

Motion made by Ms. Meserve and seconded by Mr. Borden.

Motion to Substitute

Move to substitute to task our existing working group with developing options aimed at reducing non-compliance in the summer flounder, scup, black sea bass for-hire fisheries.

Motion made by Mr. Nowalsky and seconded by Mr. Hasbrouck. Motion carries (8 in favor, 2 opposed, 1 abstention, 1 null).

Main Motion as Substituted

Move to task our existing working group with developing options aimed at reducing non-compliance in the summer flounder, scup, black sea bass for-hire fisheries.

Motion carries unanimously.

Move to recommend NMFS open the black sea bass recreational fishery in federal waters from 2/1/18 – 2/28/18 with a minimum size limit of 12.5” and a per person daily possession limit of 15 fish. Based on staff analysis, the 2018 recreational harvest limit that applies to the remainder of the fishing year will be reduced by the preliminary estimate of 100,000 lb to account for expected catch during the February season. Adjustments to the 2018 recreational measures to account for this estimated February catch will be required only of states that participate in the February fishery.

Motion made by Mr. Nowalsky and seconded by Mr. O’Reilly. Motion carries (5 in favor, 4 opposed, 3 abstentions).

Move to postpone Board approval of the Scup FMP review and state compliance reports until the Winter Meeting.

Motion made by Dr. Pierce and seconded by Sen. Boyle. Motion carries (10 in favor, 1 abstention).

ATLANTIC STRIPED BASS MANAGEMENT BOARD (OCTOBER 19, 2017)

Meeting Summary

As the Atlantic Striped Bass Technical Committee (TC) and Stock Assessment Subcommittee (SAS) continue their work on the 2018 benchmark assessment, they request guidance from the Atlantic Striped Bass Management Board (Board) regarding the management plan objectives to facilitate development of biological reference points (BRPs) that best meet those objectives.

While some Board members are comfortable with the current BRPs, other Board members expressed concern that the BRPs are too conservative for various biological, ecological and socio-economic reasons, and are restricting fishing unnecessarily. These differing opinions raises questions about whether the objectives of the Atlantic Striped Bass Fishery Management Plan (FMP) have changed since the implementation of Amendment 6 in 2003. Determining the best balance between preserving stock biomass and allowing fishing is ultimately a management-level decision. Accordingly, the Board chose to convene a workshop to discuss the direction of management in more detail and to establish a working group of the Board to continue those discussions and provide the necessary guidance to the TC and SAS. The exact timing of the workshop is yet to be determined, but the final guidance to the TC and SAS is expected to occur at the May 2018 Board Meeting, or the August Meeting at the latest. The Board also approved the 2017 FMP Review and State Compliance.

For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at mappelman@asmfc.org or 703-842-0740.

Motions

Move to approve the 2017 Fishery Management Plan Review and state compliance for Atlantic Striped Bass.

Motion made by Mr. Luisi and seconded by Mr. Keliher. Motion carries unanimously.

Move to elect Mike Armstrong as Chair of the Atlantic Striped Bass Management Board, and Michelle Duval as Vice-chair.

Motion made by Mr. White, second by Mr. Allen. Motion carries unanimously.

INTERSTATE FISHERIES MANAGEMENT BOARD (OCTOBER 19, 2017)

Meeting Summary

Doug Grout, ASMFC outgoing Chair, presented the Executive Committee Report (see Executive Committee Meeting Summary). Commission leadership will be meeting with the Secretary of Commerce to discuss the noncompliance process, in particular ways to improve the process and make it more transparent. Jason McNamee presented a progress report from the Risk and Uncertainty Workgroup, which was tasked to develop a risk policy for the Commission. The Work Group will present the policy, through an interactive workshop, at the Commission Winter 2018 Meeting in February. The Board received committee reports from the Habitat Committee, Atlantic Coastal Fish Habitat Partnership, and the Law Enforcement Committee (LEC) (see respective meeting summaries in this document).

The Atlantic Herring Section recommended the Commission establish a working group with the New England Fishery Management Council with the goal of improving communication (see Atlantic Herring Committee Meeting Summary). The Board agreed to send a letter to the Council to establish the working group. In addition, the Board will extend a non-voting seat to the Council. Having input from the Council will improve the strength of decisions made by the Section and improve coordination between state and federal water management of Atlantic herring.

The Board discussed recent violations in the for-hire sector where patrons have far exceeded bag limits in addition to possessing undersized fish. Some Commissioners have raised concerns that captains are not being held accountable for activities on their vessel, in particular when flagrant violations occur. Members of the Board recognized captains are not law enforcement and it can be difficult for captains of party boats with a large number of patrons to know everything being caught on Board but vessels should be creating an environment that educates and incentivizes patrons to follow the regulations (e.g. providing the regulations to each patron, marking each patrons cooler, and providing measuring sticks). The LEC discussed the issue earlier in the week. Enforcement officers concluded the ability to charge and prosecute captains or operators along with patrons would help to curtail noncompliance in the for-hire sector. The Summer Flounder, Scup and Black Sea Bass Board established a working group to look at noncompliance and the Policy Board will wait to make any recommendations until after the group has addressed its task.

The Board reviewed a white paper from the Climate Change Working Group which was included in meeting materials. The Climate Change Working Group was tasked with developing science, policy, and management strategies to assist the Commission with adapting its management to changes in species abundance and distribution resulting from climate change impacts. The white paper presents

adaptation strategies as guidelines to assist Boards and Sections in the management of species impacted by climate change, with a focus on stocks with low biomass and allocation. The Board will consider approval of the white paper for species management board use at the February 2018 Board meeting.

The Board received an update from the Assessment Science Committee regarding the new Technical Committee Task Lists included briefing materials. These lists updated and added to the briefing materials for each quarterly Commission meeting. Lists will include all current committee tasks with timelines, assign an activity level, a committee overlap score based on overlap with other TC/SAS, and TC and SAS member lists and their affiliations. The lists are intended to help Boards prioritize and address timeframes when assigning committees additional work.

The Committee on Economics and Social Sciences requested a change in its membership requirements in the ISFMP Charter. The Board agreed to relax requirements to encourage more active participation in drafting management change documents. Staff will work to integrate Board recommendations into ISFMP Charter language. The Board approved two changes in the stock assessment schedule. The shad stock assessment will be moved to 2019 to account for the change from an update to a benchmark stock assessment to incorporate changes in aging. The weakfish assessment update will be moved 2019 to incorporate new MRIP data that will be released in 2018.

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

Motions

Main Motion

On behalf of the Atlantic Herring Section, I move the Commission to send a letter to the New England Fishery Management Council to establish a Working Group with the goal of improving communication between the two bodies.

Motion by Mr. White. Motion amended.

Motion to Amend

Move to amend to include to provide a permanent non-voting seat to the New England Fishery Management Council on the Atlantic Herring Section.

Motion by Mr. Reid, seconded by Mr. White. Motion approved by unanimous consensus.

Main Motion as Amended

On behalf of the Atlantic Herring Section, move the Commission to send a letter to the New England Fishery Management Council to establish a Working Group with the goal of improving communication between the two bodies and to provide a permanent non-voting seat to the New England Fishery Management Council on the Atlantic Herring Section.

Motion is approved by unanimous consent.

Move to approve the recommended changes to the CESS Membership requirements in the ISFMP Charter as modified to reflect the Policy Board discussion today.

Motion made by Mr. Clark and seconded by Mr. Estes. Motion approved by unanimous consent.

Press Release

**ASMFC South Atlantic Board Selects Final Measures
for the Interstate FMP for the Atlantic Migratory Group Cobia and
Recommends Final Approval by the Commission**

Norfolk, VA –The Commission’s South Atlantic State/Federal Fisheries Management Board selected final measures for the Interstate Fishery Management Plan (FMP) for Atlantic Migratory Group (AMG) Cobia and recommended Commission approval of the FMP at its next Business Session meeting, scheduled for November in Baltimore, MD.

The FMP was initiated in response to recent overages of the federal annual catch limit (ACL) for AMG Cobia. Managing the recreational ACL on a coastwide basis has resulted in federal closures and significant overages in 2015 and 2016, disrupting fishing opportunities and jeopardizing the health of the stock.

The Board-approved FMP complements many of the aspects of the South Atlantic Fishery Management Council’s (SAFMC) cobia regulations from Georgia through New York. The recreational fishery will be managed with a one fish bag limit and minimum size limit of 36” fork length (FL) or total length equivalent. Vessel limits will be determined once individual states set their seasonal restrictions, but may not exceed six fish per vessel. State-specific allocations of a coastwide recreational harvest limit that is equivalent to the federal AMG cobia ACL of 620,000 pounds result in the following state-specific soft targets:

- Georgia: 58,311 pounds
- South Carolina: 74,885 pounds
- North Carolina: 236,316 pounds
- Virginia: 244,292 pounds

Recreational harvest overages of specific-state allocations will be evaluated over a three-year time period. If overages occur, states will be required to adjust management measures to reduce harvest in the subsequent three-year period.

The commercial fishery will maintain the current management measures as implemented through the SAFMC plan and continue to be managed with a 33” FL minimum size limit and 2 fish limit per person, with a 6 fish maximum vessel limit. The federal ACL of 50,000 pounds is allocated to the entire commercial fishery from Georgia through New York. The commercial AMG cobia fishery will close once the ACL is projected to be reached.

The FMP provides the opportunity for states to declare *de minimis* status for their recreational fishery if landings constitute less than 1% of the recreational AMG cobia harvest. States must submit implementation plans to the Commission by January 1, 2018 for Technical Committee review and Board approval at the February 2018 meeting in Alexandria, Virginia. Approved plans must be implemented by April 1, 2018. For more information, please contact Dr. Louis Daniel, Fishery Management Plan Coordinator, at ldaniel@asmfc.org or 252.342.1478. PR17-54

Meeting Summary

The South Atlantic State/Federal Fisheries Management Board met to review and discuss a number of issues including selection of final measures for the Interstate Fishery Management Plan (FMP) for the Atlantic Migratory Group Cobia; a proposal to re-open Maryland's commercial fishery for black drum in Chesapeake Bay; and annual state compliance with FMPs for black drum, red drum, and spotted seatrout.

The Board reviewed a proposal submitted by Maryland to re-open their commercial black drum fishery in Chesapeake Bay. This historic fishery was closed in the late 1990s to conduct a tagging study to collect biological and movement information and was never re-opened after completion of the study. In 2014, the Interstate Black Drum FMP was approved and required states to maintain current management measures, resulting in a continuation of the commercial closure. The Board approved the initiation of an addendum to the Black Drum FMP that would re-open the Maryland commercial fishery under a 28 inch minimum size and a 10 fish daily vessel limit. The Draft Addendum will be presented to the Board in February 2018. If approved, it will be released for public comment late Winter/early Spring, with final action scheduled for May 2018.

The Board also reviewed annual state compliance with FMPs for black drum, red drum, and spotted seatrout. The Board found all states to be in compliance with the measures included within each species' respective FMP. The Board also revisited a conversation about whether interstate management of spotted seatrout should be continued. Options for future management of spotted seatrout will be explored and reviewed at a later meeting.

For more information, please contact Mike Schmidtke, Fishery Management Plan Coordinator, at mschmidtke@asmfc.org or 703.842.0740.

Motions

Move to initiate an addendum that would allow Maryland to re-open its pre-existing commercial black drum fishery under a 28 inch minimum size and a 10 fish daily vessel limit.

Motion made by Ms. Fegley and seconded by Dr. Rhodes. Motion passes unanimously.

Move to accept the 2017 FMP Reviews and State Compliance Reports for black drum, red drum, and spotted seatrout and approve *de minimis* requests for New Jersey and Delaware for both red drum and spotted seatrout.

Motion made by Dr. Rhodes and seconded by Mr. Batsavage. Motion passes unanimously.

Move to adopt Option 2: 36" fork length for recreational minimum size limit options, Option 2: 1 fish per person for recreational bag limit options, and Option 2: up to 6 fish per vessel for recreational vessel limit options.

Motion made by Mr. Boyles and seconded by Dr. Duval. Motion carries unanimously.

Move to adopt option 2: soft harvest target for recreational season/allocation options.

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

Move to select Sub-option D under Option 2: 5 year/10 year average reference period.

Motion made by Dr. Duval and seconded by Mr. Cimino. Motion passes (5 in favor, 2 opposed, 3 abstentions).

Move to adopt Sub-option F under Option 2: 3 years landings monitoring timeframe.

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

Move to adopt Option 2: 33" commercial minimum size limit under section 4.2.1 and adopt a possession limit of no more than 2 fish per person, not to exceed 6 fish per vessel.

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

Move to adopt Option 3: a *de minimis* program for recreational fisheries only.

Motion made by Ms. Fegley and seconded by Mr. Woodward. Motion passes unanimously.

Move to adopt Sub-option B: the ability to match an adjacent non-*de minimis* state and Sub-option D: recreational minimum size of 29".

Motion made by Ms. Fegley and seconded by Mr. Miller. Motion passes (5 in favor, 1 opposed, 3 abstentions).

Move to recommend to the Commission the approval of the Cobia Interstate Fishery Management Plan as amended today.

Motion made by Mr. Boyles and seconded by Dr. Duval. Motion passes with one abstention.